

**BOARD OF TRUSTEES  
MEETINGS - JANUARY 3, 2008**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Ken Palka, Pfeffer, Hanniford & Palka  
Chris Arsenault, Pfeffer, Hanniford & Palka

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

**APPROVAL OF AGENDA**

Dave Hamann motioned to approve the agenda. Les Andersen seconded.

**Motion carried 7-0.**

**CONSENT AGENDA**

Tammy Beal motioned to approve the consent agenda. Paula Wyckoff seconded.

**Motion carried 7-0.**

**CALL TO THE PUBLIC**

None.

**REAPPRAISAL OF RESIDENTIAL AND AGRICULTURE PROPERTIES**

Vickie Moellmann, the township's assessor, provided the board members with an informational packet supporting her request for a reappraisal. There are three options presented in the proposal. She was present at the meeting to answer any questions.

Ms. Moellmann said the state may conduct a 14-point review of the township's information. If the state requests a reappraisal, the township may not have a choice in who does the work. She feels the township should be proactive and start the process to ensure all of the data is accurate. Mr. Hanvey said he would like to see a description of what a reappraisal consists of. He asked if vacant land would also be done. Ms. Moellmann said that photos would probably be taken, but the focus would be on improved parcels. Mr. Hodge said the appraiser should have his or her own liability insurance. Mr. Hamann asked how the project would be handled budget-wise, with 3 months in the current fiscal year, 12 months in the next, and 9 months in the final year. Mr. Lowe asked how long it's taken the assessing department to finish the 380 parcels already done. Ms. Moellmann said they have been working on them over the last year.

After additional discussion, Les Andersen motioned to have assessor prepare a contract for reappraisal services, to include dollar amounts, insurance information, benchmarks, and payment procedures, for the board to review at the next meeting. Travis Hodge seconded. Discussion: The benchmarks can be established by the assessor.

**Motion carried 6-1 (Lowe).**

**MARION PINES COURT PRIVATE ROAD FINAL REVIEW**

Mark Hiller, from Livingston Engineering, was present on behalf of Poole LLC, to ask for final approval on Marion Pines Court private road. The changes requested by the Planning Commission, engineering, planner, and attorney have been made. The Declaration and Easement Maintenance Agreement have been reviewed and approved

by the attorneys. Dave Hamann motioned to grant final approval for Marion Pines Court private road. Les Andersen seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

#### **TEXT AMENDMENT PRELIMINARY REVIEW**

#### **Section 8.01 D 2—Rural Residential Private Stables and Section 8.02 D 2—Suburban Residential Private Stables**

Mr. Andersen questioned the wording in item j, “The enclosed structure must be at least ten (10) feet by ten (10) feet.” He said it sounds like the entire structure must be at least 10’ x 10’, not each stall. He also questioned the number of horses stated in item a, and why it was changed from 6 to 15. He said it doesn’t follow the formula for animal units written in the zoning ordinance. The board also discussed item d and the words “dwelling unit.” Mr. Hanvey said that some parcels with horses may have the dwelling unit on an adjacent parcel. He also felt the word “piles” should be removed from item i.

#### **Definition of Private or Commercial Stable Fencing, Pens, Corrals & Pastures**

Mr. Hanvey suggested changing the word “pasturing” to “grazing”, and using only corral or pen, not both

#### **Definition of Contractor Storage Yard**

Correspondence was received today from Joseph Siciliano, attorney for Mr. Lover, regarding this issue. The township’s planner doesn’t feel that land should be subcontracted. Bob Hanvey said the ordinance can’t be written for one situation. Dave Hamann motioned to forward this correspondence to the township attorney for review. Travis Hodge seconded. **Motion carried 7-0.**

#### **Definition of Lots (Flag Lot Definition, Figure 3-7 & Section 6.11)**

The board members discussed the terminology lots vs. parcels, etc. Bob Hanvey said he will talk with the planner and attorney and return comments to the Planning Commission (AI #1.)

#### **TEXT AMENDMENT FINAL REVIEW**

#### **Section 4.03 C #9 & E—Land Use Permit Final Inspection:**

The board members discussed the wording in item E, specifically “during the pouring of footings, or excavation for a foundation.” They also questioned the wording in C #9 and whether “structures that are within 5’ of the required setback” should be changed. Mr. Lowe suggested the wording should be “within 1’ of the building envelope” or within a certain distance from the building envelope, on lots 20,000 square feet or less. Tammy Beal motioned to send this item back to the Planning Commission to address these items. Paula Wyckoff seconded. **Motion carried 7-0.**

#### **WATER AND SEWER CASH FLOW STUDY**

A copy of the proposal from Pfeffer, Hanniford and Palka is included in the board packets. A similar analysis was done 4-5 years ago. The auditor feels the township should be proactive and have an analysis done as a precautionary measure. Dave Hamann motioned to accept the proposal from Pfeffer, Hanniford & Palka for a debt service cash flow study for the township’s water and sewer districts, not to exceed \$5,000. Dan Lowe seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

#### **MUSSON HILLS CEMETERY PROPERTY**

Tammy Beal said she has asked the township’s engineer to determine the number of burial lots that would be available. An appraiser has been hired and the appraisal should be available at the next meeting. Dave Hamann motioned to table this item until the next meeting. Travis Hodge seconded. **Motion carried 7-0.**

**CREDIT CARD USE POLICY**

Paula Wyckoff motioned to adopt a resolution to establish credit card use, as presented, with minor changes made on typographical errors. Dave Hamann seconded. Roll call vote: Beal, Hanvey, Hodge, Andersen, Lowe, Wyckoff, Hamann—all yes.

**Resolution passed 7-0.**

**2008 TOWNSHIP ROAD PROJECTS**

Les Andersen said the county road commission will be discussing overlay projects at its February meeting. Tammy Beal said that Michigan Chloride gave her a price of 17 cents/gallon for salt brine, and they have an unlimited supply and more trucks than last year’s contractor. Bob Hanvey suggested the board should reserve \$80,000 for four dust control applications.

**HOWELL AREA PARKS AND RECREATION AUTHORITY**

Paula Wyckoff provided the board with a copy of the Parks and Recreation Authority director’s December report. Howell Community Education has been taken over by the Authority. Statistics on township participation and hopefully budget information should be available by the next meeting.

**CORRESPONDENCE/UPDATES**

Carlisle/Wortman sent the township a letter regarding the holiday contributions that were made for 2007. Clark Hill sent a letter to Bob Hanvey regarding the December 19 conference call with the MTT judge. Another conference call is scheduled for January 29. A letter was received from Recycle Livingston thanking the township for the \$1,000 payment. An email was received from the state policy stating that coverage in our area is not changing.

**FOR THE GOOD OF THE TOWNSHIP**

Verizon has co-located on the cell tower behind the township hall and it is now working. A packet was received from AT&T, including information on the PEG channel.

**CALL TO THE PUBLIC**

Barney Cole, 918 Francis Road, said that Charter has increased rates by \$2. He asked if any information is available from AT&T regarding the new service.

**ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 9:40 p.m. Tammy Beal seconded. **Motion carried 7-0.**

**MINUTES - JANUARY 24, 2008**

- MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe
- MEMBERS ABSENT:** None
- OTHERS PRESENT:** Phil Westmoreland, OHM  
Chris Arsenault, Pfeffer, Hanniford & Palka  
Annette McNamara, Zoning Administrator  
Vickie Moellmann, Assessor

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

### **CALL TO THE PUBLIC**

None.

### **APPROVAL OF AGENDA**

Dave Hamann motioned to approve the agenda as amended. Paula Wyckoff seconded.

**Motion carried 7-0.**

### **CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda as amended. Dave Hamann seconded. **Motion carried 7-0.**

### **APPROVAL OF JANUARY 3, 2008 REGULAR MEETING MINUTES**

Bob Hanvey asked to change the word "contribution" to "payment" under Correspondence/Updates, page 3, paragraph 3, regarding Recycle Livingston.

### **HOWELL AREA PARKS AND RECREATION AUTHORITY**

Deborah Mikula, Director of the Howell Area Parks and Recreation Authority, was present to ask for the township's financial support for the next three years. She provided the board with some statistics on the number of residents from the township who participate in programs. Accurate information isn't available for residents who use the city park or the senior center, but will be available in the future.

Jim Klingsten, township resident who works with the Howell Area Soccer group, said there has been 33% growth in the program. They need space for practice fields and game fields. He would like to see the township increase its support of HAPRA. The following residents attended the meeting to let the board know that they want the township to continue its financial support of HAPRA: Nancy Lavey, 222 W. Coon Lake Road; Barb Klingsten, 3579 Mandry Dr.; Robin Red Wing, 5050 Vines Road; Cindy Alesso, 4045 Love's Creek; Stuart Blatt, 2404 White Birch Trail; Jonah Blatt, 2404 White Birch Trail; Jimmy Blatt, 2404 White Birch Trail; Sherry Howard, 5019 Scheuner's Way; Rick Schrader, 2109 Dutcher; Judy Podvin, 5074 Vines Road; Mark Michaels, 735 E. Coon Lake Road; and Jean Anderson, 4258 Rurik.

The following residents sent emails expressing their opinions that the township should continue to support HAPRA: Jeffery Falzone; Richard McIntyre; Domenic & Emily Baruzzini; Kelly & Tim Johnson; Tim & Kristi Brennan; Rodney Red Wing; Diane Bockhausen; and Donna Conrad-Roskamp. Paula Wyckoff motioned that Marion Township will forecast funds for the Howell Area Parks and Recreation Authority in the amount of \$57,980 plus inflation for the next two years, beginning July 2009. Travis Hodge seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

### **FINAL REVIEW OF PROPOSED TEXT AMENDMENT #01-07**

Bob Hanvey pointed out several wording changes he would like to see: 1) change 225' setback from residence to occupied structure; 2) under "antennas", the last item is already in "towers"—remove item 10; 3) the wording for Section C, item 1 j should be similar to "the application for the WCSF must demonstrate why co-location on an existing structure is not possible"; 4) change the word "devise" to "device" in Section C 1 o. Les Andersen motioned to approve the proposed text amendment #01-07 for Section 17.10 and 3.02 with the amendments as discussed. Dave Hamann seconded.

**Motion carried 7-0.**

### **FINAL REVIEW OF PROPOSED TEXT AMENDMENT #09-07**

Tammy Beal motioned to approve the proposed text amendment #09-07 for Sections 6.30 and 3.02 of the zoning ordinance. Paula Wyckoff seconded. **Motion carried 7-0.**

#### **FINAL REVIEW OF PROPOSED TEXT AMENDMENT #06-07**

Les Andersen motioned to approve the proposed text amendment #06-07 for Article VII of the zoning ordinance. Tammy Beal seconded. **Motion carried 7-0.**

#### **FINAL REVIEW OF PROPOSED TEXT AMENDMENT #08-07**

Travis Hodge motioned to approve the proposed text amendment #08-07 for Sections 8.03 and 17.29 of the zoning ordinance. Paula Wyckoff seconded. **Motion carried 7-0.**

#### **FINAL REVIEW OF PROPOSED TEXT AMENDMENT #11-07**

Les Andersen motioned to approve the proposed text amendment #11-07 for Section 3.02 (utility easement definition) of the zoning ordinance. Tammy Beal seconded.

**Motion carried 7-0.**

#### **REAPPRAISAL OF RESIDENTIAL AND AGRICULTURAL PROPERTIES**

Vickie Moellmann provided the board members with benchmarks and a written proposal, including liability insurance information. Les Andersen asked if there was information available on other townships that may have had issues in the past. Ms. Moellmann said there is a list of townships, but details aren't available on what specific problems were identified. Bob Hanvey said he's not thrilled with the idea. Dan Lowe said he doesn't see the urgency. Mr. Hanvey said he would rather try an in-house approach. Les Andersen motioned to table this item until the April 7 meeting to gather more information. Dave Hamann seconded. **Motion carried 7-0.**

#### **MUSSON HILLS CEMETERY PROPERTY**

Tammy Beal said the property was appraised at \$42,400. She said the engineer estimated 585 graves, depending on the layout, with a minimum of 500. Les Andersen motioned to table this item until the April 22 meeting. Paula Wyckoff seconded.

**Motion carried 7-0.**

#### **FYKE WATER REU REFUND**

Dan Lowe motioned to table this item until the next meeting to gather more information. Les Andersen seconded. **Motion carried 7-0.**

#### **SEWER USAGE REFUNDS**

Les Andersen motioned to approve two sewer usage refunds for 3758 Norton Road. Tammy Beal seconded. Discussion: Dave Hamann said the process for charging sewer usage needs to be improved. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

#### **POVERTY EXEMPTION GUIDELINES**

Dave Hamann motioned to adopt Resolution No. 2008-02, as presented, for the Board of Review to use when evaluating poverty exemption applications. Travis Hodge seconded. Roll call vote: Beal, Hanvey, Hodge, Andersen, Lowe, Wyckoff, Hamann—all yes.

**Resolution passed 7-0.**

#### **COPIER PROPOSALS**

A proposal from American Imaging, Inc. was included in the board packets for review. American Imaging has a program available for municipalities to purchase equipment at reduced prices. Travis Hodge also provided information on a Dell copier. Les Andersen motioned to request that the township ask the representative from American Imaging if the township could evaluate one of the units on-site prior to making a decision. Tammy Beal seconded. **Motion carried 7-0.**

#### **TOWNSHIP INSURANCE RENEWAL**

Les Andersen motioned to accept the Burnham & Flower insurance proposal, including the zoning insurance through Diamond State Insurance Co., provided the township can select its own attorney. Tammy Beal seconded. **Motion carried 7-0.**

## **2008 TOWNSHIP ROAD PROJECTS**

Les Andersen provided information regarding Wright Road and the road commission's intentions. According to Mike Crain, the decision on what will be done is dependent on what the situation is with the school. Dave Hamann motioned to table this item until the next meeting. Les Andersen seconded. **Motion carried 7-0.**

## **WATERSHED DISCUSSION**

Bob Hanvey updated the board members on the lawsuit Kalamazoo filed against the MDEQ. He would like to have the township get out of Phase II, but stay with the watershed project. The permit will expire in a few months, and the township can choose not to renew.

## **FOSTER, SWIFT, COLLINS & SMITH INVOICE**

Tammy Beal motioned to pay the Foster, Swift, Collins & Smith invoice for \$3,835.72. Les Andersen seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Hamann, Wyckoff—all yes. **Motion carried 7-0.**

## **CLARK HILL INVOICE**

Paula Wyckoff motioned to approve Clark Hill invoice #302130 for \$5,506. Dave Hamann seconded. Roll call vote: Lowe, Wyckoff, Hamann, Hodge, Andersen, Beal, Hanvey—all yes. **Motion carried 7-0.**

## **RESOLUTION AUTHORIZING COLLECTION OF SCHOOL TAX**

Tammy Beal motioned to adopt a resolution to collect the school taxes for Howell Public Schools on the 2008 and 2009 summer tax bills. Dave Hamann seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Resolution passed 7-0.**

## **HOMETOWN VILLAGE WATER PRESSURE/MHOG**

Dan Lowe said the problem with the water pressure at Hometown Village will require a pump system. The elevations need to be reviewed on the maps. OHM will investigate and report back to the board.

## **CORRESPONDENCE/UPDATES**

None.

## **FOR THE GOOD OF THE TOWNSHIP**

The township now has its own flag, which was displayed at the recent MTA conference.

## **CALL TO THE PUBLIC**

Charlie Musson asked if the township will be reducing its assessments by at least 8%. Bob Hanvey said the township can't arbitrarily lower assessments; it needs to follow state guidelines. Jack Lowe passed out a handout regarding FEMA, depicting a property in Genoa Township. He said the homeowner had to spend \$1,000 to have the property removed from the floodplain. Bob Hanvey said it's not because of FEMA; it's that homeowner's particular mortgage company. Mr. Hanvey said the trend is for more requirements for FEMA, not less. Dan Lowe expressed his opinion that the township should not participate with this program. Les Andersen gave Jack Lowe the name of his insurance agent who has 22 years of experience dealing with FEMA. Tammy Surian said she has researched this issue and has received many different answers from different agencies. She doesn't feel that the township should participate.

## **ADJOURNMENT**

Paula Wyckoff motioned to adjourn the meeting at 11:20 p.m. Travis Hodge seconded. **Motion carried 7-0.**

**MINUTES - FEBRUARY 14, 2008**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Annette McNamara, Zoning Administrator

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Dan Lowe asked to have an item regarding snowplowing added to the agenda. Dave Hamann motioned to approve the agenda as amended. Paula Wyckoff seconded.

**Motion carried 7-0.**

**CONSENT AGENDA**

Dave Hamann motioned to approve the consent agenda. Travis Hodge seconded.

**Motion carried 7-0.**

**SECOND PRELIMINARY REVIEW OF TEXT AMENDMENT #13-07--DEFINITION OF CONTRACTOR STORAGE YARD**

Joseph Siciliano, attorney for Frank Lover, was present to discuss this text amendment. He objects to the definition including the words "single entity." He said the township was well aware of his client's intentions for a storage yard prior to writing the definition. Les Andersen asked Mr. Siciliano if he has discussed this with the township planner. Mr. Siciliano said yes. Tammy Beal said one of the concerns would be time restrictions on when activity can take place. Dan Lowe said "contractor storage yard" is not meant to be plural. Bob Hanvey said the definition as written doesn't prevent Mr. Lover from using his property. He also said if Mr. Lover submitted an application for a Special Use Permit for outdoor storage, the Planning Commission could place conditions on the SUP. Annette McNamara said the delays are due to the fact that Mr. Lover is unwilling to make the changes requested by the Planning Commission. Dave Hamann motioned to send this text amendment back to the Planning Commission for input from the county. Les Andersen seconded. **Motion carried 7-0.**

**PRELIMINARY REVIEW OF TEXT AMENDMENT #02-07--SECTION 6.14 C & 17.32: HOME OCCUPATION**

Bob Hanvey suggested the following changes: 1) in the last sentence of paragraph two, take out "...and telecommuters"; 2) item (G), clarify principal versus accessory; 3) item (M) is awkward with regard to allowing only one customer, etc.; 4) in Section 17.32, item (J), allowing only eight visitors, etc. each day is too restrictive; 5) Section 3.02, definition for home occupation, questions what "clearly customary" means; 6) Section 6.07, first paragraph, questions the word "business" in bold. Dan Lowe said he has a problem with Section 6.14, item (I)—no small engine repair or metal grinding is too restrictive. Dave Hamann motioned to send text amendment #02-07 back to the Planning Commission with the board's comments. Les Andersen seconded.

