

Agenda for  
April 27, 2017  
Board of Trustees  
Meeting

**MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
Thursday, April 27, 2017  
7:30 p.m.**

**Call to Order**

**Pledge of Allegiance**

**Members Present/Members Absent**

**Call to the Public**

- 1.) Approval of Agenda
- 2.) Consent Agenda
  - a.) Approval of April 8, 2017 Special Meeting Minutes
  - b.) Approval of April 13, 2017 Regular Meeting Minutes
  - c.) April 18, 2017 HAPRA Minutes
  - d.) Financial Report
  - e.) April 19, 2017 HAFA Agenda/Minutes
  - f.) April 19, 2017 MHOG Agenda/Minutes
- 3.) Txt. Amendment Z-01-17; Section 6.20 Private Roads for Single Family, Multiple-Family and Commercial Developments (bring back)
- 4.) Txt Amendment Z-02-17; Section 6.07 Assessorly Uses and Structures (bring back)
- 5.) Txt Amendment Z-03-17; Section 23 Rezoning RR to PL (bring back)
- 6.) High Sewer Lead
- 7.) WWTP Operations/Lift Station Communications
- 8.) Roads
- 9.) Recycling

**Correspondence/Updates**

**EDC Minutes**

**Call to the Public**

**Adjournment**

Packet for  
April 27, 2017  
Board of Trustees  
Meeting

MARION TOWNSHIP  
BOARD OF TRUSTEES  
SPECIAL MEETING  
April 8, 2017  
2:30 p.m.

MEMBERS PRESENT: Tammy Beal, Greg Durbin, Duane Stokes, Bob Hanvey and Les Andersen

OTHERS: Edward Highe-Homeowner

\*\*\*\*\*

CALL TO ORDER

Bob Hanvey called the meeting to order at 2:31 p.m.

CALL TO THE PUBLIC

None Heard

APPROVAL OF AGENDA

Les Andersen motioned to approve the agenda. Duane Stokes seconded. **Motion carried.**

Burkhart Road Grinder Pump

Supervisor Hanvey explained the two types of grinder pumps. 220 electricity is needed for either pump.

Motion by Les Andersen to have Trustee Dan Lowe investigate grinder pumps and order whichever pump is needed, but not to exceed \$5000. The township will pay for the grinder pump and the homeowner will pay for the installation and its maintenance. This issue was due to a construction mishap and the township will only pay for the grinder pump at 262 S. Burkhart Road and no others until policy is set or the ordinance is changed, supported by Greg Durbin. Roll call vote: Durbin, Andersen, Stokes, Beal, Hanvey-all yes. **Motion carried 5-0.**

CALL TO THE PUBLIC

None Heard

ADJOURNMENT

Greg Durbin motioned to adjourn at 3:14 pm. Les Andersen seconded. **Motion carried.**  
Submitted by: T. Beal

\_\_\_\_\_  
Tammy L. Beal, Township Clerk      Date

\_\_\_\_\_  
Robert W. Hanvey, Township Supervisor      Date



DRAFT

MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
APRIL 13, 2017

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

MEMBERS ABSENT: None

OTHERS PRESENT: Phil Westmoreland, Spicer Group

\*\*\*\*\*

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves.

CALL TO THE PUBLIC

Peter Tombers from Tracilee Drive was present to follow-up with the board on the noise and trespassing issues on the S.R. Jacobson property. Neighbors have said that even though there are "no trespassing" signs, they are ignored, and the sheriff's department won't respond because they don't have a POA from the owner. He would like to see some type of permanent barrier, because the trespassers just move the log that was put up.

Karen & Scott Bethke, 1215 Tracilee Drive, agreed with Mr. Tombers. They asked that a letter from the owner be available on our website so they can provide it to the sheriff department. Mr. Tombers also suggested some type of field camera that would record the activity.

Bob Hanvey said he has talked with the owner, who indicated that the sheriff's department said they didn't need a letter, but will follow-up again. Greg Durbin said the two issues are trespassing and the nuisance, and this situation should be addressed based on the definition of nuisance in the zoning ordinance.

APPROVAL OF AGENDA

Items #13—MTA Training and #14—Draining Water in Sanitary Sewer added to the agenda. Les Andersen motioned to approve the agenda as amended. Tammy Beal seconded. **Motion carried.**

CONSENT AGENDA

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

HIGHE SEWER LEAD

Dan Lowe said he talked with the owner, but hasn't heard back from him. Les Andersen said he would like some kind of policy in place regarding grinder pumps and the limits of the township's responsibility.