**Motion carried 7-0.**

**FINAL REVIEW OF TEXT AMENDMENT #14-06--SECTION 4.03 C #9 & E:  
LAND USE PERMIT FINAL INSPECTION**

Travis Hodge motioned to approve text amendment #14-06, Section 4.03 C #9 & E, Land Use Permit Final Inspection, as presented. Les Andersen seconded.

**Motion carried 7-0.**

**SUBDIVISION CONTROL GENERAL ORDINANCE #08-01**

Bob Hanvey said he has concerns regarding Section 8 and 11. Dave Hamann said this general ordinance was presented to the Planning Commission, and it's a combination of the current ordinance and the MTA model. Bob Hanvey and Dave Hamann will work as a subcommittee with the township planner on this ordinance. Dave Hamann motioned to table this item and send it to the subcommittee for review. Tammy Beal seconded.

**Motion carried 7-0.**

**FYKE WATER REU REFUND**

Les Andersen motioned to adopt a resolution to refund the principal paid on Fyke's water REU for parcel #4710-05-200-029 in the amount of \$3,965. Dan Lowe seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Resolution passed 7-0.**

**COPIER PROPOSALS**

Additional proposals were submitted to the board for its review. After discussion, Tammy Beal motioned to purchase the Lanier copier from American Imaging. Les Andersen seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

**REPORT ON JOINT MEETING WITH CITY OF HOWELL**

Annette McNamara reported that she and the supervisor, along with two members of the township's Planning Commission, and three members of the city's Planning Commission, met on Monday, February 11. Discussion items were the D-19 corridor and the I-96 interchange. Invitations will be sent to the entire board and Planning Commission members to attend a presentation on Monday, March 3. Both the city's and township's planner are from Carlisle Wortman. A formal joint Planning Commission, which would be a review and recommending body, may be considered.

**2008 TOWNSHIP ROAD PROJECTS**

Les Andersen reported that he met with Mike Craine from the Road Commission. Mr. Craine said they aren't able to commit funds right now due to weather conditions, but suggested that the township decide on a dollar amount to spend on road improvements. Dave Hamann said the board members will have to see a preliminary budget prior to the March 15 LCRC deadline. Dan Lowe said he has concerns about the repairs that may be required after the spring thaw. Bob Hanvey said he will review the fund balance prior to the next meeting **(AI #1.)** Les Andersen and Dan Lowe will contact Tim Johnson to schedule a ride through the township to review roads **(AI #2.)**

**BRENT DRIVE SPECIAL ASSESSMENT**

Bob Hanvey said a petition has been received with 67% in favor of a special assessment for snow removal. Mr. Hanvey will prepare a resolution for the next board meeting, and will verify with the residents that the special assessment is for snowplowing **(AI #3.)**

**LOVE'S CREEK/SESAME DRIVE SPECIAL ASSESSMENT**

Bob Hanvey said the residents would like to renew the special assessment for snow removal. No petition is necessary because it has already been done. Mr. Hanvey will prepare a resolution for the next board meeting **(AI #4.)** The publication needs to be in the newspaper the day before the next meeting.



**HOWELL PARKS & RECREATION CLASSES**

The Parks & Recreation Authority has requested the use of the township hall for a four-day hunter's safety class, April 7-10.

**AUGUST FIRE MILLAGE FYI**

Chief Jim Reed was present to update the board on the upcoming August fire millage renewal.

**SNOWPLOWING DISCUSSION**

Dan Lowe provided the board members with a list of concerns regarding the snowplowing service and billing questions. Bob Hanvey said the clerk's office will investigate these concerns and report at the next meeting.

**CORRESPONDENCE/UPDATES**

Michaud Letter: A copy of a letter from the township's attorney is included in the packet. Mr. Hanvey will instruct the attorney to reply to Ms. Michaud on behalf of the township **(AI #5.)**

Police Service: Mr. Hanvey provided a copy of an article from the Lansing State Journal that a resident submitted regarding police service.

Wireless Livingston: Mr. Hanvey said that Oceola Township's attorney has questions regarding the wording in the contract.

**FOR THE GOOD OF THE TOWNSHIP**

None.

**CALL TO THE PUBLIC**

None.

**ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 9:12 p.m. Travis Hodge seconded.

**Motion carried 7-0.**

**MINUTES - FEBRUARY 28, 2008**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, OHM

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

**CALL TO THE PUBLIC**

Art Munsell was present on behalf of George Jappaya. They are having a problem getting the permits approved through the county building department, and would like to modify the building. The changes would not change the footprint of the building. Dave Hamann said the board can approve the changes, but a new site plan with new dates would be required, although he doesn't think they would have to go through site plan approval again. Mr. Hamann also said that Section 18.10 of the zoning ordinance states that a site plan change does have to go back to the Planning Commission. Dan Lowe said he doesn't believe it's a site plan change, it's just a change in the structure.

Dan Lowe motioned to accept the new plan as presented because it's not a site plan change, it's a structure change. Les Andersen seconded. Discussion: Dave Hamann said that the zoning administrator will need a new print with proper dates.

**Motion carried 7-0.**

#### **APPROVAL OF AGENDA**

Dave Hamann motioned to approve the agenda as presented. Travis Hodge seconded.

**Motion carried 7-0.**

#### **CONSENT AGENDA**

Dave Hamann motioned to approve the consent agenda. Travis Hodge seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Motion carried 7-0.**

#### **SNOW PLOWING CONCERNS**

Bob Hanvey said that he and Tammy Beal met with the snow plowing contractor in response to questions raised by Dan Lowe at the last meeting. Dan Lowe questioned where the information from Accuweather.com came from. Joanne Beauvais from Absolute Outdoor Services explained that it is one of the tools they use, among others. Paul Beauvais, 1795 Peavy, introduced himself and asked Mr. Lowe what his specific concerns were. Mr. Lowe said one of the issues was the fire hall sidewalks not being cleared properly. Travis Hodge said he hasn't heard any negative feedback from the staff at the fire hall. Bob Hanvey asked Mr. Lowe what he suggests be done. Mr. Lowe said two of the snow plows and some of the salt should be removed from the bills. Dan Lowe motioned to not pay snow plowing bills until the next meeting, and go through the bills to determine the amounts due. Motion failed due to lack of second. Mr. Beauvais will prepare the February bill and will drop off on Friday for Mr. Lowe's review.

#### **2008 TOWNSHIP ROAD PROJECTS**

Bob Hanvey said at the end of the fiscal year, there will be approximately \$375,000 available without lowering the fund balance below the budget. Les Andersen summarized the recent road commission meeting that he attended, and it appears there won't be any funds available from the road commission for cost sharing. He feels the priorities should be fixing the curves on Wright Road, limestone on Cedar Lake and Triangle Lake, overlay or grind and resurface on County Farm, and trees and ditch work near Kizer's property on Sexton Road. Dan Lowe said the limestone put on Cedar Lake and probably Triangle Lake was 23A instead of 21A. He feels that the board should wait until spring to see what happens. Paula Wyckoff said the township needs to be specific about the type of material to be used when asking for bids. Les Andersen recommended that the township ask the Livingston County Road Commission for bids on 1) Wright Road curves; 2) Cedar Lake limestone; 3) Triangle Lake limestone; 4) County Farm overlay; and 5) Sexton Road near Kizer's corner **(AI #1.)** Phil Westmoreland said the township should look at other roads and perform preventive maintenance. The majority of funds should be used on upper-level roads. For example, there are catch basins and manhole covers on Norton Road that should be repaired.

#### **BRENT DRIVE SPECIAL ASSESSMENT**

Tammy Beal motioned to adopt a resolution to hold a public hearing on whether to create a Special Assessment District for Brent Drive. Les Andersen seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes.

**Resolution passed 7-0.**

#### **LOVE'S CREEK/SESAME DRIVE SPECIAL ASSESSMENT**

Dan Lowe motioned to adopt a resolution to hold a public hearing on whether to create

a Special Assessment District for Love's Creek/Sesame Drive. Les Andersen seconded. Roll call vote: Beal, Hanvey, Hodge, Andersen, Lowe, Wyckoff, Hamann—all yes.

**Resolution passed 7-0.**

Bob Hanvey said that both Brent Drive and Love's Creek/Sesame Drive SADs should be added as agenda items for the March 13, 2008 board meeting **(AI #2.)**

**BUDGET FOR HAPRA**

Deb Mikula, director of HAPRA, presented the board members with the 2008-09 proposed budget. She stated that the City of Howell and Oceola Township has already granted approval, and she is asking the board to grant its approval. Paula Wyckoff motioned to adopt a resolution to approve the Howell Area Parks and Recreation Authority budget as presented. Tammy Beal seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Hamann, Hodge, Andersen—all yes. **Resolution passed 7-0.**

**CORRESPONDENCE/UPDATES**

Bob Hanvey said he received an email late this afternoon from Rich Burke of Hometown Village of Marion regarding bonding for pavement. Mr. Hanvey wasn't able to locate any information, but asked to have this item added to the next agenda **(AI #3.)**

**FOR THE GOOD OF THE TOWNSHIP**

The new copier was delivered today. Dan Lowe asked if the township still had dye to use for testing the sewer. Bob Hanvey said yes. Tammy Beal said the assessor will be holding a meeting for residents on March 3 and March 5, and the handouts for the meeting are available on the website.

**CALL TO THE PUBLIC**

Barney Cole mentioned school traffic on Fisk Road, and asked if traffic counts have been done. Les Andersen said he would talk with Tim Johnson from LCRC regarding Fisk and Francis Roads.

**ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 8:38 p.m. Les Andersen seconded.

**Motion carried 7-0.**

**MINUTES - MARCH 13, 2008**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dave Hamann, Les Andersen, Travis Hodge, and Dan Lowe

**MEMBERS ABSENT:** Tammy Beal

**OTHERS PRESENT:** Phil Westmoreland, OHM

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves. Tammy Beal was absent.

**CALL TO THE PUBLIC**

None heard.

**APPROVAL OF AGENDA**

Dan Lowe asked that discussion on snow plowing be added to the agenda. Les Andersen motioned to approve the agenda as amended. Travis Hodge seconded.

**Motion carried 6-0.**

**CONSENT AGENDA**

Dave Hamann motioned to approve the consent agenda. Travis Hodge seconded.

Roll call vote: Hamann, Lowe, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Motion carried 6-0.**

**BRENT DRIVE SPECIAL ASSESSMENT PUBLIC HEARING**

Mr. Hanvey informed the Brent Drive residents of what the special assessment would cover and the process for creating the special assessment. A public hearing will be held on April 24, 2008 and the residents will be notified by mail. A resolution to create the special assessment district will be made at the March 27, 2008 Board of Trustees meeting.

**LOVE'S CREEK/SESAME DRIVE SPECIAL ASSESSMENT PUBLIC HEARING**

Residents from Love's Creek were present to express concerns and gather information. L. Diedrick, 3371 Sesame Drive; asked if there is money for emergency repair in case of culvert failure. Mr. Hanvey answered the Board of Trustees can approve that yet, it is not part of the projected cost. He went on to explain the process to the residents.

**Rolling Hills Ranch Special Use Permit # 03-07**

Mr. Hanvey asked the applicants to summarize the project.

Jerald Wilson responded they applied for a Commercial Stable Permit to board horses, they also raise sheep. Mr. Hanvey asked the applicants if they had received a copy of the Condition of the Special Use. Jerald & Cheryl Wilson answered yes. Les Andersen motioned to approve the Special Use Permit #03-07. Paula Wyckoff seconded. Roll call vote: Hamann, Lowe, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 6-0** Les Andersen motioned to approve the Site Plan Review associated with the Special Use Permit. Paula Wyckoff seconded. Roll call vote: Hamann, Lowe, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 6-0.**

**Marion Township Roads**

Brad Harkness, Operation Manager for Michigan Chloride Sales, LLC was present to answer questions. The Board of Trustees asked if treatments could be called off due to rain and if the corners could get extra attention this summer. Brad Harkness said treatments could be called of if it rains; he has a center to divert and drop off. The way his company applies, he can assure the corners will be covered. Les Andersen motioned to accept Michigan Chloride Sales bid. Dave Hamann seconded. Roll call vote: Hamann, Lowe, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 6-0.**

**2008 Road Projects**

Les Andersen gave the Board of Trustees an update of the last Livingston County Road Commission meeting he attended. They will have bids by the next Board of Trustees meeting.

**Recording System**

Travis Hodge gave the Board of Trustees a handout on a possible recording system for their review.

**Bond for HomeTown Final Lift Paving**

Mr. Hanvey noted an email he received from one of the HomeTown residents. No one has been able to locate a bond to cover the final lift. He asked the Board members if they had any suggestions. Dave Hamann suggested asking Mike Kehoe if there was an amended PUD agreement. The township could stop issuing Land Use Permits and Certificate of Final Compliance.

**Final Review of Text Amendments**

**TXT#11-04/Z-06-08 Section 8.01 D 2 Rural Residential Private Stables**

The Board of Trustees agreed to reduce the number of horses allowed in Rural Residential from Fifteen back to six. The Board would like item j. to read;

An enclosed structure is required and must have at least one 10' x 10' stall for every two horses. Shelter shall be provided for all horses, which may include but not be limited to a lean to or wind block of adequate size for animals to get out of inclement weather. Les Andersen motioned to approve 8.02 D 1 with item j. re-written with new text. Paula Wyckoff seconded. **Motion Carried 6-0.**

**TXT#12-04/Z-07-08 Section 8.02 D 1 Suburban Residential Private Stables**

The Board would like item j. to read;

An enclosed structure is required and must have at least one 10' x 10' stall for every two horses. Shelter shall be provided for all horses, which may include but not be limited to a lean to or wind block of adequate size for animals to get out of inclement weather. Les Andersen motioned to approve 8.02 D 1 with item j. re-written with new text. Paula Wyckoff seconded. **Motion Carried 6-0.**

**TXT# 03-07/Z-08-08 Section 3.02 Definitions for Private or Commercial Stable Fencing, Corral & Pasture**

The Board of Trustees agreed with the Livingston County Department of Planning suggestion to change the heading of Private or Commercial Stable Fencing to Stable Fencing Private or Commercial. Les Andersen motioned to approve with the changes suggested by the Livingston County Department of Planning. Paula Wyckoff seconded. **Motion Carried 6-0.**

**Zoning Board of Appeals Report**

Dan Lowe gave a report of the March 3, 2008 Zoning Board of Appeals meeting. Two of the cases, Marquardt and Herren will be sent back to the Board of Trustees for action.

**SNOW PLOWING CONCERNS**

Dan Lowe reiterated his concerns with the snow plowing. The Board of Trustees agreed to be more specific with the RFP's in the future to avoid mistakes.

**HOWELL AREA PARKS & RECREATION UPDATE**

Paula Wyckoff told the Board of Trustees the Department of Parks and Recreation will be creating a five-year master plan. A representative from Carlisle/Wortman Associates, Inc. will be going to each municipality to get input. Paula Wyckoff read the mission statement.

**CORRESPONDENCE/UPDATES**

None.

**FOR THE GOOD OF THE TOWNSHIP**

**FEMA**

Mr. Hanvey informed the Board of Trustees of a letter that went out to residents that are affected.

**MHOG**

Dan Lowe told the Board of Trustees a sizable refund will be coming from MHOG.

**Signage**

Dan Lowe would like to see signs installed at the ingress/egress to the township hall parking lot that prohibits large buses and garbage trucks from turning around in the parking lot during the thaw.

**D-19 Corridor Improvement Plan**

Les Andersen told the Board of Trustees that he along with Tammy Beal and Travis Hodge attended the presentation at the Howell Opera House.

**Dogs at large**

R. Marich, 4040 Loves Creek Drive; what can he do about groups of dangerous dogs that roam free.

Mr. Hanvey told him to call Livingston County Animal Control and they will come out and pick up the dogs.

**CALL TO THE PUBLIC**

None heard.

**ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 9:00 p.m. Travis Hodge seconded.

**Motion carried 6-0.**

**MINUTES - MARCH 27, 2008**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, OHM

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

**CALL TO THE PUBLIC**

Bill Rogers, chairman of the Livingston County Board of Commissioners, introduced himself and said he is seeking support for the 66<sup>th</sup> District house seat, being vacated by Chris Ward.

**APPROVAL OF AGENDA**

Paula Wyckoff asked to have an item on DTE Energy Tree Planting Grant added. Dave Hamann motioned to approve the agenda as amended. Paula Wyckoff seconded.

**Motion carried 7-0.**

**CONSENT AGENDA**

Bob Hanvey asked to have approval of the minutes as a separate agenda item. Dave Hamann motioned to approve the consent agenda as amended. Travis Hodge seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Motion carried 7-0.**

**APPROVAL OF MARCH 13, 2008 REGULAR MEETING MINUTES**

Bob Hanvey asked to have the words "public hearing" added to the agenda items on Brent Drive and Love's Creek/Sesame Drive. Paula Wyckoff asked to have the heading on page 4 for the Parks & Recreation discussion changed to "HAPRA" and change the wording to "creating a five-year master plan" rather than updating.

**FIRE DEPARTMENT BUDGET**

A copy of the proposed budget is enclosed in the board packet. Bob Hanvey said the figures assume approval of the August millage. Dave Hamann motioned to adopt a resolution to approve the Howell Area Fire Authority budget for fiscal year 2008-09 as presented. Travis Hodge seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

**BRENT DRIVE SPECIAL ASSESSMENT**

Bob Hanvey passed out a resolution to create the special assessment district and authorize a hearing on April 24, which will be published in the paper at least 10 days prior.

Tammy Beal motioned to adopt a resolution on Brent Drive Special Assessment District as follows:

WHEREAS, the township board of Marion Township received petitions signed by more than 50 percent of the owners of the road frontage of the proposed special assessment district described hereinafter, and accordingly, determined to proceed under the provisions of PA 188 of 1954, as amended, to provide snow removal and dust control, together with a proposed special assessment district for assessing the costs of the proposed service, and to schedule a public hearing on the Assessment Roll, and

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

WHEREAS, in accordance with the aforesaid notices, a hearing was held the thirteenth day of March 2008 commencing at 7:00 PM and all persons given the opportunity to be heard in the matter, and

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

NOW THEREFORE BE IT HEREBY RESOLVED as follows:

1. That this township board does hereby determine that the petition for the Brent Drive Special Assessment District was properly signed by the record owners of the land whose road frontage constitutes more than 50 percent of the total road frontage upon the proposed improvement.
2. That this township board does hereby approve the provision of snow removal and dust control and total cost estimate of \$10,000.00 per year.
3. That this township board does hereby create, determine and define as a special assessment district to be known as Brent Drive Special Assessment District within which the costs of such improvements shall be assessed according to the benefits, the following described area within said township:

Tax code numbers: 4710-19-400-009; 4710-19-400-010; 4710-19-400-012; 4710-19-400-013; 4710-19-400-014; 4710-19-400-019; 4710-19-400-021; 4710-19-400-022; 4710-19-400-023; 4710-19-400-024; 4710-19-400-026; 4710-19-400-027; 4710-19-400-028; 4710-19-400-029; 4710-19-400-030; 4710-19-400-033; 4710-19-400-034; 4710-19-400-035; 4710-19-400-036; 4710-19-400-037; 4710-19-400-038.

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

5. That the actual amount of the assessment will be annually redetermined based on actual costs and assessed without further notice.
6. That all resolutions and parts of resolutions insofar as the conflict with the provisions of the within resolutions be and the same are hereby rescinded.
7. That the Township Clerk shall scheduled a hearing on the Assessment Roll for April 24, 2008 at 7:00 p.m.,, and provide notice as required by PA 188 of 1954.

Les Andersen seconded. Roll call vote: Beal, Hanvey, Hodge, Andersen, Lowe, Wyckoff, Hamann—all yes. **Resolution passed 7-0.**

**LOVE'S CREEK/SESAME DRIVE SPECIAL ASSESSMENT**

Les Andersen motioned to adopt a resolution on Love's Creek/Sesame Drive Special Assessment District as follows:

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

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

WHEREAS, in accordance with the aforesaid notices, a hearing was held the thirteenth day of March 2008 commencing at 7:00 PM and all persons given the opportunity to be heard in the matter, and

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

NOW THEREFORE BE IT HEREBY RESOLVED as follows:

1. That this township board does hereby approve the provision of snow removal and salting service and total cost estimate of \$10,000.00 per year.
2. That this township board does hereby create, determine and define as a special assessment district to be known as Love's Creek/Sesame Drive Special Assessment District within which the costs of such improvements shall be assessed according to the benefits, the following described area within said township:

Tax Code Numbers: 4710-16-300-009; 4710-16-300-010; 4710-16-300-011; 4710-16-300-013; 4710-16-300-014; 4710-16-300-016; 4710-16-300-018; 4710-16-300-019; 4710-16-300-021; 4710-16-300-022; 4710-16-400-001; 4710-16-400-013; 4710-16-400-014; 4710-16-400-015; 4710-16-400-016; 4710-16-400-019; 4710-16-400-037; 4710-16-400-038; 4710-20-200-005; 4710-20-200-006; 4710-20-200-024; 4710-20-200-034; 4710-20-200-036; 4710-20-200-037; 4710-20-200-038; 4710-20-200-039; 4710-20-200-040; 4710-21-100-007; 4710-21-100-008; 4710-21-100-010; 4710-21-100-014; 4710-21-100-016; 4710-21-100-017; 4710-21-100-018; 4710-21-100-021; 4710-21-100-022; 4710-21-100-025; 4710-21-100-026; 4710-21-100-028; 4710-21-100-029; 4710-21-100-030; 4710-21-100-031; 4710-21-100-032; 4710-21-100-033; 4710-21-100-034; 4710-21-100-035; 4710-21-100-036;



4710-21-100-038; 4710-21-100-039; 4710-21-100-040; 4710-21-100-041;  
4710-21-100-042; 4710-21-100-043; 4710-21-100-044.

3. That on the basis of the foregoing, this township board does hereby direct the Supervisor and Assessing Officer to make a special assessment roll in which shall be entered all the parcels of land to be assessed together with the names of the respective owners thereof, and an estimated total amount to be assessed against each parcel of land which amount shall be the relative proportion of the whole sum levied against the parcels of land in the special assessment district as the benefit to the parcel of land bears to the total benefit to all the parcels of land in the special assessment district. When the same has been completed, the Supervisor shall affix thereto his certificate stating that it was made pursuant to this resolution and that in making such assessment roll he has, according to his best judgment, conformed in all respects to the directions contained in this resolution and the applicable state statutes.
4. That the actual amount of the assessment will be annually redetermined based on actual costs and assessed without further notice.
5. That all resolutions and parts of resolutions insofar as the conflict with the provisions of the within resolutions be and the same are hereby rescinded.
6. That the Township Clerk shall schedule a hearing on the Assessment Roll for April 24, 2008 at 7:00 P.M., and provide notice as required by PA 188 of 1954.

Dave Hamann seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Hamann, Hodge, Andersen—all yes. **Resolution passed 7-0.**

#### **ZBA CASE #06-07—HERREN**

Bob Hanvey passed out a letter from the Herren's attorney regarding this ZBA case. Mr. Hanvey feels the attorney doesn't understand all of the ordinance violations that exist. The township attorney has suggested proceeding with the normal ordinance violation process and to have the Herren's come before the board for a show cause hearing. Dave Hamann asked why the ZBA didn't make a decision. Mr. Hanvey will contact Donna Zalewski from ITC (**AI #1.**) Tammy Beal motioned to have the zoning administrator send a notice to the Mr. and Mrs. Herren for a show cause hearing to be held on April 24, 2008. Travis Hodge seconded. **Motion carried 7-0.**

#### **ZBA CASE #01-07—MARQUARDT**

Tammy Beal motioned to have the zoning administrator send a notice to Mr. Marquardt for a show cause hearing to be held on April 24, 2008. Paula Wyckoff seconded.

**Motion carried 7-0.**

#### **LAWN MOWING BIDS**

Tammy Beal said that four bids were received for the 2008 lawn mowing services. Dan Lowe motioned to accept the bid from Jay Bird's Lawn Care. Paula Wyckoff asked if Jay Bird's has the ability to haul away debris from the sites. He said yes. Travis Hodge said the fall clean-up was not done last year. Les Andersen said the fall clean-up wasn't done and he doesn't live within the township. Mr. Andersen was emphatic that the clean-up must be done. Bob Hanvey seconded the motion. Roll call vote: Hodge—yes; Beal—no; Andersen—no; Lowe—yes; Hanvey—yes; Hamann—yes; Wyckoff—yes. **Motion carried 5-2.** Mr. Coup asked if the other bidders would be notified and asked to have a FOIA form to get a copy of the winning bid.

#### **PARKING LOT DISCUSSION**

Tammy Beal motioned to authorize OHM to prepare bid specifications for treatment of

the parking lot, up to \$500. Travis Hodge seconded. Roll call vote: Lowe, Wyckoff, Hamann, Hodge, Andersen, Beal, Hanvey—all yes. **Motion carried 7-0.**

#### **SEWER BACKUP QUOTES**

Dan Lowe motioned to select Option 3 at \$75,000 per occurrence/\$100,000 annual aggregate/\$2,500 per claimant limit, with an additional premium of \$1,500. Tammy Beal seconded. Discussion: Bob Hanvey said \$1,500 would be transferred from the Sewer Maintenance Fund to the General Fund. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

#### **HAPRA**

A copy of the changes to the Articles of Incorporation is included in the board packet. Paula Wyckoff said comments can be emailed to her or Deb Mikula.

#### **GARDEN CLUB STIPEND**

Tammy Beal motioned to give the Garden Club a \$250 stipend to be used for the township hall. Paula Wyckoff seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

#### **TOWNSHIP ROADS**

A letter from Steve Wasyk is included in the board packet. Dan Lowe said that 23A limestone is unacceptable; it should be 21AA. Dan Lowe and Jack Lowe will go with Les Andersen to the Livingston County Road Commission (**AI #2.**) Les Andersen said that overlay prices are needed before a decision can be made. Tammy Beal reported that Michigan Chloride revised the price for the dust control material from 16.5 cents per gallon to 16 cents per gallon. Board members discussed focusing on Norton and County Farm Roads.

#### **BOND FOR HOMETOWN VILLAGE OF MARION FINAL PAVING**

An email from the township attorney is included with the board packet. The attorney has advised that the township can withhold land use permits until the developer finishes the paving. The township needs to determine which roads are done. Dan Lowe motioned that the township will withhold land use permits for construction of new residences until the developer furnishes a bond for payment for Phase II A&B. Dave Hamann seconded.

**Motion carried 7-0.**

#### **EMAIL ADDRESSES**

The board members discussed options for email addressed for the trustees. It was decided to use numbers to identify trustees, i.e., Les Andersen will be [trustee1@mariontownship.com](mailto:trustee1@mariontownship.com), Dave Hamann will be [trustee2@mariontownship.com](mailto:trustee2@mariontownship.com), Travis Hodge will be [trustee3@mariontownship.com](mailto:trustee3@mariontownship.com), and Dan Lowe will be [trustee4@mariontownship.com](mailto:trustee4@mariontownship.com).

#### **DTE ENERGY TREE PLANTING GRANT**

Dan Lowe motioned to adopt a resolution allowing the township to apply for a grant and accept money for trees from DTE Energy. Les Andersen seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Hamann, Hodge, Andersen—all yes.

**Resolution passed 7-0.**

#### **CORRESPONDENCE/UPDATES**

An email was passed out from Greg Tatara regarding pump station run times. A letter from Mike Kehoe was sent to Connie Michaud regarding the tower. Bob Hanvey reported the township is no longer part of NPDES Phase II. An email was sent to the Howell Schools regarding busses in the parking lot. Bob Hanvey said a workshop entitled "Bridges Out of Poverty" will be held May 6-7. Mr. Hanvey also reported that there are two watershed workshops coming up.

**FOR THE GOOD OF THE TOWNSHIP**

Jack Lowe asked about the D-19 water problems. Bob Harvey said he believes it's a violation of the zoning ordinance. An unmarked culvert was blocked on the east side of D-19, north of Davis Road. Jack Lowe said he talked with the Drain Commission and the records they have show it's a public drain. The LCDC can notify the owner and give him five days to correct the situation. Bob Harvey said he's been trying to get in touch with Tom Kohloff from the MDEQ. Jack Lowe said the Planning Commission held a joint meeting with the City of Howell to discuss the D-19 corridor. There is interest in forming a joint Planning Commission with the city on a limited basis. Mr. Lowe said the township has no mobile home park designation since that property was annexed to the city. It's possible that some type of agreement could be worked out with the city. There was discussion about a pedestrian access from I-96 south. Mr. Lowe asked the board if there were any other issues they would be interested in incorporating. Travis Hodge motioned to authorize John Lowe to explore a joint planning venture with the City of Howell. Dan Lowe seconded. **Motion carried 7-0.**

Bob Harvey said the governor signed PA 33 of 2008, Planning Enabling Act, and he will pass out a copy at the next meeting. Dan Meisler from the Livingston County Press & Argus said he is leaving the paper and a new reporter will be assigned.

**CALL TO THE PUBLIC**

None.

**ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 9:00 p.m. Les Andersen seconded. **Motion carried 7-0.**

**MINUTES - APRIL 10, 2008**

- MEMBERS PRESENT:** Bob Harvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe
- MEMBERS ABSENT:** None
- OTHERS PRESENT:** Annette McNamara, Zoning Administrator  
Vickie Moellmann, Assessor  
John Lowe, Chairman, Planning Commission

\*\*\*\*\*

**CALL TO ORDER**

Bob Harvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

**CALL TO THE PUBLIC**

Scott Lloyd, 5717 Pingree: Mr. Lloyd passed out photos of his property and asked why Marion Township charges taxes on excess concrete, while other townships don't. The assessor, Vickie Moellmann, said the values on concrete are placed by state cost manuals and she cannot alter the numbers. Dan Lowe asked why Marion Township taxes excess concrete and others don't. Ms. Moellmann said it's up to the discretion of the assessor, and she doesn't assess standard amounts, only amounts that are excessive for the neighborhood. Mr. Lowe said it's not fair that residents are taxed on concrete and a parcel on County Farm owned by residents of Detroit is tax-exempt. Bob

Hanvey said that particular case was taken to the tax tribunal and the property owner won. Ms. Moellmann said she will check on what the re-filing options are for that case.

#### **APPROVAL OF AGENDA**

Dave Hamann motioned to approve the agenda as amended to include item on D-19 drainage. Paula Wyckoff seconded. **Motion carried 7-0.**

#### **CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda as presented. Dave Hamann seconded. **Motion carried 7-0.**

#### **REAPPRAISAL OF RESIDENTIAL AND AGRICULTURE PROPERTIES**

Vickie Moellmann provided the board with information they had requested on Appraisal Research Company. Bob Hanvey said he would prefer postponing this item and reassigning duties to the existing staff. Ms. Moellmann said there isn't anyone who can do field work. Paula Wyckoff said it's to the residents benefit that the information is correct. Les Andersen motioned to approve the bid from Reliance Appraisals to be spread over three fiscal years. Tammy Beal seconded. Discussion: Dan Lowe said there is no urgency for this to be done now. Roll call vote: Hamann—no; Lowe—no; Beal—yes; Hanvey—no; Wyckoff—yes; Andersen—yes; Hodge—no. **Motion failed 3-4.**

#### **D-19 DRAINAGE**

Dan Lowe said he has met on-site with the Road Commission and Drain Commission. The LCRC will check out the culvert that goes across the street. He discussed the size of the pipes, and said they will run a camera if possible to check for blockages. The blow holes need to be fixed. Ed Witt said that Marion Drain #3 needs to be restored. They discussed an easement across Mr. Witt's driveway. Mr. Lowe said the school probably isn't to blame, but they're not helping the situation. Sally Witt said that Mr. Lowe is the most logical person she's heard from in years and she appreciates his efforts. She read a handout that she provided to the board members, detailing some of the history of this project. Steve Ball, one of the neighbors, asked that property owners in the area be notified of action that's being taken.

#### **SECOND PRELIMINARY REVIEW OF TEXT AMENDMENT #02-07—HOME OCCUPATIONS**

The board members discussed several items they would like to see modified. Annette McNamara will compile a list with all of the suggestions for the Planning Commission to consider. Tammy Beal motioned to send this text amendment back to the Planning Commission with suggestions. Paula Wyckoff seconded. **Motion carried 7-0.**

#### **FINAL REVIEW OF TEXT AMENDMENT #15-07—SECTION 6.27: WELLHEAD PROTECTION AND HAZARDOUS SUBSTANCE OVERLAY ZONE**

Les Andersen motioned to approve text amendment #15-07, Section 6.27: Wellhead Protection and Hazardous Substance Overlay Zone, as presented. Paula Wyckoff seconded. **Motion carried 7-0.**

#### **PARKING LOT BID SPECS**

This item will be added to the next agenda for discussion.

#### **2008 TOWNSHIP ROAD PROJECTS**

Bob Hanvey passed out preliminary budget information for the board to review. The numbers on the estimate received from Jodie Tedesco don't add up and clarification is needed. The LCRC did indicate they would use a combination of 21AA and 23A. Les Andersen motioned to approve \$120,000 for repairs to Cedar Lake Road from Coon Lake Road to Jewell. Tammy Beal seconded. Roll call vote: Wyckoff—yes; Hodge—yes; Hanvey—yes; Hamann—no; Beal—yes; Andersen—yes; Lowe—yes.

**Motion carried 6-1.**

Les Andersen and Bob Hanvey will contact the LCRC on Monday (**AI #1.**) Mr. Andersen asked Mr. Hamann what his concerns were about this project. Mr. Hamann said he didn't think it's a good use of money right now. Estimates are still needed for crack sealing and repairs on Norton Road. Dan Lowe motioned to approve \$75,000 for repairs to County Farm from Sanitorium Road to M-155. Tammy Beal seconded. Roll call vote: Beal, Hanvey, Hodge, Andersen, Lowe, Wyckoff, Hamann—all yes. **Motion carried 7-0.**

**HAPRA**

Paula Wyckoff passed out informational items from HAPRA. The HAPRA monthly meeting will be held at the township hall at 7:00 pm on May 13. A meeting for township residents to discuss HAPRA's five-year plan will be held at the township hall at 7:00 pm on May 14.

**MARION TOWNSHIP HERITAGE DAYS—JUNE 14 & 15, 2008**

Tammy Beal and Jack Lowe updated the board members on activities for this event.

**CORRESPONDENCE/UPDATES**

A letter was received from Unison, the company that previously wanted to buy out the cell tower lease. Bob Hanvey asked the board members if he should pursue this, but the board members declined. A letter was received from William Rogers, chairman of the LC Board of Commissioners, encouraging the township to become a member of SEMCOG. An email was received from ITC regarding the Herren situation. The zoning administrator has invited the Herrons to the next board meeting. The organ in the township hall will be donated to the Recreation Center for the senior citizen group to use. Bob Hanvey passed out a copy of the Michigan Planning Enabling Act. Tammy Beal said she needs responses from those who would like to attend the MSU program on the new Planning Enabling Act. Paula Wyckoff said she received paperwork on the DTE Energy tree planting grant, which has been granted.

**FOR THE GOOD OF THE TOWNSHIP**

None.

**CALL TO THE PUBLIC**

Jack Lowe passed out a diagram of a roundabout that could be constructed at the County Farm and Coon Lake intersection. This option would save as much property as possible for a park behind the township hall. Desine will have a preliminary site plan for the park in the next few months, which will be presented to the board. Mr. Lowe also informed the board about a situation on the Premier Farms property. A barn at Norton and Amos Road was demolished and all of the debris was pushed into a hole. Mr. Lowe informed them not to cover the hole, but they did. The Wellhead ordinance prohibits landfills. Mr. Hanvey said the zoning administrator has tried to contact the representative for the owners.

**ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 9:45 pm. Tammy Beal seconded.

**Motion carried 7-0.**

**MINUTES - APRIL 24, 2008**

- MEMBERS PRESENT:** Bob Hanvey, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe
- MEMBERS ABSENT:** Paula Wyckoff
- OTHERS PRESENT:** Annette McNamara, Zoning Administrator  
Phil Westmoreland, OHM

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Dave Hamann motioned to approve the agenda as presented. Travis Hodge seconded.

**Motion carried 6-0.**

**CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Travis Hodge seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Andersen, Hodge—all yes. **Motion carried 6-0**

**HAPRA MEETINGS**

Bob Hanvey announced that two meetings will be held at Marion Township hall next month. On Tuesday, May 13, HAPRA will hold its regular meeting. On Wednesday, May 14, the public is invited to attend a workshop meeting for the HAPRA master plan.

**LOVE’S CREEK/SESAME DRIVE SPECIAL ASSESSMENT PUBLIC HEARING**

Bob Hanvey said a resolution to approve the roll will be presented at the next board meeting. Items to be decided are which tax bill to put the levy on, what date to start collecting interest, and selection of a vendor.

Cindy Alesso, 4045 Love’s Creek, asked about the difference in the interest.

Scott Lloyd asked how the assessment would be divided up. Bob Hanvey said it would be based on property owner for contiguous areas.

Bill Neuendorf, 2845 Sesame, said he thought it would be best to put the assessment on the summer tax bill because there’s less interest.

Mr. Hanvey said any objections must be filed in writing within 35 days from the next meeting when the roll is approved. The criteria for the snow removal was discussed, and that should be worked out with the vendor when selected.

Cindy Alesso asked about emergency culvert repair. Mr. Hanvey said the township’s attorney recommended that should not be included.

**ZBA CASE #06-07—HERREN**

Mr. and Mrs. Herren were present, along with their attorney, Abby Cooper from Cooper & Riesterer. Bob Hanvey said there are two issues before the board: the rear yard setback and the ratio of accessory building to principal residence exceed what the ordinance allows. The board members discussed what remedies were available. Ms. Cooper stated that the Herren’s will remove the portion of the structure that encroaches on the neighboring property. The adjacent parcel is in foreclosure and the redemption period is over in October or November. At that time, the Herrens hope to purchase a portion of the property. The ZBA hasn’t given its decision on the variance request. Dan Lowe said the Herrens should have the exact measurements of what they will remove from the building prior to the next ZBA meeting. The Herrens will provide a map with the revisions and recalculations. The zoning administrator will verify what the ordinance required in May 2004.

**BRENT DRIVE SPECIAL ASSESSMENT PUBLIC HEARING**

Bonnie White was present for this agenda item. Bob Hanvey said Brent Drive is different from Love’s Creek/Sesame Drive because it also includes dust control and

grading. There is no dual ownership on Brent Drive so it will be assessed at one share per parcel. They also need to decide which tax bill to collect on and when the interest should start. Mr. Hanvey said he will attend the Tuesday meeting with the residents. A resolution to approve the roll will be presented at the next board meeting. Contracting with a vendor shouldn't be done prior to that date.

#### **ZBA CASE #01-07—MARQUARDT**

Bob Hanvey said he and Tammy Beal visited the site this week. Mr. Hanvey questioned whether there is an additional violation because the accessory structure is taller than the principal structure. Dan Lowe asked whether Mr. Marquardt received the notice to appear before the board. Annette McNamara said the notice was sent via certified mail and she didn't receive the card or the letter back. Mr. Hanvey said Mr. Marquardt appeared to be home when they visited the site. Ms. McNamara will try to deliver another request to appear before the board at its May 8 meeting.

#### **MUSSON HILLS CEMETERY PROPERTY**

Bob Hanvey said the revised proposed budget enclosed in the packet reflects a correction in expenditures, and funding for purchase of the land would be available. The possibility of putting a columbarium at Harger Cemetery was discussed. Travis Hodge motioned to adopt a resolution to offer Charles Musson \$50,000 for the two-acre parcel adjacent to Harger Cemetery. Les Andersen seconded. Roll call vote: Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Resolution passed 6-0.**

#### **2008 TOWNSHIP ROAD PROJECTS**

The Livingston County Road Commission accepted the proposal from the township and the contracts have been signed. Les Andersen said they have started marking the utilities on Cedar Lake Road.

#### **PARKING LOT BIDS**

Phil Westmoreland said he has specs and will measure this weekend. He asked for the board's guidance on what to include. Dan Lowe said the City of Howell used a process that should be investigated. Mr. Westmoreland will contact the city for more information. The board said the target price should be around \$10,000.

#### **ZONING ENFORCEMENT PROCEDURES**

Bob Hanvey said he attended the last Planning Commission meeting and asked if any members would be interested in reviewing the township's policy on enforcing the zoning ordinance. He asked board members if they had any interest. Les Andersen said he would be interested if only to make sure enforcement isn't used inappropriately. Jack Lowe said he feels there is a lack of cooperation from the attorney. Mr. Hanvey said two members of the Planning Commission expressed interest. Les Andersen and Travis Hodge said they would be interested. Dan Rossbach from the ZBA will ask Larry Fillinger if he's interested. Dan Lowe asked for an update on the Lover property. Mr. Hanvey said the township will pursue this with the attorney on Friday or Monday.

#### **CORRESPONDENCE/UPDATES**

Bob Hanvey said the budget has been submitted to the allocation board. The budget hearing will be held in June. Tom Kizer has asked the township to replace the fence that was removed for road improvements. Dan Lowe gave an update on the Witt property and progress with the drainage. He is waiting for a proposal from the Livingston County Drain Commission for replacing the tile. Mr. Lowe asked Mr. Westmoreland about the drainage from the school's property. Mr. Westmoreland said he will look into it.

**FOR THE GOOD OF THE TOWNSHIP**

Dan Lowe said he felt it was inappropriate for the township employees to accept lunch from Mr. Van Gilder. Bob Hanvey said the suggestion to stop progress with Premier Farms until the situation is resolved is the best approach. Les Andersen said the DEQ may take action if pictures are sent to them.

**CALL TO THE PUBLIC**

Charlie Musson thanked the board for its decision to purchase his property. Les Andersen said the township shouldn't continue to lease the 10 acres of property for farming *should prefer a multiple year lease for the 10 acres of property for farming if we are not going ahead with the park right away.*

**ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 8:40 pm. Les Andersen seconded. **Motion carried 6-0.**

**MINUTES - MAY 8, 2008**

**MEMBERS PRESENT:** Bob Hanvey, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, Dan Lowe, and Paula Wyckoff

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Annette McNamara, Zoning Administrator

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Tammy Beal asked to have an item added regarding signs on D-19 as item #12. Dave Hamann motioned to approve the agenda as amended. Paula Wyckoff seconded.

**Motion carried 7-0.**

**CONSENT AGENDA**

Les Andersen asked to have the April 24 regular board minutes changed to reflect his comment regarding leasing the township's property. He said if the park is leased for agricultural use, it should be for multiple years if work isn't starting on the park right away.

**BRENT DRIVE SPECIAL ASSESSMENT**

Bob Hanvey said that two public hearings and one informal meeting have been held. Mr. Manis on Coon Lake Road signed the petition in error; he has submitted a request to be removed, and the district can be made smaller without another public hearing. Les Andersen motioned to adopt a resolution to remove Parcel ID #4710-19-400-009 from the special assessment district and divide the amount by 20 parcels instead of 21. Paula Wyckoff seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Resolution passed 7-0.**

Les Andersen motioned to adopt a resolution to approve the Special Assessment Roll for Brent Drive. Travis Hodge seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**



### **LOVE'S CREEK/SESAME DRIVE SPECIAL ASSESSMENT**

Travis Hodge motioned to adopt a resolution to approve the Special Assessment Roll for Love's Creek/Sesame Drive. Paula Wyckoff seconded. Roll call vote: Beal, Hanvey, Hodge, Andersen, Lowe, Wyckoff, Hamann—all yes. **Resolution passed 7-0.**

### **ZBA CASE #01-07—MARQUARDT**

Bob Hanvey said Mr. Marquardt came to the township hall today and is unable to attend this meeting. He presented information that indicates he's making progress with the Livingston County Health Department. He has signed a proposal with Boss Engineering, and is negotiating a lease with his neighbor for the drain field. Mr. Hanvey told Mr. Marquardt that there is a height issue because the accessory building is taller than the principal structure. Mr. Marquardt said he intends to add a second story to the principal dwelling. Dan Lowe motioned to have Mr. Marquardt reappear before the ZBA at its July meeting or the township board will take enforcement action against the violation. Les Andersen seconded. **Motion carried 7-0.**

### **FINAL REVIEW OF TEXT AMENDMENT #13-07—SECTION 3.02: DEFINITION OF CONTRACTOR STORAGE YARD**

Joe Siciliano, 37000 Grand River, Suite 350, Farmington Hills, MI, was present as attorney for Lucy Road LLC. Mr. Siciliano stated that the language as presented in this definition is too restrictive, and "single entity" should not be included. He asked the board to deny approval of this text amendment. Les Andersen said the township planner supports this language. Les Andersen motioned to approve the definition of contractor storage yard as submitted. Tammy Beal seconded. **Motion carried 7-0.**

### **AMENDMENT TO MARION RETAIL CENTER SITE PLAN DATED MARCH 28, 2008**

Art Munsell and Kevin Jappaya were present to request an amendment to the site plan for Marion Retail Center. They had previously asked to have the building split because of the fire suppression system, but that has been worked out and they would like the building put back together. Les Andersen asked about the pipe that services Mr. Dymond's property, and Mr. Munsell said they are still working on that issue. Les Andersen motioned to approve the change in site plan for Marion Retail Center. Dan Lowe seconded. **Motion carried 7-0.**

### **ZONING ENFORCEMENT PRACTICES**

Bob Hanvey said this committee met prior to the board meeting. Some progress was made and more evaluation is needed. The committee will have at least one more meeting.

### **2008 TOWNSHIP ROAD PROJECTS**

Les Andersen asked if the dust control would be started the week of May 19. Tammy Beal said yes. Mr. Andersen said the Road Commission has done some tree removal on Sexton Road. Dan Lowe asked if any information had been received on Norton Road. Bob Hanvey said not yet, but this item will be left on the agenda for the next meeting.

### **PARKING LOT BIDS**

Bob Hanvey said that Phil Westmoreland took measurements; however, no bid packet has been received.

### **MARION/GENOA DRAIN AT FOXFIRE**

Bob Hanvey passed out information on an exposed manhole. He has discussed the situation with the Drain Commission. Dan Lowe said there are easement issues and the bank of the stream needs to be put back where it belongs. Mr. Lowe asked if OHM has

reviewed; Mr. Hanvey said because it's an MHOG line, Tetrattech would probably review; he will contact Tetrattech and let them know about this situation.

**SIGNS ON D-19**

Bob Hanvey said that due to the City of Howell's construction project on D-19, three properties in the township will have to move their signs. If it is determined that they have to apply to the ZBA, Mr. Hanvey asked the board members if they would consider only charging the actual cost for advertising and mailing instead of the regular \$400 application fee. Tammy Beal motioned to charge the City of Howell only the actual cost for the ZBA application, if necessary. Travis Hodge seconded. **Motion carried 7-0.**

**CORRESPONDENCE/UPDATES**

Bob Hanvey passed out a letter from the Michigan Department of Treasury regarding the township's favorable 2006 fiscal indicator score. A letter was passed out from Putnam Township regarding its master plan update. A letter was received from OHM regarding Marion Retail Center. Bob Hanvey passed out details on action taken on the Lucy Road situation. Bob Hanvey said a septic/drain field maintenance class will be held on May 29, which includes a tour of the facility. The cost is \$15 and those interested should contact the clerk as soon as possible. Tammy Beal said the Livingston County chapter of MTA will be holding its meeting on May 28 at 7 pm in Conway Township.

**FOR THE GOOD OF THE TOWNSHIP**

Bob Hanvey asked the board members if he should include money in the budget for one or two tornado sirens. No opposition was heard. Paula Wyckoff said HAPRA will be holding a meeting on its five-year plan on Wednesday, May 14, 7:00 pm at the township hall. Fred VanGilder, 5655 Marr Rd., Fowlerville, and Paul Klebba, 2220 Pheasant Run, were present to discuss the situation on the Premier Farms property. They said all that was left was block and stone and they covered it up with dirt. Bob Hanvey said it has to be removed. Mr. VanGilder asked if the township would pay for it. Mr. Hanvey said no. Dan Lowe said the property is in the Wellhead Protection area and nothing can be buried; it has to go to a landfill. Mr. Hanvey said the township has talked with the owner's representative and arrangements are being made to have it cleaned up. Art Munsell said he talked with the MHOG representative and the township's DPW coordinator regarding REUs for Marion Retail Center. He wanted the board to be aware of the situation because it has the final say about the number of REUs.

**CALL TO THE PUBLIC**

Debra Wiedman-Clawson, 2355 White Birch Trail, said the cemetery looked very good after the clean-up.

**ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 7:50 pm. Les Andersen seconded. **Motion carried 7-0.**

**MINUTES - MAY 22, 2008**

**MEMBERS PRESENT:** Bob Hanvey, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, Dan Lowe, and Paula Wyckoff

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Annette McNamara, Zoning Administrator

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

## **PLEDGE TO FLAG**

### **MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

### **CALL TO THE PUBLIC**

Amanda DeGroot-Opolka introduced herself and said she is running for clerk of Iosco Township.

### **APPROVAL OF AGENDA**

Two items were added to the agenda: #9 Volunteers and #10 Crystalwood/Foxfire water connection. Dave Hamann motioned to approve the agenda as amended. Travis Hodge seconded. **Motion carried 7-0.**

### **CONSENT AGENDA**

Bob Hanvey asked to have approval of the May 8 minutes removed from the consent agenda. Dave Hamann motioned to approve the consent agenda as amended. Les Andersen seconded. **Motion carried 7-0.**

### **APPROVAL OF MAY 8, 2008 REGULAR MEETING MINUTES**

Bob Hanvey asked to have the following changes made: under Brent Drive, *Manus* should be spelled *Manis*; under definition of contractor storage yard, *Ciciliano* should be spelled *Siciliano*. Dave Hamann motioned to approve the minutes as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

### **PREMIER FARMS SHOW CAUSE HEARING**

Mark Janeck, representative for the owners, Bill and Peter Anest, was present in response to the request sent by the zoning administrator. Annette McNamara said the two concerns are the barn that was buried at Amos and Norton Roads, and two houses on Cedar Lake Road that had the basements filled with debris. Mr. Janeck apologized to the board, and said he didn't realize that permits were necessary. The houses on Cedar Lake Road were used by the fire department for training, and he was unaware he was supposed to obtain a permit. The barn was torn down to remedy an unsafe situation. Mr. Janeck provided a letter from the fire department indicating that the only items left inside the structures were ordinary construction materials. Dan Lowe motioned to require the barn site to have all of the material completely removed and filled. Tammy Beal seconded. **Motion carried 7-0.**

Dan Lowe motioned to excavate the two house sites and remove the ash completely, and the wells and septic systems abandoned according to code. Travis Hodge seconded.

### **Motion carried 7-0.**

Dan Lowe motioned to have Mr. Janeck notify the township at least two days prior to clean up so a township representative can verify the work is done. Travis Hodge seconded. **Motion carried 7-0.**

Jack Lowe said he felt that if the township has to have a representative on site, reimbursement should be made by the property owners.

### **MARION DRAIN #3**

Ken Recker was present on behalf of the Livingston County Drain Commissioner's Office and provided the board with updated copies of the proposed resolution. Mr. Recker discussed the various options with the board. Les Andersen motioned to adopt a resolution approving Option #1 plan as submitted by the Livingston County Drain Commissioner's Office to replace the existing tile drain at a cost of approximately \$100,500. Tammy Beal seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Resolution passed 7-0.**

## **HAPRA**

Deb Mikula was present to ask the board for its approval of the revised Articles of Incorporation. Dave Hamann had some questions regarding property outside of the boundaries of the Authority. Les Andersen motioned to adopt a resolution approving the HAPRA Articles of Incorporation as presented. Paula Wyckoff seconded. Roll call vote: Wyckoff—yes; Hodge—yes; Hanvey—yes; Hamann—no; Beal—yes; Andersen—yes; Lowe—no. **Resolution passed 5-2.**

Paula Wyckoff said that HAPRA is interested in using the hall for future programs, and what the rules would be. It was decided that HAPRA should follow the same guidelines as any group that would use the facility. Tammy Beal did say that the township would have first priority. Deb Mikula asked if she could get a list of equipment that's available, so her group would know what they would have to supply.

## **D-19 SIGNS**

Annette McNamara said she should have more information by next Tuesday.

## **2008 TOWNSHIP ROAD PROJECTS/NORTON ROAD BIDS**

No response has been received from the Livingston County Road Commission on this project. Phil Westmoreland said he will work on an estimate for repairs on Norton Road from Burkhart to County Farm.

## **PARKING LOT BIDS**

Phil Westmoreland said he talked with Jeff Prince from the City of Howell, and the product they used was microseal. Mr. Westmoreland will put together bid specifications for slurry seal and microseal and send the information to Tammy Beal, who will put the bid in the paper.

## **VOLUNTEERS**

Tammy Beal stated that the township's steam engine show and flea market will be held on June 14-15, 2008. Volunteers for that and all volunteers who help the township have liability coverage under the definitions of our property and liability coverage.

## **CRYSTALWOOD/FOX FIRE**

Bob Hanvey asked the boards opinion on how to proceed with this project. The board members discussed the route the pipe should take and easement issues. Dan Lowe said he feels this project needs to move forward. Mr. Hanvey said the treasurer has identified a source of funding. Dan Lowe motioned to start procedures to move forward with this project. Dan Hamann seconded. **Motion carried 7-0.**

## **CORRESPONDENCE/UPDATES**

None.

## **FOR THE GOOD OF THE TOWNSHIP**

None.

## **CALL TO THE PUBLIC**

None.

## **ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 8:50 pm. Les Andersen seconded. **Motion carried 7-0.**

## **MINUTES - JUNE 12, 2008**

### **MEMBERS PRESENT:**

**Bob Hanvey, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, Dan Lowe, and Paula Wyckoff**

### **MEMBERS ABSENT:**

**None**

**OTHERS PRESENT: Phil Westmoreland, OHM, Township Engineer**

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**MEMBERS PRESENT/ABSENT**

The members of the board introduced themselves.