Tammy Beal motioned to postpone action on this item. Greg Durbin seconded. **Motion carried.**

#### MITCHIE SEWER LEAD

Phil Westmoreland said that one bid was received from TLS. Les Andersen motioned to award the contract to TLS for \$14,384. Greg Durbin seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Stokes—all yes. **Motion carried 7-0.**

Dan Lowe said the township needs to document what is there. Les Andersen motioned to authorize Spicer to be present for this project as necessary and update the lead sheet. Roll call vote: Durbin, Stokes, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

#### TEXT AMENDMENT Z-01-07: SECTION 6.20 PRIVATE ROADS FOR SINGLE-FAMILY, MULTIPLE-FAMILY AND COMMERCIAL DEVELOPMENTS

Bob Hanvey said the Livingston County Planning Department didn't like some of the wording. Dan Lowe said he would like more time to review these amendments. Tammy Beal motioned to postpone action on TXT Z-01-17, TXT Z-02-17, and TXT Z-03-17. Les Andersen seconded. **Motion carried.**

#### TEXT AMENDMENT Z-02-17: SECTION 6.07 ACCESSORY USES AND STRUCTURES

See above.

#### TEXT AMENDMENT Z-03-17: SECTION 23 REZONING RR TO PL

See above.

#### ALLOCATION BUDGET

Bob Hanvey provided the board members with the allocation budget for information.

#### ASSISTANT ASSESSOR

Bob Hanvey said they are working on the job description, and it will be posted in the Assessing and MTA magazines. No action required at this time.

#### ROADS

Les Andersen motioned to accept the estimate from the Livingston County Road Commission for \$350,000 to repair Jewell Road from the bridge approach to County Farm Road, approximately 1.1 miles. Tammy Beal seconded. Roll call vote: Beal, Andersen, Stokes, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

#### RECYCLING

Scott Lloyd and Dan Lowe said they are against paying for recycling. Bob Hanvey will talk to the Drain Commission regarding the process for creating a special assessment for recycling. Greg Durbin suggested putting a questionnaire in the summer tax bill.

#### NUISANCE/NOISE ORDINANCE

Greg Durbin said the township needs an ordinance in place for nuisance situations. He provided the board members with some information he had gathered that could be used to create a nuisance ordinance.

Bob Hanvey passed out the verbiage from the existing state law, which seems to cover these types of situations.

Dan Lowe said the township also needs to have something prohibiting engine braking. Les Andersen motioned to have the Planning Commission reviews these items. Duane Stokes seconded. **Motion carried.**

**MTA TRAINING**

Les Andersen compiled a folder on the sessions that will be available in the clerk's office for review. He highlighted several items: salary surveys, trustee stipends for meetings, roads, zoning decisions regarding PUDs, the land division act, dealing with the public, an award in excellence, etc.

Bob Hanvey said there will also be a link on the township's website for more information.

**DRAINING WATER IN SANITARY SEWER**

Dan Lowe said there is a problem with plumbers draining basements into the sanitary sewer and there should be a fine. Bob Hanvey said he will look at the ordinance. Dan Lowe will contact the builder.

**CORRESPONDENCE/UPDATES**

The monthly Livingston County update is in the packet.

MDOT training is Tuesday, May 9, 8:30 am-4:30 pm.

Heritage Days meeting is Monday, April 17 at 7 pm.

**CALL TO THE PUBLIC**

Bruce Powelson, PC member, thanked the board for allowing him to attend the MTA training conference. He also said the main office door should be locked at all times.

**ADJOURNMENT**

Greg Durbin motioned to adjourn at 9:10 pm. Tammy Beal seconded. **Motion carried.**

Submitted by: S. Longstreet

\_\_\_\_\_  
Tammy L. Beal, Township Clerk      Date

\_\_\_\_\_  
Robert W. Hanvey, Township Supervisor      Date





## Howell Area Parks & Recreation Authority

Bennett Recreation Center

Board Meeting Minutes

April 18, 2017

**Call to Order** Chairperson Sean Dunleavy called the meeting to order at 7:00 PM.

**Attendance:** Vice Chairperson Diana Lowe, Secretary Tammy Beal, Trustee Jean Graham

**Absent:** Treasurer Bob Ellis

**Staff:** Director Paul Rogers, Kyle Tokan, Debie Gregory, Gina Aguzzi, Jaime Plis, Lauren Rackov, Katie Aseltine, Katie Deatherage, Tim Church

**Public:** None

### Approval of Agenda

Motion to approve the agenda as presented by Diana Lowe and supported by Jean Graham.