**CALL TO THE PUBLIC**

Barney Cole, 918 Francis Road: Mr. Cole said the most recent dust control application was not done well on Francis Road. The road was dusty ½ hour after they were done. Charlie Musson said the same for Triangle Lake Road. Tammy Beal said she will call the contractor on Monday morning **(AI #1.)**

**APPROVAL OF AGENDA**

Les Andersen motioned to approve the agenda as presented. Dave Hamann seconded.

**Motion carried 7-0.**

**CONSENT AGENDA**

Travis Hodge motioned to approve the consent agenda. Paula Wyckoff seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Motion carried 7-0.**

**2008-09 MEETING SCHEDULE**

Dan Lowe motioned to approve the 2008-09 meeting schedule, but to change the time for the board meeting to 7:30 p.m. Les Andersen seconded. Discussion: Mr. Andersen said he would prefer to hold meetings at 7:30 p.m. during the summer months and 7:00 p.m. for the remainder of the meetings. Roll call vote: Wyckoff—no; Hodge—no; Hanvey—yes; Hamann—no; Beal—no; Andersen—yes; Lowe—yes. **Motion failed 3-4.** Les Andersen motioned to approve the 2008-09 meeting schedule as presented. Travis Hodge seconded. Roll call vote: Beal—yes; Hanvey—yes; Hodge—yes; Andersen—yes; Lowe—no; Wyckoff—yes; Hamann—yes. **Motion carried 6-1.**

**JULY 4, 2008 HOLIDAY SCHEDULE**

Tammy Beal motioned to allow employees to choose either July 3 or July 7 as the paid holiday; employees will work 24 hours and be paid for 32 hours for one of the weeks. Les Andersen seconded. **Motion carried 7-0.**

**BUDGET PRELIMINARY REVIEW**

Bob Hanvey passed out the preliminary budget for the board members' review and comment. The budget public hearing will be held prior to the June 26, 2008 regular board meeting.

**CLARK HILL**

Tammy Beal motioned to adopt a resolution to change the corporate name as representative for the Highland case to The Goodman Law Group, P.C. Dave Hamann seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Hamann, Hodge, Andersen—all yes. **Resolution passed 7-0.**

**SEMOG MEMBERSHIP**

Dave Hamann motioned that the township not join SEMCOG. Paula Wyckoff seconded.

**Motion carried 7-0.**

**2008 TOWNSHIP ROADS**

Bob Hanvey said the township hasn't been billed yet, and won't be during the current fiscal year. The work should begin in July or after.

### **PARKING LOT BIDS**

The bid packet is included in the board packets. Phil Westmoreland said due to recent prices, the project will probably be over the \$10,000 budget. He estimates the project at about \$19,000. Bob Hanvey will add those numbers to the 2008-09 budget **(AI #2.)** Les Andersen motioned to have the clerk advertise for bids, as presented by OHM. Dave Hamann seconded. **Motion carried 7-0.**

### **FOXFIRE/CRYSTALWOOD WATER CONNECTION**

Bob Hanvey said he met with MHOG representatives. Easements haven't yet been discussed. Mr. Hanvey said that Tetra-Tech showed leads where there's no pipe. Dan Lowe said if the easement is obtained, he would like the project to move forward. Phil Westmoreland said the township will probably need a new permit and he would like to see the plans. Phil Westmoreland and Bob Hanvey will schedule a meeting to discuss this project **(AI #3.)**

### **PARK PROPERTY**

Bob Hanvey said the Parks and Recreation Committee are interested in possibly purchasing the 10-acre parcel adjacent to the township property next to the hall. Mr. Hanvey talked with the owner, who said he wants to return to the area and build a home to be close to his family. Mr. Hanvey suggested that possibly the township could purchase a portion of the Lobur property and work out some type of trade with Mr. Mitroka. The lake associations are looking for property to buy where the spoils from dredging the lake could be dumped. Mr. Hanvey is suggesting the possibility of a joint project between the three lakes and the drain commission. Possibly a special assessment district could be established for the purchase of the property. Mr. Hanvey will continue investigating this possibility.

### **STEAM ENGINE/FLEA MARKET UPDATE**

Tammy Beal said the parking lot has been staked. Some mowing needs to be completed. Dan Lowe said he would help mow. Ms. Beal said she still needs volunteers to work on Saturday or Sunday. Les Andersen volunteered to work.

### **CORRESPONDENCE/UPDATES**

A listing of property available to governmental agencies is included in the packet. There is a parcel on Hinchey Road with a minimum bid of \$3,448.04. Paula Wyckoff provided a list of taxable values of Howell Area Parks and Recreation Authority members for the 2008 tax year. A letter was received from the township attorney regarding the purchase of the Musson property for the cemetery. Les Andersen motioned to approve the purchase agreement with the three changes discussed by the attorney, and to also include a proper description of the property being purchased and the remaining parcel. Tammy Beal seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Hamann, Wyckoff—all yes. **Motion carried 7-0.** Information from United Way is available in the clerk's office for those who are interested. Bob Hanvey asked the board members if there was any objection to putting the township's checkbooks on the website for review. No objections were heard.

### **FOR THE GOOD OF THE TOWNSHIP**

Paula Wyckoff reported that 24 trees were planted at Marion Township Park #1. On Wednesday, June 18, a group of Boy Scouts will be mulching the trees.

### **CALL TO THE PUBLIC**

Scott Lloyd asked the status of the Premier property clean-up. Bob Hanvey said the township hasn't received any new information.

**ADJOURNMENT**

Dave Hamann motioned to adjourn the meeting at 8:20 pm. Les Andersen seconded.  
**Motion carried 7-0.**

**MINUTES - JUNE 26, 2008**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dan Lowe, Dave Hamann, Tammy Beal, Les Andersen, and Travis Hodge**

**MEMBERS ABSENT: None**

**OTHERS PRESENT: Chris Arsenault, Pfeffer, Hanniford & Palka**

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

David Bittner, 213 E. Grand River, introduced himself as the attorney representing Vern Brockway. Mr. Brockway is going to lease Frank Lover’s property on Lucy Road. Bob Hanvey said the site plan issues are changes in the front and side yard setbacks. Mr. Hanvey said his opinion is that an 80’ front setback doesn’t serve a purpose. Mr. Brockway said he will have a three-year lease with Mr. Lover. He will be storing his own equipment, which fits with the definition of contractor storage yard. Dan Lowe said Mr. Brockway will have to go to the Zoning Board of Appeals and the Planning Commission. The lawsuit pending with Mr. Lover should stay in place until Mr. Brockway receives the necessary approvals. Bob Hanvey said no Special Use Permit will be required, as it’s a use permitted by right. Mr. Hanvey asked Mr. Brockway to contact the zoning administrator on Monday morning to discuss the procedure. He also asked Mr. Brockway to get a letter from Frank Lover authorizing Mr. Brockway as his representative.

**APPROVAL OF AGENDA**

Dave Hamann motioned to approve the agenda as presented. Paula Wyckoff seconded.  
**Motion carried 7-0.**

**CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Travis Hodge seconded.  
**Motion carried 7-0.**

**PUBLIC HEARING—TRUTH IN TAXATION MILLAGE RATE (0.8216)**

Bob Hanvey opened the public hearing. The millage rate is the same as last year, 0.8216. Scott Lloyd asked what the state requires, can the township go lower, and he feels it should be lowered. Bob Hanvey explained that the benefit to residents by reducing the millage rate is minimal. Bob Hanvey closed the public hearing on the millage rate.

**PUBLIC HEARING—2008-09 BUDGET**

Bob Hanvey opened the public hearing for the 2008-09 budgets. Bruce Love said the administrative fee should be called a tax. He feels the township doesn’t need to collect an administrative fee. Scott Lloyd said the township should consider a pay freeze instead of increases for everyone but the trustees. He feels a pay freeze would say a lot to the township residents. Bruce Love said that Brighton Township trustees are taking a pay cut, and that Marion Township trustees are the highest paid in Livingston County.

Dan Lowe said the township shouldn't have gotten two more trustees. He said that now that the community has voted to increase the number of trustees, it can never be reduced. He also said that he spends a lot of time outside of regularly-scheduled meetings working on behalf of the township. The budget public hearing was closed.

#### **APPROVAL OF AMENDED 2007-08 BUDGET**

Bruce Love asked if the 8% for retirement is still in the budget. Bob Hanvey said yes. Travis Hodge motioned to adopt a resolution to approve the amendments to the General Fund budget for fiscal year 2007-08. Dave Hamann seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Resolution passed 7-0.**

#### **APPROVAL OF MILLAGE RATE**

Dave Hamann motioned to adopt a resolution to set the 2008-09 millage rate at 0.8216. Paula Wyckoff seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

#### **APPROVAL OF 2008-09 GENERAL FUND BUDGET**

Tammy Beal motioned to adopt a resolution to approve the General Fund Proposed Budget for fiscal year 2008-09 by activity. Paula Wyckoff seconded. Roll call vote: Beal, Hanvey, Hodge, Andersen, Lowe, Wyckoff, Hamann—all yes. **Resolution passed 7-0.**

#### **APPROVAL OF 2008-09 MISCELLANEOUS BUDGETS**

Water New User: Tammy Beal motioned to adopt a resolution to approve the Water New User Proposed Budget for fiscal year 2008-09 by activity. Les Andersen seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Hamann, Hodge, Andersen—all yes.

**Resolution passed 7-0.**

Water Special Revenue Fund: Les Andersen motioned to adopt a resolution to approve the Water Special Revenue Fund Proposed Budget for fiscal year 2008-09 by activity. Paula Wyckoff seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Hamann, Wyckoff—all yes. **Resolution passed 7-0.**

Sewer Fund: Les Andersen motioned to adopt a resolution to approve the Sewer Fund Proposed Budget for fiscal year 2008-09 by activity. Tammy Beal seconded. Roll call vote: Lowe, Wyckoff, Hamann, Hodge, Andersen, Beal, Hanvey—all yes. **Resolution passed 7-0.**

Recreation Fund: Paula Wyckoff motioned to adopt a resolution to approve the Recreation Fund Proposed Budget for fiscal year 2008-09 by activity. Tammy Beal seconded. Discussion: Dave Hamann asked if approving this budget authorizes members of the Recreation Committee to spend money, and what the audit controls are. It was discussed that any expenditure over \$3,000 should be approved by the board. It was suggested that procedures should be written for the Recreation Committee. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Resolution passed 7-0.**

Les Andersen motioned that any expenditure over \$3,000 by the Recreation Committee should be approved by the township board. Dave Hamann seconded.

**Motion carried 7-0.**

Cemetery Fund: Bruce Love asked if Lakeside Cemetery was full. Tammy Beal said that approximately 70% of the plots have been sold. Tammy Beal motioned to adopt a resolution to approve the Cemetery Fund Proposed Budget for fiscal year 2008-09 by activity. Travis Hodge seconded. Roll call vote: Beal, Hanvey, Hodge, Andersen, Lowe, Wyckoff, Hamann—all yes. **Resolution passed 7-0.**

Road Fund: Bob Hanvey said the road fund was established to finance private road maintenance situations. Les Andersen motioned to adopt a resolution to approve the



Road Fund Proposed Budget for fiscal year 2008-09 by activity. Paula Wyckoff seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Hamann, Hodge, Andersen—all yes.

**Resolution passed 7-0.**

### **TOWNSHIP SALARIES**

Dan Lowe said that salaries shouldn't be increased, and employees' hours should be cut because there are too many people in the office. Mr. Lowe also wants the Assessing Department to give reports on the number of site visits that are made. Bob Hanvey suggested the report be done on a monthly basis. Dan Lowe motioned to request a monthly report from the Assessment Department. Dave Hamann seconded.

**Motion carried 7-0.**

Bob Hanvey motioned to adopt a resolution to increase the non-elected officials and employees by 2.3%. Travis Hodge seconded. Roll call vote: Hodge—yes; Beal—yes; Andersen—yes; Lowe—no; Hanvey—yes; Hamann—no; Wyckoff—yes.

**Resolution passed 5-2.**

Dan Lowe motioned to adopt a resolution approving an annual salary of \$7,416 for each of the four trustees. Tammy Beal seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Resolution passed 7-0.**

Tammy Beal motioned to adopt a resolution to increase the Treasurer's salary by 2.3% to \$33,300. Les Andersen seconded. Roll call vote: Wyckoff—yes; Hodge—yes; Hanvey—yes; Hamann—no; Beal—yes; Andersen—yes; Lowe—no.

**Resolution passed 5-2.**

Paula Wyckoff motioned to adopt a resolution to increase the Clerk's salary by 2.3% to \$33,300. Les Andersen seconded. Roll call vote: Beal—yes; Hanvey—yes; Hodge—yes; Andersen—yes; Lowe—no; Wyckoff—yes; Hamann—no. **Resolution passed 5-2.**

Tammy Beal motioned to adopt a resolution to increase the Supervisor's salary by 2.3% to \$33,300. Travis Hodge seconded. Roll call vote: Hanvey—yes; Lowe—yes; Wyckoff—yes; Beal—yes; Hamann—no; Hodge—yes; Andersen—yes.

**Resolution passed 6-1.**

Les Andersen said that last year, township representatives researched the salary rates and compared them to similar communities. Ocala Township was the closest to Marion Township in terms of SEV, number of parcels, etc., and Marion Township salaries were less than Ocala Township.

### **2008-09 FIRE STATION LEASE**

Tammy Beal motioned to adopt a resolution to allow the clerk and supervisor to sign the fire station lease at \$19,658 for 2008-09. Travis Hodge seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Hamann, Wyckoff—all yes. **Resolution passed 7-0.**

### **2008 TOWNSHIP ROAD PROJECTS/NORTON ROAD BIDS**

An estimate from OHM for the Norton Road repairs is included in the board packet. Bob Hanvey will contact Jodie Tedesco from the Livingston County Road Commission on Monday morning to request an estimate (**AI #1.**) Tammy Beal motioned to table this item for more information. Paula Wyckoff seconded. **Motion carried 7-0.**

Bruce Love said the Road Commission did a good job on Cedar Lake Road.

Tammy Beal said the next dust control application is scheduled to begin Monday, June 30, weather permitting.

### **FOXFIRE/CRYSTALWOOD WATER CONNECTION**

Bob Hanvey reported that Mr. Doyen did give permission for the township to look at his property. Phil Westmoreland will have a survey done on the west side. Some progress has been made on this project.

**CORRESPONDENCE/UPDATES**

Paula Wyckoff said there is an invitation in the packet from Parks & Recreation to the Inaugural Kick-off Party on Tuesday, July 1 at 6:00 p.m. If any board members are interested, they should let her know. Information regarding the Senior Center is also included in the packet. The first bill has been received from HAPRA for \$59,314.

**FOR THE GOOD OF THE TOWNSHIP**

Tammy Beal said the board packets will be ready for pick-up on Monday, July 7 at 3:00 p.m. Charlie Musson asked if Heritage Days was profitable for the township. Tammy Beal said there was a small profit. Scott Lloyd suggested that fencing should be put around the saw mill for safety reasons. Tammy Beal invited anyone who is interested to attend a planning meeting for next year's event on Monday, July 21 at 7:00 p.m.

**CALL TO THE PUBLIC**

Barney Cole asked if someone from the township has talked to anyone regarding the last dust control application. Tammy Beal said she spoke with Tim Johnson from the LCRC. Mr. Johnson checked Francis Road out and said it looked fine. Mr. Cole said that, at one time, the developer of Copperfield had mentioned paving the road from D-19 to the entrance of Copperfield. Dave Hamann said that was discussed when the developer requested a rezoning of the property, which was denied. Bruce Love said that Cohoctah Township has a website with salary information. Mr. Love also said the township needs a road millage. Bob Hanvey responded that Marion Township now has its checkbook and budget available on the website.

**ADJOURNMENT**

Dave Hamann motioned to adjourn at 9:25 p.m. Les Andersen seconded.

**Motion carried 7-0.**

**MINUTES - JULY 10, 2008**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dan Lowe, Dave Hamann, Tammy Beal, Les Andersen, and Travis Hodge**

**MEMBERS ABSENT: None**

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:01 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Paula Wyckoff asked to have item #12 added to the agenda for discussion of park bills. Tammy Beal asked to have item #13 regarding Marion Retail Center inspections and item #14 on ZBA alternate added to the agenda. Les Andersen motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

**CONSENT AGENDA**

Travis Hodge motioned to approve the consent agenda. Paula Wyckoff seconded.

**Motion carried 7-0.**

**RURIK ROAD MAINTENANCE COMMITTEE SPECIAL ASSESSMENT REQUEST**

Tom Gubala, 4394 Adria, was present on behalf of the homeowners. Mr. Gubala said

they have a private paved road that needs repair. They've received three estimates, and the consensus of the homeowners is they would like the township to create a Special Assessment District. The roads involved are Rurik, Olympia, Adria and Irene. Ulana would not be included. Les Andersen explained that, in order for the township to create a Special Assessment District, the roads must be brought up to county specs. Bob Hanvey said that he and Phil Westmoreland have inspected the road. Mr. Westmoreland gave the board his opinion on the repairs that are necessary, including removal of bad soils. All three of the estimates exclude sub grades. Tom VanderPlas, 1877 Olympia, said the township helped the residents build the road. The original petition said "install and maintain." Richard Cash, 4148 Rurik, said that 6-7 years ago, over 100 yards of fill was used to stabilize the area in front of his house. Scott Lloyd, 5717 Pingree, asked if the estimates include engineering fees. Mr. Westmoreland said in this case, the engineering fees would be minimal. Bob Sabo, 4303 Irene, asked about the process for notifying property owners. Bob Hanvey said that two letters are sent and four notices are published in the paper. Mr. Hanvey said rather than getting signatures from 51% of the owners, the township could start the process. If 20% or more of the owners protest, then progress would stop. Mr. Westmoreland suggested the township prepare a bid package. Travis Hodge asked whether crack sealing would be included in the bid. The answer was yes. Dave Hamann asked about the option to pay the assessment up front. Bob Hanvey explained that SADs always have an option to pay up front. Mr. Westmoreland said he would like to schedule a meeting for 9:00 a.m. Monday morning to go over the timeline for this project. Tammy Beal motioned to offer the public hearing on creating the Special Assessment District at the earliest possible date. Dan Lowe seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

**FINAL REVIEW OF TEXT AMENDMENT TXT #02-07/Z-22-08—HOME**

**OCCUPATIONS** The board members discussed the following changes: remove items I, J and O from Section 6.14; delete last sentence from Section 17.32 B; in Section 17.32 I, add language from 6.14 G clarifying the 25% rule; remove item L from Section 17.32; correct typo in Section 6.07 (first paragraph); delete the word "internally" from Section 15.02 D. Dan Lowe said he would like to see a copy that reflects all of the changes prior to approval. Dan Lowe motioned to table this item until the next meeting. Les Andersen seconded. **Motion carried 7-0.**

**PRELIMINARY REVIEW OF TEXT AMENDMENT TXT #01-08—GENERAL**

**PROVISIONS** Dan Lowe said he would prefer to see the clean copy only; it's too confusing with all of the variations. Les Andersen motioned to table this item. Tammy Beal seconded. Motion carried 7-0.

**FINAL REVIEW OF PROPOSED AMENDED ZONING MAP TXT #04-08**

Dave Hamann motioned to approve the proposed amended zoning map with the condition that the dates of the most recent rezoning be verified. Les Andersen seconded. **Motion carried 7-0.**

**HUNTER SAFETY CLASSES**

HAPRA would like to use the basement for classes to be held on September 8-11 and November 10-13. Tammy Beal motioned to approve the dates for the Hunter Safety Class. Paula Wyckoff seconded. **Motion carried 7-0.** HAPRA is also looking for a barn for square dancing. Charlie Musson said Mr. Pardiac has one, and he will talk to him.

**TOWNSHIP BUCK POLE**

Tammy Beal said the location of the buck pole needs to be decided. Travis Hodge

motioned to assign the task to the Parks & Recreation Committee. Paula Wyckoff seconded. **Motion carried 7-0.** Mrs. Wyckoff said the next meeting is scheduled for Tuesday, July 22 at 6:30 p.m.

### **2008 TOWNSHIP ROAD PROJECTS/NORTON ROAD BIDS**

An email from Jodie Tedesco from the Livingston County Road Commission is included in the packet.

### **FOXFIRE/CRYSTALWOOD WATER CONNECTION**

Phil Westmoreland said he has a meeting with Mr. Doyen on Tuesday at 6:30 p.m.

### **ZBA REPORT**

Dan Lowe reported on the two cases heard by the Zoning Board of Appeals at its July 7 meeting.

### **PARK BILLS**

Paula Wyckoff said the treasurer's office has received two bills that need to be approved. Bob Hanvey said he would like the wording in the motion made at the last meeting regarding payment authorization for expenses over \$3,000 to also include that the approval should be given prior to the expense being incurred. Les Andersen motioned that any expenditure over \$3,000 by the Recreation Committee should be approved by the township board prior to incurring the expense. Paula Wyckoff seconded. **Motion carried 7-0.**

Paula Wyckoff motioned to approve payment of \$4,175 to Four Seasons for work done on township property. Tammy Beal seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Hamann, Hodge, Andersen—all yes. **Motion carried 7-0.**

Travis Hodge motioned to approve payment of \$3,900 to Lowe Excavating for tree planting at Marion Township Park #1. Paula Wyckoff seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Hamann, Wyckoff—all yes. **Motion carried 7-0.**

### **MARION RETAIL CENTER INSPECTION POLICY**

The board members discussed this project and what the township engineer's role is. After discussion, Bob Hanvey motioned to authorize the township's engineer to make inspections up to five feet from the building at the property owner's expense. Dan Lowe seconded. **Motion carried 7-0.**

Jack Lowe said one of the big problems is infiltration. He also said that inspections by the county and township are redundant. Mr. Lowe suggested that the township approach the county about inspection charges on commercial property. The building department could take over inspections less than five feet from the building.

### **ZBA ALTERNATE**

Bob Hanvey said the terms of the ZBA alternates, Mike Smith and Mike Arens, have expired, and asked the board for suggestions on how to proceed. Tammy Beal suggested contacting the previous two alternates and asking if they are still interested. Bob Hanvey will contact them (**AI #1.**)

### **CORRESPONDENCE/UPDATES**

#### **FOR THE GOOD OF THE TOWNSHIP**

Tammy Beal said the purchase of property adjacent to Harger Cemetery was completed today. Les Andersen said that AT&T has been working on Cedar Lake Road and Jewell Road. He was told they are prepping for enhanced DSL, HDTV and premium phone service. Residents in the area can be placed on a list to be contacted with the services are available.

**CALL TO THE PUBLIC**

Bob Hanvey reminded the candidates for trustee that AV ballots have gone out and some have already been returned.

**ADJOURNMENT**

Les Andersen motioned to adjourn at 9:15 p.m. Dan Lowe seconded.

**Motion carried 7-0.**

**MINUTES - JULY 24, 2008**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dan Lowe, Dave Hamann, Tammy Beal, Les Andersen, and Travis Hodge**

**MEMBERS ABSENT: None**

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

Dave Raymond was present on behalf of St. Joseph Hospital. He said the hospital has purchased an option to buy the former Marion Oaks property, and they have a limited window of time. They have hired Wayne Perry from Desine Inc. to work on this project, as well as a landscape architect and an architectural firm. Bob Sabo, 4303 Irene, asked if the hospital would be doing road improvements to accommodate the additional traffic. Mr. Raymond said they will work with the Livingston County Road Commission and hire a traffic consultant. Travis Hodge asked if the hospital would have a higher level trauma center to eliminate transfers to Ann Arbor. Mr. Raymond said the cardiac services would be enhanced and they would like to eliminate transfers. Bob Hanvey suggested that two or three board members, along with two members from the Planning Commission, form a committee to determine the procedures. Mr. Hanvey said the current zoning ordinance needs to address some issues to make this project viable, specifically Article 17.17. John Lowe and Jean Root from the Planning Commission have agreed to participate. Travis Hodge and Tammy Beal, along with Bob Hanvey, will represent the township board on this committee. Les Andersen motioned to authorize the Planning Commission to start reviewing the zoning ordinance, specifically Article 17.17, uses permitted by Special Use Permit in Suburban Residential, and height restrictions, to suggest changes. Travis Hodge seconded. **Motion carried 7-0.**

**APPROVAL OF AGENDA**

Paula Wyckoff asked to have Investments added to the agenda. Tammy Beal asked to have County Farm Road Repair added. Paula Wyckoff motioned to approve the agenda as amended. Tammy Beal seconded. **Motion carried 7-0.**

**CONSENT AGENDA**

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

**Motion carried 7-0.**

**RURIK ROAD MAINTENANCE**

Six residents were present from the neighborhood. Bob Hanvey said the board needs to schedule the public hearings. The township attorney has suggested that there be two separate districts: one for road maintenance and one for snow plowing. The board

members discussed Public Act 188 and the procedures. Dave Hamann motioned to adopt a resolution to hold a public hearing on the creation of a Special Assessment District at the August 14, 2008 meeting. Tammy Beal seconded. Roll call vote: Hamann, Hodge, Wyckoff, Hanvey, Beal, Lowe, Andersen—all yes. **Resolution passed 7-0.**

#### **PARKING LOT BIDS**

Two bids were received: Alan's Asphalt and D&H Asphalt. Scott Holmes was present on behalf of D&H Asphalt. No one was present on behalf of Alan's Asphalt. The board members and engineer discussed the project with Mr. Holmes. Tammy Beal asked that the work be done after the August 5 election. Les Andersen motioned to accept the bid from D&H Asphalt for \$12,868. Travis Hodge seconded. Roll call vote: Wyckoff, Hanvey, Beal, Haman, Hodge, Andersen, Lowe—all yes. **Motion carried 7-0.**

#### **FINAL REVIEW OF TEXT AMENDMENT TXT #02-07/Z-22-08—HOME OCCUPATIONS**

The zoning administrator provided the board members with a clean copy of the proposed ordinance. Les Andersen motioned to approve the proposed amendments for TXT #02-07—Home Occupations and related standards. Travis Hodge seconded. Discussion: Bob Hanvey said that any home occupation now in place would be considered pre-existing. Roll call vote: Andersen—yes; Lowe—no; Beal—yes; Hanvey—yes; Hamann—yes; Hodge—yes; Wyckoff—yes. **Motion carried 6-1.**

#### **PRELIMINARY REVIEW OF TEXT AMENDMENT TXT #01-08—GENERAL PROVISIONS**

The board discussed this text amendment and Paula Wyckoff had a concern about Section 6.06 E, item 3. The board members agreed this should be deleted. Les Andersen motioned to grant preliminary approval of TXT #01-08—General Provisions as amended. Paula Wyckoff seconded. Roll call vote: Hanvey, Beal, Wyckoff, Hamann, Hodge, Lowe, Andersen—all yes. **Motion carried 7-0.**

#### **2008 TOWNSHIP ROAD PROJECTS/NORTON ROAD BIDS**

Dan Lowe said that MDOT fixed the manholes. Bob Hanvey said there is an email from Mike Crain in the board packets. Dan Lowe said that some of the manholes still need repair. Dan Lowe and Phil Westmoreland will identify the bad spots and report at the next meeting (**AI #1**). Tammy Beal motioned to table this item until the next board meeting. Les Andersen seconded. **Motion carried 7-0.**

#### **NORTON ROAD WATER LEADS**

Bob Hanvey said the board should approve a written policy stating what is provided to those who are specially assessed. Bob Hanvey motioned to authorize Lowe Excavating to install curbs stops and tap water main per MHOG regulations at a cost of \$3,470. Travis Hodge seconded. Discussion: Dave Hamann asked if the money would come out of the construction fund. Bob Hanvey said yes. Roll call vote: Wyckoff, Beal, Hanvey, Hodge, Hamann, Andersen—all yes. Lowe abstained due to his relation to the bidder.

**Motion carried 6-0-1 abstention.**

#### **TORNADO SIRENS**

Bob Hanvey provided the board members with a diagram showing the proposed locations for tornado sirens in the township. Tammy Beal asked if there were any population estimates for each area. Mr. Hanvey said not yet. He said the sirens would be placed on existing poles, and the township would pay the electric service. Dan Lowe asked about locating a siren on the water tower. Bob Hanvey said he would contact the county to get more information (**AI #2**).

**FOXFIRE/CRYSTALWOOD WATER CONNECTION**

Phil Westmoreland said he met with Mr. Doyen. Mr. Westmoreland would like to clarify with MHOG whether the vegetation needs to be removed.

**INVESTMENTS**

Paula Wyckoff provided the board with a letter from Stockbridge State Bank, and a list of stocks showing local banks and how their stock is performing. Les Andersen motioned to add Stockbridge State Bank to the list of approved banking institutions. Travis Hodge seconded. **Motion carried 7-0.**

**COUNTY FARM ROAD REPAIR**

Tammy Beal said the Livingston County Road Commission has indicated that the repairs on County Farm Road will cost more than originally expected. Les Andersen motioned to approve sharing the cost overrun on the County Farm Road repairs. Tammy Beal seconded. Roll call vote: Hamann, Hodge, Andersen, Hanvey, Beal, Lowe, Wyckoff—all yes. **Motion carried 7-0.**

**CORRESPONDENCE/UPDATES**

Tammy Beal provided the board members with information on placing political signs, and rules for candidates on election day. An email was received from Mike Arens indicating his willingness to be an alternate on the ZBA. Les Andersen motioned to appoint Mike Arens and Mike Smith as alternates for the Zoning Board of Appeals. Paula Wyckoff seconded. **Motion carried 7-0.** A letter is included from the township attorney regarding Lucy Road LLC. The work on Marion Retail Center has been stopped for now. Dan Lowe said the engineer should be able to stop work immediately. The procedure will be to contact the township supervisor.

**FOR THE GOOD OF THE TOWNSHIP**

Les Andersen said he was contacted by Howard Lindsey from Barkmore Kennels, who said that ITC has installed some type of siren or loudspeaker that is disruptive. Mr. Andersen told Mr. Lindsey to contact the zoning administrator’s office to file a complaint.

**CALL TO THE PUBLIC**

None.

**ADJOURNMENT**

Dave Hamann motioned to adjourn at 8:50 p.m. Tammy Beal seconded. **Motion carried 7-0.**

**MINUTES - AUGUST 14, 2008**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dan Lowe, Dave Hamann, Tammy Beal, Les Andersen, and Travis Hodge**

**MEMBERS ABSENT: None**

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

Horace Cole, 918 Francis Road, had a question about the sample ballots for the recent election and the actual ballots. Tammy Beal explained that there are four precincts and

each ballot is a little different. The order of the names on the ballot is changed for each precinct. Mr. Cole said he would contact the clerk's office to see the samples.

#### **APPROVAL OF AGENDA**

Paula Wyckoff asked to have item #13, Marion Township Park #2, added to the agenda. Dave Hamann motioned to approve the agenda as amended. Les Andersen seconded.

**Motion carried 7-0.**

#### **CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Paula Wyckoff seconded.

**Motion carried 7-0.**

#### **PUBLIC HEARING FOR RURIK ROAD SAD MAINTENANCE**

Bob Hanvey asked the attendees if they had any questions. Chuck Anzalone, 4320 Rurik, asked about the timeframe. Mr. Hanvey explained the process and said hopefully the work can be done this year. Glenn Stevenson, 4406 Adria, asked about a "dedicated" road. Mr. Hanvey explained that a dedicated road is the same as a public road; the roads for this SAD are all private. Bob Sabo, 4303 Irene, asked if the contractor has been picked yet. Mr. Hanvey said no, but the lowest bidder is D&H Asphalt. Jack Reynolds, 1922 Olympia, asked if D&H is the original contractor. Mr. Hanvey said no. At the next meeting, the actual amount will be determined, including the interest rate and the number of payments. Those who object will have 35 days from the next meeting to appeal to the Michigan Tax Tribunal. Lori Fields, on behalf of Barb Froehlich, asked how those with multiple parcels would be assessed. Mr. Hanvey said the consensus was one fee per property owner. Tom Gubala, 4394 Adria, asked if the property owners could pay the assessment up front. Mr. Hanvey said yes. Tom VanderPlas, 1877 Olympia, said that the original assessment was done based on one fee per property owner. Jack Reynolds asked if this is a done deal. Mr. Hanvey said not if 20% of the property owners protest. Paula Wyckoff motioned to adopt the resolution as presented in the board packet. Tammy Beal seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Resolution passed 7-0.**

#### **PUBLIC HEARING FOR RURIK ROAD SAD SNOW REMOVAL**

Bob Hanvey said the amount will vary for this special assessment. It will be based on actual expenses and will be redetermined annually without holding subsequent annual meetings. Chuck Anzalone asked if this assessment could also be paid up front. Mr. Hanvey said that would be a little trickier, but it depends on whether the assessment is on the summer or winter tax bill. Don Burgess, 4430 Adria, asked what the options are if they are dissatisfied with the service. Mr. Hanvey said the township will work with the residents to ensure they are satisfied, and they can pick the provider. Dave Hamann asked if this is an open-ended special assessment. Mr. Hanvey said the term will be decided at the next meeting. Mr. Gubala suggested a minimum of five years. Dave Hamann motioned to adopt the resolution as presented in the board packet. Travis Hodge seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

#### **NATIONWIDE PRESENTATION FROM BURNHAM & FLOWER**

Natalie Braden from Burnham & Flower was present to introduce the board members to a new offering from Nationwide as an alternative to John Hancock. The board members asked for feedback from the employees on the program. Ms. Braden will contact the clerk's office to schedule a presentation for the employees.



### **UPDATE NFIP ORDINANCE**

Bob Hanvey said the ordinance needs to be revised to include the final map date. Dan Lowe said the board members don't know what they're voting on and this shouldn't be approved. Mr. Hanvey said the ordinance was already approved; this revision just revises the date. Mr. Lowe said this requires elevations on every new building and every remodel that's done. Mr. Hanvey said that is only required if the building is outside of Zone X. Charlie Musson asked how much of the township is in Zone X. Bob Hanvey said approximately 98-99%. Tammy Beal motioned to adopt a resolution approving the revision to the date in the NFIP ordinance. Les Andersen seconded. Roll call vote: Beal—yes; Hanvey—yes; Hodge—yes; Andersen—yes; Lowe—no; Wyckoff—yes; Hamann—no. **Resolution passed 5-2.**

### **2008 TOWNSHIP ROAD PROJECTS/NORTON ROAD BIDS**

A letter from OHM is included in the packets. Dan Lowe visited the sites with Phil Westmoreland and most of the bad cracks are sealed. The board members determined that this work should be sent out for bids and should be advertised. Tammy Beal will check with Phil Westmoreland and plan to advertise on Friday, August 22 **(AI #1.)**

### **FOXFIRE/CRYSTALWOOD WATER CONNECTION**

Information is included in the board packets. Bob Hanvey said he checked and MHOG does not require that the vegetation be removed. The board members discussed the history of this project; the pipe was approved with Crystalwood's site plan in 1999. The money to fund the connection would come from new user fees, to be reimbursed by the developer. The special assessment was not intended to pay for the pipe. Mr. Hanvey said there are not only mortgage foreclosures on the property, there are also tax foreclosures. Dan Lowe motioned to get estimate from OHM and send a copy via registered mail to the bank and Kalabat, and no land use permits will be issued until paid. Les Andersen seconded. **Motion carried 7-0.**

### **ITC DONATION**

Tammy Beal motioned to request the \$1,000 ITC donation be used for a rain garden in Marion Township Park #2. Paula Wyckoff seconded. **Motion carried 7-0.**

### **TORNADO SIRENS**

Based on the map provided at the last board meeting, a diagram indicating the number of residence per section was provided. Les Andersen motioned to approve Section #5 on the map if a suitable location for the siren can be found. Travis Hodge seconded.

Discussion: Dan Lowe said the location should be closer to Sexton Road at the highest elevation. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Hamann, Hodge, Andersen—all yes. **Motion carried 7-0.**

### **JOINT PLANNING ACT REQUIREMENTS**

Bob Hanvey said the Joint Planning Act PA 33 of 2008 requires a six-year capital improvement program. Bob Hanvey suggested referring this item to the Planning Commission for suggestions. Dave Hamann suggested checking with the planner for direction. Mr. Hanvey will contact the planner **(AI #2.)**

### **ZBA REPORT**

Dan Lowe reported on the three cases discussed at the August 11 ZBA meeting.

### **MARION TOWNSHIP PARK #2**

Paula Wyckoff presented the board with an invoice from Lowe Excavation for work done at the park. The amount of \$2900 is for equipment rental and John Lowe donated the labor.

**CORRESPONDENCE/UPDATES**

Tammy Beal passed out a bill from the Livingston County Road Commission for work done on Cedar Lake Road. The amount is approximately \$5000 more than expected. Les Andersen motioned to pay the Livingston County Road Commission \$119,465.57 for Cedar Lake Road improvements. Tammy Beal seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Hamann, Wyckoff—all yes. **Motion carried 7-0.**

Bob Hanvey reported on the alarm at the ITC site that a resident had complained about. The sign on the front gate was loose and was causing the alarm to go off, and it has been fixed. A handout was provided for the board members regarding the Chestnut case. Bob Hanvey reported that the Davis Road drain is almost done, except for the tube under D-19. Tammy Beal said the Heritage Days meeting has been rescheduled for September 15. Bob Hanvey said the state has determined the new revenue sharing numbers, and the total is \$14,000 higher than the budget. Tammy Beal said the Livingston chapter of MTA will hold its meeting on August 27 at the township hall; Fred Dillingham will be the speaker. Paula Wyckoff said information on the HAPRA master plan is included in the packets.

**FOR THE GOOD OF THE TOWNSHIP**

Bob Hanvey suggested that this agenda item be removed in the future, and all items could be discussed during Correspondence/Updates.

**CALL TO THE PUBLIC**

None.

**ADJOURNMENT**

Dave Hamann motioned to adjourn at 8:55 p.m. Travis Hodge seconded. **Motion carried 7-0.**

**MINUTES - AUGUST 28, 2008**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, and Travis Hodge**

**MEMBERS ABSENT: Dan Lowe**

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:01 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

Art Munsell, 645 N. Truhn Rd., was present on behalf of Marion Retail Center. This project was previously granted a variance by the Zoning Board of Appeals. Due to requirements from the Livingston County Building Department, they would like to split the buildings as indicated in the site plan. Les Andersen motioned to approve the separation of the building as shown on the revised site plan dated 8/7/08. Paula Wyckoff seconded. Discussion: Dave Hamann asked if this would be attached to the original site plan. **Motion carried 6-0.**

**APPROVAL OF AGENDA**

Tammy Beal asked to have an item added regarding the Marion Park #2 rain garden. Dave Hamann motioned to approve the agenda as amended. Les Andersen seconded. **Motion carried 6-0.**

## **CONSENT AGENDA**

Dave Hamann motioned to approve the consent agenda. Travis Hodge seconded.

**Motion carried 6-0.**

## **MARION TOWNSHIP PARK #2**

Jack Lowe, chairman of the Planning Commission, was present to discuss this project. A letter from the Operating Engineers Local 324 was provided. Tammy Beal motioned to adopt a resolution authorizing the township supervisor to sign the agreement with the Operating Engineers Local 324, not to exceed \$4,000 from the Recreation Fund. Paula Wyckoff seconded. Roll call vote: Hamann, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Resolution passed 6-0.**

## **SECOND PUBLIC HEARING FOR RURIK ROAD MAINTENANCE SAD**

Bob Sabo, 4303 Irene St., said the cost of this project has gone up. When the residents approached the township, the bids they had were around \$24,000 and there were 60+ parcels. Now, the cost is more and the number of parcels is less. Bob Hanvey said when the township finances a project, there are additional costs such as engineering, bid documents, etc. The process is more formal, and the scope of work on this project is greater than the original bids. Tom Gubala, 4394 Adria, said the specifications are more extensive. Phil Westmoreland said some items have been added that weren't originally included. Bob Hanvey said the purpose of this hearing is to review the way the roll is allocated, and this is the last opportunity for objections. Gary Vianueva, 4330 Rurik, asked what the scope of the project is. Phil Westmoreland responded. Bob Hanvey said several things need to be decided such as which tax bill the assessment should be on, the starting date for interest, length of the special assessment, and the interest rate. After discussion, the board decided the assessment should be on the winter tax bill, the starting date for interest will be December 1, the interest rate will be 5%, and the length of the assessment will be five (5) years. Bob Hanvey will present a formal resolution at the next board meeting **(AI #1.)** Tammy Beal motioned to adopt a resolution to award the contract to D&H Asphalt. Les Andersen seconded. Discussion: Dave Hamann asked how many bids were received. Phil Westmoreland said four. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen—all yes. **Resolution passed 6-0.**

## **SECOND PUBLIC HEARING FOR RURIK ROAD SNOW REMOVAL SAD**

Shane Monroe, 4349 Adria, asked if the snowplowing would go out for bids. The residents agreed that Mr. Monroe should continue plowing the snow. Mr. Monroe agreed to submit a monthly bill to the township, and will provide the clerk's office with proof of insurance. It was agreed to put this special assessment on the summer tax bill for five years at 5% interest. Bob Hanvey will present a formal resolution at the next board meeting **(AI #1.)**

## **2008 TOWNSHIP ROAD PROJECTS/NORTON ROAD BIDS**

Phil Westmoreland said he and Dan Lowe looked at the areas that need repair. Mr. Westmoreland has talked with Mike Craine and suggests the township have the Norton Road repairs done in conjunction with the repairs on County Farm Road. Les Andersen motioned to adopt a resolution adding the repairs on Norton Road, not to exceed \$14,000, to the work on County Farm Road performed by the Livingston County Road Commission. Tammy Beal seconded. Roll call vote: Hanvey, Wyckoff, Beal, Hamann, Hodge, Andersen—all yes. **Resolution passed 6-0.**

## **FOXFIRE/CRYSTALWOOD WATER CONNECTION**

Bob Hanvey provided the board members with a copy of a letter sent via certified mail

to Brad Nicholson of Sterling Bank. An engineer's estimate of probable cost and scope of work was sent along with the letter.

**MARION OAKS/ST. JOSEPH CONSENT JUDGMENT**

A copy of a letter from the hospital that is being sent to nearby residents was passed out. The Planning Commission met on Tuesday, August 26 and made suggestions for revisions to the ordinance. Bob Harvey suggests that the attorney write an addendum to the existing consent judgment to include language allowing anything that is allowed under the current zoning (SR). Les Andersen motioned to have the attorney draft an addendum for the board to review. Travis Hodge seconded. **Motion carried 6-0.**

**CORRESPONDENCE/UPDATES**

Bob Harvey said that due to a substantial reduction in usage, there will be changes in the MHOG budget. Fire Chief Jim Reed will be retiring effective 10/10/08. The fire authority will be purchasing a new fire truck. They are also discussing a non-resident cost recovery ordinance. Bob Harvey said that Chestnut has filed an appeal.

Bob Harvey said that several appointments to the Planning Commission and Zoning Board of Appeals are due to expire. Also, the board will need a representative on the Planning Commission and this should be resolved by the first meeting in November.

**CALL TO THE PUBLIC**

Scott Lloyd, 5717 Pingree, asked the status of the Premier property. Jack Lowe said he recently talked with Jim Barnwell from Desine who said documents have been sent to the owner of the property. Barney Cole, 918 Francis Rd, asked about the bump in D-19. He also said the last chloride treatment was the best they've ever done.

**ADJOURNMENT**

Dave Hamann motioned to adjourn at 8:10 p.m. Tammy Beal seconded.

**Motion carried 6-0.**

**MINUTES - SEPTEMBER 11, 2008**

**MEMBERS PRESENT: Bob Harvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe (arrived at 7:40 p.m.)**

**MEMBERS ABSENT: None**

**OTHERS PRESENTS: Annette McNamara, Zoning Administrator Phil Westmoreland OHM**

\*\*\*\*\*

**CALL TO ORDER**

Bob Harvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

Annette McNamara asked for the board's direction on the Premier Farms project. Board members suggested having the attorney send a letter to Mark Janek **(AI #1.)**

**APPROVAL OF AGENDA**

Les Andersen motioned to approve the agenda as presented. Tammy Beal seconded.

**Motion carried 6-0.**

**CONSENT AGENDA**

Tammy Beal motioned to approve the consent agenda. Paula Wyckoff seconded.

**Motion carried 6-0.**

### **RURIK ROAD MAINTENANCE SAD RESOLUTION**

Travis Hodge motioned to adopt the resolution as presented for the Rurik Road Maintenance Special Assessment District. Tammy Beal seconded. Roll call vote: Hamann, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Resolution passed 6-0.**

### **RURIK ROAD SNOW REMOVAL SAD RESOLUTION**

Travis Hodge motioned to adopt the resolution as presented for the Rurik Road Snow Removal Special Assessment District. Paula Wyckoff seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen—all yes. **Resolution passed 6-0.**

### **LUCY ROAD LLC PRELIMINARY**

David Bittner, attorney representing Vern Brockway, reviewed the proposed site plan with the board. The applicant has been granted variances from the Zoning Board of Appeals, and is working the Planning Commission. Les Andersen motioned to grant preliminary approval of the plans as presented. Tammy Beal seconded. Discussion: Paula Wyckoff asked about the hours of operation. Mr. Bittner said the hours were negotiated with the Planning Commission. **Motion carried 6-0.**

### **PRELIMINARY REVIEW OF TEXT AMENDMENT #03-08—SECTION 6.17**

Bob Hanvey said he didn't like the wording in item #4—he suggested ending the sentence after the word "patterns." Les Andersen motioned to grant preliminary approval for text amendment #03-08. Tammy Beal seconded. Discussion: Dave Hamann said this amendment can still go back to the Planning Commission for editing.

**Motion carried 6-0.**

### **FINAL REVIEW OF TEXT AMENDMENT #01-08: ARTICLE VI—GENERAL PROVISIONS**

Les Andersen motioned to approve Text Amendment #01-08: Article VI—General Provisions (excluding Section 6.27—Wellhead Protection Area.) Discussion: Dave Hamann asked whether the change that gives the zoning administrator the authority to issue temporary dwelling permits for medical reasons was intentional. Ms. McNamara said yes. Paula Wyckoff seconded. **Motion carried 6-0.**

### **MARION RETAIL CENTER/OHM ESCROW**

Bob Hanvey said that as of today, the parking lot is done. They want to attach to the sewer line with 6" PVC for the existing building. Phil Westmoreland said that's a policy decision for the board. However, the motivation to fix the public line on the east side of D-19 that was compromised during construction decreases once the approvals are given. John Lowe asked about them posting a surety bond. Phil Westmoreland said it should be cash. Tammy Beal said they want the liquor license. They've received approval from the Sheriff Department and the Fire Department. Phil Westmoreland will contact them to discuss their plans to fix the problem. Les Andersen motioned that the township board will inform Mr. Jappaya that the business can't open until the engineer does an estimate of probable cost, a check or cash bond is received for the repairs, and the escrow shortage is paid; at that time, they can hook-up using the 6" line with OHM and County Building Department approval. Paula Wyckoff seconded.

**Motion carried 6-0**

### **ZBA APPOINTMENT**

Tammy Beal motioned to reappoint Linda Manson-Dempsey to the Zoning Board of Appeals. Les Andersen seconded. **Motion carried 6-0.**

### **2008 TOWNSHIP ROAD PROJECTS/NORTON ROAD BIDS**

Bob Hanvey reported that the paving is done on County Farm; the shoulders still have to be done. Phil Westmoreland said he's been in contact with the Livingston County Road

Commission (LCRC) regarding Norton Road and is waiting for a response. LCRC paved the intersection of Pingree and Coon Lake Roads because of continual degradation. They paid for this project. Scott Lloyd said he talked with the inspector on County Farm regarding the "dip" where it's joined together. John Lowe said with the rain and potholes, they should have let it set for a day or two before paving.

**FOXFIRE/CRYSTALWOOD WATER CONNECTION**

Bob Hanvey said he has sent a letter to the banker. Dan Lowe said they should also be made aware that there are outstanding issues with landscape trees and the roads need to be capped. Mr. Hanvey will contact the bank **(AI #2.)** Then the engineer can proceed with getting bid specs. Dan Lowe motioned to get an easement agreement with Mr. Doyan. Les Andersen seconded. **Motion carried 7-0.**

Phil Westmoreland said the DEQ permitting process needs to start, but he needs plans first. Bob Hanvey said the township will also need to obtain an easement from Dan Lowe if the township does the work.

**CORRESPONDENCE/UPDATES**

A letter from the auditor is included in the packets. Bob Hanvey said the hospital project will need REUs, and he discussed the options available to the township. After discussion, Mr. Hanvey will begin conversations with Darakjian regarding their REUs **(AI #3.)**

Mr. Hanvey said the Community Theater of Howell is doing a production written by township resident Shirley Mitchell. John Lowe updated the board on the retention pond at County Farm/Coon Lake. Dave Hamann asked if the Planning Commission would receive a site plan. Mr. Lowe said yes. A draft Master Plan from Putnam Township is included in the packets. Les Andersen said that Iosco Township now has high-speed internet.

**CALL TO THE PUBLIC**

None.

**ADJOURNMENT**

Dave Hamann motioned to adjourn at 8:05 p.m. Les Andersen seconded. **Motion carried 7-0.**

**MINUTES - SEPTEMBER 25, 2008**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe**

**MEMBERS ABSENT: None**

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Dan Lowe asked to add discussion on sump pumps in Mystic Meadows and Groveland. Les Andersen motioned to approve the agenda as amended. Tammy Beal seconded.

**Motion carried 7-0.**

## **CONSENT AGENDA**

Tammy Beal motioned to approve the consent agenda. Dave Hamann seconded.

**Motion carried 7-0.**

## **MARION RETAIL CENTER/OHM ESCROW**

Bob Hanvey updated the board members on this project. Bob Hanvey passed out a letter from Mr. Jappaya's attorney. Both attorneys have discussed this interim measure which would give Mr. Jappaya the ability to acquire his liquor license but not open the store until an agreement is reached regarding repair of the sanitary sewer problem. Mr. Hanvey said Phil Westmoreland has received calls from contractors, but no plans have been submitted. The township attorney said the document drafted by Mr. Jappaya's attorney is an enforceable document. Les Andersen motioned to approve the agreement as presented, and authorize the supervisor and clerk to sign with Mr. Jappaya. Dan Lowe seconded. **Motion carried 7-0.**

Dan Lowe said that the number of hours reported by Tetra Tech and the number of hours that Mr. Jappaya has recorded don't match. Mr. Jappaya said he has requested a meeting with Tetra Tech and OHM.

## **2008 TOWNSHIP ROAD PROJECTS/NORTON ROAD BIDS**

Bob Hanvey said a letter has been sent to Mike Crain—no response has been received.

## **FOXFIRE/CRYSTALWOOD WATER CONNECTION**

Phil Westmoreland is preparing the easement agreement with Mr. Doyan. Bob Hanvey said the sheriff sale is complete and it's the six-month redemption period, so the property is still under Kalabat's control. Mr. Kalabat is supposed to have the underground contractor contact the township. Dan Lowe said the water pipe is 12" to the end of Foxfire rather than 8".

## **DARAKJIAN**

Bob Hanvey said the board needs to decide what to do with the REUs if the hospital plan goes forward. Darakjian has paid a total of \$242,562 on the principal and \$257,675 interest on the REUs associated with the mortgage. If the township were to buy back the 100 sewer REUs for the amount paid on the principal, that amount could be applied to the 2006 sewer assessment arrearage. Another option would be to relieve them of paying the balance of the mortgage with no money returned to them. Bob Hanvey will approach Darakjian with the offer to relieve the mortgage balance **(AI #1.)**

## **MHOG REU AND USAGE FEES**

Tammy Beal motioned to accept the mutual release from MHOG in the amount of \$24,474.55, to be split between sewer O&M and sewer new user. Les Andersen seconded. Roll call vote: Hamann, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

## **TORNADO SIRENS**

Bob Hanvey said he and the deputy chief drove around the township, and determined the best location would be south of Sexton on County Farm Road.

## **SUMP PUMPS**

Dan Lowe said that at least three houses in Mystic Meadows have sump pumps hooked into the sanitary sewer. Bob Hanvey said the ordinance authorizes the township to do on-site inspections and make repairs. Dan Lowe motioned to send the property owners in Mystic Meadows and Groveland a letter and give them 30-45 days to disconnect their sump pumps, along with information from the Livingston County Health Department. Les Andersen seconded. **Motion carried 7-0.**

**CORRESPONDENCE/UPDATES**

Bob Hanvey said that Andy Pless is the interim acting fire chief. Mr. Hanvey updated the board on the status of Chestnut. Travis Hodge was presented a plaque from the POW/MIA chapter, to go along with the flag they presented to the township. Paula Wyckoff said that HAPRA is sponsoring a square dance at Pardiac’s barn on Wednesday, October 1. Also, a \$2,000 grant from DTE for tree planting at Marion Township Park #1 has been received. The treasurer has also signed a security agreement with First National Bank.

**CALL TO THE PUBLIC**

Jeff Grainger, 2988 W. Coon Lake Road, asked if the township has considered whether temporary uses permits or special use permits will be required for the proposed movie to be filmed at Parker High School. Bob Hanvey said he and the zoning administrator have been in contact with the parties involved and applications and ordinance requirements have been sent to them. Mr. Grainger also asked about the grading being done for Marion Township Park #2. He feels it would set a bad precedent if the township didn’t have to go through site plan review just like any other project.

**ADJOURNMENT**

Dave Hamann motioned to adjourn at 8:10 p.m. Les Andersen seconded.

**Motion carried 7-0.**

**MINUTES - OCTOBER 23, 2008**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe (arrived at 7:05 p.m.)**

**MEMBERS ABSENT: None**

**OTHERS PRESENT: Phil Westmoreland, OHM**

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Mr. Hanvey asked to add item #13 Red Flag and #14 proposed resolutions for the City of Howell and Marion Township Planning Commission joint committee to the agenda. Les Andersen motioned to approve the amended agenda. Tammy Beal seconded.

**Motion carried 6-0.**

**CONSENT AGENDA**

Paula Wyckoff motioned to approve the consent agenda. Travis Hodge seconded.

**Motion carried 7-0.**

**SNOW PLOWING BIDS**

The Board of Trustees reviewed the two bids. Dan Lowe was not happy with only two bids and would like to see this re-bid. Mr. Hanvey noted five packages were picked up. Discussion ensued. Dan Lowe motioned to advertise a re-bid in the October 31, 2008 Livingston County Press, bids available on November 3, 2008 and due by November 6,



2008 at 12:00 p.m. for the Board of Trustees to review and award at the November 13, 2008 regular meeting. The bid will include a fixed price per push, salting on a fixed price per application and bold letters stating Snow Plow Bid RFP. Dave Hamann seconded. **Motion carried 4-3.**

#### **2008 TOWNSHIP ROAD PROJECTS/NORTON ROAD BIDS**

Dan Lowe noted that it is too late in the season; this should be postponed to next year. Phil Westmoreland agreed. Dan Lowe motioned to postpone Norton Road project to 2009. Les Andersen seconded. **Motion carried 7-0.**

#### **MARION RETAIL CENTER**

Mr. Hanvey informed the Board of Trustees he has spoke with Mr. Jappaya's bank and the letter of credit will arrive next week.

#### **FOXFIRE/CRYSTALWOOD WATER CONNECTION**

Mr. Hanvey informed the Board of Trustees they are waiting for the signed easement agreement from Mr. Doyen. Phil Westmoreland said he will need authorization from Marion Township for topography and design if Mr. Doyen returns the document by the next Board of Trustees meeting.

#### **REVIEW OF MARION TOWNSHIP PARK #2**

John Lowe updated the Board of Trustees on Marion Township Park #2 progress. Les Andersen would like to let the public know future plans, possibly post on Election Day. John Lowe thanked Jim Barnwell of Desine Inc.

#### **PLANNING COMMISSION, ZONING BOARD OF APPEALS AND BOARD OF REVIEW APOINTMENTS**

Bob Hanvey told the Board of Trustees he would like to see the appointments staggered. Board of Trustees member on the Zoning Board of Appeals is optional and a Board of Trustees member on the Planning Commission is mandatory. Les Andersen would like a decision to be made at the next Board of Trustees meeting regarding the Planning Commission Board representative.

#### **ELECTION DAY PARKING**

Tammy Beal let everyone know the parking status for Election Day. The workers will arrive by bus.

#### **BUCK POLE**

Paula Wyckoff gave an update, the event will take place on Saturday, November 15, 2008, 8:00 a.m. to 8:00 p.m. She would like to thank Charlie Musson, Chris McClure and Jim Haydu for all their hard work.

#### **RED FLAG**

Mr. Hanvey gave the Board of Trustees a copy of the Official Policy and Procedure Identity Theft Prevention Program. He told the Board of Trustees because Marion Township bills for sewer and water through Genoa Township we have to make sure they comply and the policy was to be in place by October 1, 2008. Dan Lowe does not want to vote on something he hasn't read. Dan Lowe motioned to act on this at the next meeting. Les Andersen seconded. **Motion carried 7-0.**

#### **JOINT PLANNING COMMISSION PROPOSED RESOLUTION**

Mr. Hanvey gave the Board of Trustees a copy of a proposed resolution for the City of Howell and Marion Township Joint Planning Commission. The last paragraph was questioned by the Board of Trustees. Dave Hamann wants a budget for this added to the next Board of Trustees agenda, it will have to have Board of Trustees approval.

#### **CORRESPONDENCE/UPDATES**

**Rurik Roads**

Mr. Hanvey told the Board of Trustees the final billing has been received and it was less than expected. Phil Westmoreland said that is not the final balance, there is a change order. Mr. Hanvey told Phil Westmoreland they will need a final Orchard, Hiltz & McCliment, Inc. billing.

**Marion Township Hall Parking Lot**

The Board of Trustees discussed requesting a reseal and re-stripping of the parking lot. Tammy Beal said the bill has not been paid yet.

**Tornado Siren**

The tornado siren testing will be on the first Thursday of every month.

**Clean Water Initiative**

Dan Lowe, Bob Hanvey and Travis Hodge will be testing the Shiawassee next week on Saturday, November 1, 2008 at 9:00 a.m.

**Marion Township Newsletter**

Mr. Hanvey told everyone the deadline for submittal is November 5, 2008.

**Assessing Workshop**

Mr. Hanvey told everyone that a workshop on Proposal A and how the tax system will be set up along with a question and answer session is tentatively scheduled for January 2009.

**CALL TO THE PUBLIC**

Barney Cole asked when the hospital will break ground. Mr. Hanvey said they should submit plans for review in January 2009. John Lowe informed everyone that the wells have been capped at the Premier Farms sites and the basements will be excavated in a few weeks. The contractor is waiting for Mr. Van Gilder to harvest the corn. Debra Wiedman-Clawson read a letter to the Board of Trustees letting them know she is interested in being reappointed to the Planning Commission when her appointment is up. The letter will be attached to and filed with the approved minutes.

**ADJOURNMENT**

Tammy Beal motioned to adjourn at 8:45 p.m. Dave Hamann seconded.

**Motion carried 7-0.**

**MINUTES - NOVEMBER 13, 2008**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dave Hamann, Tammy Beal, Les Andersen, Travis Hodge, and Dan Lowe**

**MEMBERS ABSENT: None**

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Dan Lowe asked to have an item added about newspapers. Bob Hanvey asked for an item on the Peavy Road pump station. Tammy Beal added an item on County Farm Road. Dave Hamann motioned to approve the agenda as amended. Travis Hodge seconded. **Motion carried 7-0.**

## **CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Paula Wyckoff seconded.

**Motion carried 7-0.**

## **SNOW PLOWING BIDS**

Two bids were received for the second request for bids, both from the same companies. Dan Lowe motioned to select Jay Bird. Bob Hanvey seconded. Discussion: Les Andersen said he would prefer that the plowing be done the same each day of the week, not based on Monday-Thursday and Friday-Sunday. The motion was rescinded so that the form of the bid can be voted on first. Les Andersen motioned to have the plowing done on a full-week basis. Paula Wyckoff seconded. **Motion carried 6-1.** Dan Lowe motioned to select Jay Bird. Bob Hanvey seconded. Roll call vote: Hamann—yes; Lowe—yes; Beal—no; Hanvey—yes; Wyckoff—yes; Andersen—yes; Hodge—yes.

**Motion carried 6-1.** Discussion: Paula Wyckoff confirmed the price for salt with the representative from Jay Bird.

## **MARION RETAIL CENTER**

Bob Hanvey gave the board members an update on the sewer situation at Marion Retail Center. A TV crew looked at the pipe between Marion Retail Center and Schroeder Park. They found a buildup of grease, which they broke up and flushed. Also, the flow between the system and Peavy Road has doubled. OHM will do a flow test to determine the source of the water. Les Andersen motioned to authorize OHM to approve the plans without bringing back to the Board. Dave Hamann seconded. **Motion carried 7-0.**

Dan Lowe said that soil borings need to be started.

## **FOX FIRE / CRYSTALWOOD WATER CONNECTION**

Bob Hanvey said there was no new information on this item.

## **DARAKJIAN**

Bob Hanvey reported the he met with Messrs. Darakjian, Schonscheck and Shields regarding the township's offer to take back the REUs and relieve them of the burden of repaying. They would like the principal paid to be applied to the special assessments, with no cash changing hands. There is \$250,000-260,000 paid on the principal. Travis Hodge asked if this would only be done for the hospital. Bob Hanvey said yes. Any final agreement will be brought back to the board for its approval.

## **RED FLAG POLICY**

This item has been postponed for six months. Paula Wyckoff said that Genoa Township had Ken Palka draw up a policy.

## **CITY OF HOWELL / TOWNSHIP JOINT PLANNING COMMITTEE**

Bob Hanvey updated the board members on this advisory committee. The next meeting is scheduled for January/February 2009.

## **PLANNING COMMISSION / ZBA APPOINTMENTS**

Bob Hanvey said that a board member needs to be appointed to replace Dave Hamann as the board representative to the Planning Commission. No one volunteered, so Bob Hanvey nominated himself. Tammy Beal motioned to approve the nomination of Bob Hanvey. Paula Wyckoff seconded. **Motion carried 7-0.** The ZBA appointment will be discussed at the next board meeting. Two Planning Commission spots expire next month—Bob Hanvey said he has asked Dave Hamann to take one of the spots. Mr. Hamann said he wasn't sure he could accept due to employment issues. Bob Hanvey said the three Board of Review members and the alternate also need to be reappointed.

## **PEAVY ROAD PUMP STATION**

A letter from DuBois-Cooper Associates to the City of Howell is in the packet. The

estimate to install the pump is \$500 to the City of Howell. Dan Lowe said the price of \$10,833 for the third pump seems high and he would like Phil Westmoreland to look at it. Les Andersen motioned to approve the third pump pending approval by OHM. Travis Hodge seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Hamann, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

### **NEWSPAPERS**

Dan Lowe said the newspapers being thrown in driveways are becoming a problem, and he has already called the Green Sheet. He suggested that if they want to deliver the papers, they should put a hook on the mailbox to keep them off the ground. Les Andersen said phone books were recently delivered and they contribute to the problem. Mr. Lowe said the township should contact the Green Sheet and the Community News, and if the problem isn't solved, they should be given a \$500 littering fine. Bob Hanvey said he will contact the newspapers **(AI #1.)**

### **COUNTY FARM ROAD**

Bob Hanvey said he called Mike Crain from the Road Commission. Mr. Hanvey, Dan Lowe and Jack Lowe visited the site on County Farm Road by Sanitorium Road. The problem can't be fixed this year. The township will pay the invoice and include a letter stating that the township would like the problem fixed next year **(AI #2.)**

### **MARION PARK 2**

Paula Wyckoff provided the board with draft minutes from the Parks and Recreation Committee. She also gave an update on HAPRA. A group of citizens gave a slide presentation on purchasing Chemung Hills Golf Course. They have approached HAPRA about purchasing the property and taking advantage of grants. Other activities coming up are the Buck Pole and Holiday in the Park. Citizen's Insurance made a donation to upgrade the Barnard Center Teen Center.

### **CORRESPONDENCE/UPDATES**

#### **Hall Parking Lot**

A letter and invoice from D&H Asphalt is included in the packet. Tammy Beal said she's talked with them several times about the striping in the parking lot. Travis Hodge motioned to withhold items #9 and #10 from the payment in the amount of \$2061.00. Dan Lowe seconded. Roll call vote: Beal, Hanvey, Hodge, Andersen, Lowe, Wyckoff, Hamann—all yes. **Motion carried 7-0.**

#### **Tornado Siren**

Bob Hanvey reported that the siren will be installed in the next week or two.

#### **New Board Members**

The swearing-in for the new board members will be held at the B-Line on Thursday, November 20 at 5:00 p.m. Those interested in attending should let Sandi or Tammy know. Also, there won't be a second board meeting held in November or December. Bob Hanvey thanked Dave Hamann for his service on the Board of Trustees.

#### **CALL TO THE PUBLIC**

None.

#### **ADJOURNMENT**

Dave Hamann motioned to adjourn at 8:10 p.m. Travis Hodge seconded. **Motion carried 7-0.**

## **MINUTES - DECEMBER 11, 2008**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Tammy Beal, Les Andersen, Travis Hodge, Dan Lowe, and Scott Lloyd**

**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Annette McNamara, Zoning Administrator

\*\*\*\*\*

**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Les Andersen asked to have an item added regarding Premier projects/roads. Dan Lowe asked to add an item on the newspaper problem. Tammy Beal motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

**CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Travis Hodge seconded.

**Motion carried 7-0.**

**AUDIT REVIEW**

Ken Palka and Chris Arsenault were present on behalf of Pfeffer, Hanniford and Palka, who performed the audit. They thanked the board for the opportunity to conduct the audit and everything went smoothly. The township has been given an unqualified opinion, the highest opinion. Mr. Palka reviewed some of the comments for the Board. Mr. Arsenault reviewed the General Fund and the Sewer Fund. Les Andersen asked about increasing sewer rates so the township has funds available for maintenance issues. Mr. Palka said it should be part of the rate structure. Les Andersen motioned to accept the audit report as presented. Travis Hodge seconded. **Motion carried 7-0.**

Tammy Beal motioned to approve the invoice from Pfeffer, Hanniford and Palka for \$16,700. Paula Wyckoff seconded. Roll call vote: Lloyd, Lowe, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

**FINAL REVIEW—SPECIAL USE PERMIT: HOME OCCUPATION CLASS II**

Roy and Jessica Caverly were present to ask for final approval for a Home Occupation Class II SUP for an automotive repair facility. The board members discussed the conditions for the SUP. Bob Hanvey mentioned the use of "plot plan" versus "site plan." He also asked that the sections of the zoning ordinance be included in the conditions when they are recorded. Dan Lowe said the Caverlys should be allowed to sell their personal vehicles. Scott Lloyd asked about the height requirements. Travis Hodge motioned to grant final approval for the Home Occupation Class II Special Use Permit for Roy and Jessica Caverly. Paula Wyckoff seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

**FIREWORKS PERMIT POLICY**

Tammy Beal motioned to adjourn this discussion for additional information. Les Andersen seconded. **Motion carried 7-0.**

**MARION RETAIL CENTER**

Bob Hanvey passed out a letter from Powell Engineering to OHM regarding this project.

**PLANNING COMMISSION/ZBA/BOARD OF REVIEW APPOINTMENTS**

Bob Hanvey said there are two positions on the Planning Commission, three on the Zoning Board of Appeals, and three regular positions and one alternate on the Board of Review.

### **Planning Commission**

Bob Hanvey said Jim Murray replaced Jim Anderson on the Planning Commission for the remainder of Mr. Anderson's terms. Mr. Hanvey nominated Jim Murray to a three-year term on the Planning Commission. Tammy Beal motioned to approve the nomination of Jim Murray for a three-year term on the Planning Commission. Dan Lowe seconded.

**Motion carried 7-0.**

Mr. Hanvey nominated Jerry Sidlar to a three-year term on the Planning Commission. Dan Lowe motioned to approve the nomination of Jerry Sidlar for a three-year term on the Planning Commission. Paula Wyckoff seconded. **Motion carried 7-0.**

### **Zoning Board of Appeals**

Mr. Hanvey said he would like to nominate Larry Fillinger, Dan Rossbach and John Lowe to another three-year term on the ZBA. Tammy Beal motioned to approve the nomination of Larry Fillinger for a three-year term on the Zoning Board of Appeals.

Travis Hodge seconded. **Motion carried 7-0.**

Les Andersen motioned to approve the nomination of Dan Rossbach for a three-year term on the Zoning Board of Appeals. Tammy Beal seconded. **Motion carried 7-0.**

Scott Lloyd motioned to approve the nomination of John Lowe for a three-year term on the Zoning Board of Appeals. Paula Wyckoff seconded. **Motion carried 7-0.**

### **Board of Review**

Mr. Hanvey said the Board of Review members are appointed to a two-year term, starting January 2009. He nominated the current members, Cheryl Range, Cindy Hodge, and Richard Dell, to another two-year term. He also nominated Charles Musson as an alternate. Tammy Beal motioned to approve the nomination of Cheryl Range to a two-year term on the Board of Review. Paula Wyckoff seconded. **Motion carried 7-0.**

Les Andersen motioned to approve the nomination of Charles Musson to a two-year term as an alternate on the Board of Review. Tammy Beal seconded.

**Motion carried 7-0.**

Tammy Beal motioned to approve the nomination of Cindy Hodge to a two-year term on the Board of Review. Les Andersen seconded. **Motion carried 7-0.**

Dan Lowe motioned to approve the nomination of Richard Dell to a two-year term on the Board of Review. Les Andersen seconded. **Motion carried 7-0.**

### **RESOLUTION FOR MARION TOWNSHIP AND CITY OF HOWELL JOINT**

**PLANNING COMMITTEE** Annette McNamara will provide the board with a clean copy of the resolution incorporating the changes suggested. Tammy Beal motioned to table this item until the next meeting. Travis Hodge seconded. **Motion carried 7-0.**

### **ROADS**

Les Andersen said that Mike Crain from the LCRC would like to have a meeting with representatives from the township regarding the Premier Farms project. He would like to meet soon, prior to any meetings with the representatives for Premier. Tammy Beal motioned to create a Premier Farms Road Group to include Les Andersen, Bob Hanvey, Jack Lowe, Dan Lowe, and Charlie Musson to meet with the LCRC. Travis Hodge seconded. **Motion carried 7-0.**

### **NEWSPAPERS**

Dan Lowe said the problem with newspapers being thrown in driveways still exists. Bob Hanvey said he talked with the Circulation Department and provided them with pictures. Dan Lowe motioned to send a letter indicating if the condition continues after ten days, the newspaper will be fined \$500 for littering, pending approval by the township attorney. Les Andersen seconded. **Motion carried 7-0.**

### **CORRESPONDENCE/UPDATES**

Tammy Beal reported that D&H Asphalt was satisfied with the township's decision to withhold a portion of their payment until the job is properly completed. A letter was received from John Wilson from the Livingston County Health Department requiring the township to meet minimum standards as a Transient Non-community Public Water Supply System. Les Andersen motioned to allow a request for bids for a water softener, recharge tank and plumbing. Tammy Beal seconded. **Motion carried 7-0.**

A letter was received from Carlisle Wortman asking for suggestions for a holiday donation. Paula Wyckoff motioned to request that Carlisle Wortman consider a donation to LACASA. Les Andersen seconded. **Motion carried 7-0.**

Full Circle Organic Farm has requested use of the hall for a Christmas dinner for those in need. Tammy Beal suggested letting them use the hall with no fee. Les Andersen motioned to offer the use of the hall at no charge on December 25 for Full Circle Organic Farm. Tammy Beal seconded. Bob Hanvey said they may need to meet Health Department requirements. **Motion carried 7-0.** Tammy Beal said the board packets for the January 8 meeting will be available on Monday, January 5 at 3:00 p.m.

### **CALL TO THE PUBLIC**

Charlie Musson asked about progress on the new section of Harger Cemetery. Tammy Beal said several items need to be addressed first. Jack Lowe updated the board members on the barn acquisition for the park.

### **ADJOURNMENT**

Tammy Beal motioned to adjourn at 8:30 pm. Les Andersen seconded.  
**Motion carried 7-0**