**Motion carried 4-0.**

### Approval of Regular Minutes from February 20, 2017

Motion by Diana Lowe to approve the minutes from the February 20, 2017 regular meeting. Supported by Jean Graham. **Motion carried 4-0.**

### Call to the Public

None Heard

### Staff Comments

Debie Gregory stated that she has resigned and thanked HAPRA for the opportunity to work for them for the last 3 years. She requested that she be paid for the 2 weeks of vacation time that she has accrued but not used. Motion by Diana Lowe to pay Debie Gregory for the 80 hours of accrued but unused vacation time at her regular rate, supported by Tammy Beal. Roll call vote: Yes-Jean, Diana, Tammy, Sean; No: none. **Motion carried 4-0.**

### Audit Ending December 2016

Auditor Tom Smith of Smith & Klaczkiwicz, PC gave HAPRA a good report but we still have to file a deficit report with the State because of the negative \$41,901. Motion by Tammy Beal to accept the 2016 audit report from Smith & Klaczkiwicz, PC, supported by Jean Graham. **Motion carried 4-0.**

#### **Deficit Elimination Plan**

Motion by Diana Lowe to accept Resolution #17-02 (Deficit Elimination Plan) and send it to the Michigan Department of Treasury, supported by Jean Graham. Roll call vote: Yes-Jean, Diana, Tammy, Sean; No-none. **Motion carried 4-0.**

#### **501©3 Foundation Name Change**

Motion by Tammy Beal to accept Resolution #17-03 for the 501© 3 name of Howell Area Park and Recreation Authority to be changed to Howell Area Park and Recreation Foundation, supported by Diana Lowe. Roll call vote: Yes- Diana, Jean, Tammy, Sean; No-none. **Motion carried 4-0.**

#### **Articles of Incorporation Changes**

This is to clean up the language and set up how Howell Township should advance with membership fees. Howell Township Representative Jean Graham would like to take it back to her board for discussion, Director Rogers said that he would attend that meeting to explain the options. Other board members would like to discuss it with their boards also. Diana Lowe motioned to table this item until the next regular scheduled board meeting, supported by Tammy Beal. **Motion carried 4-0.**

#### **Changes to 2017 By-Laws**

Because of the discussion about the Articles of Incorporation this item should be tabled until the next meeting. Tammy Beal motioned to table this item until the next regular scheduled board meeting, supported by Jean Graham. **Motion carried 4-0.**

#### **Check Register, Bank Statements, Financial Report**

No comments but Director Rogers passed out a spread sheet noting that before 2014 there was just one fund. After 2014 there are individual funds for each program. He also wanted to show that the balance as of March 31, 2017 they are **NOT** in the red.

#### **Directors Report**

- Katie and Lauren hosted the Great Underwater Easter Egg Hunt. It was very successful with 180 people attending.
- Jaime Plis is in charge of youth sports- spring soccer starts this week they have new jerseys with a new logo. 440 have signed up.
- Katie Deatherage hosted the Marshmallow Drop, there were 552 registered, the Nature Center Bus was there, Genoa Fire Department and free pictures with the Easter Bunny. Parking became an issue when Three Fires School couldn't accommodate the parking so Bordine's were contacted and their parking lot worked out great with the shuttling.
- Tim Church explained the grant that was secured from Chem Trend, it is for \$157,000 and will be received over the next three years.

- Gina Aguzzi is in charge of the teen center and summer day camp. The teen center has had great attendance with Monday through Thursdays about 20 youth per day and Friday there was 80 youth there. Saturday there is an open house for Summer Day Camp, there are 6 children registered already.
- Kyle Tokan reported that the ball fields are not as wet as they were two weeks ago, Tennis starts next week and the ice rink attracted a mother duck which has laid 12eggs.
- Now that we have our 501©3 we can apply for more grants.
- Director Rogers is planning on meeting with the Howell Schools to find out what is happening with HAPRA and the school's relationship, why we keep getting bumped. Director would like to secure one school facility exclusively so that there would be a little security when planning programs.
- Rec Pro will hopefully be up and running by June 1<sup>st</sup>.
- Aquatic Center position was posted internally and externally and three resumes have been submitted so far.

**Old Business**

Director Rogers explained that he has paid off his grandchildren's day care expenses from the summer of 2014.

**New Business**

- Oceola Representative, Sean Dunleavy, explained that they were working on more paving projects like walkways and are thinking about their next project, possibly a pavilion.

**Next Meeting**

The next regular scheduled meeting will be Tuesday, May 16<sup>th</sup>, 2017 -7:00 pm at Bennett Center.

Motion to adjourn at 7:47 p.m. by Diana Lowe, supported by Jean Graham. **Motion carried 4-0.**

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Approved

Date

Respectively Submitted by:  
 Tammy L. Beal, Secretary



MARION TOWNSHIP  
FINANCIAL REPORT

Mar-17

GENERAL FUND CHECKING

Previous Balance	\$	830,995.61
Receipts	\$	143,496.77
Interest		
	\$	974,492.38
Expenditures	\$	112,860.71
Balance	\$	861,631.67

CEMETERY FUND

Previous Balance	\$	14,526.39
Receipts	\$	1,000.00
Interest		
	\$	15,526.39
Expenditures	\$	-
Balance	\$	15,526.39

PARKS & RECREATION FUND

Previous Balance	\$	8,230.66
Receipts		\$0.00
Interest		
	\$	8,230.66
Expenditures		\$8.65
Balance	\$	8,222.01

SEWER S.A.D.

Previous Balance	\$	-	SEWER S.A.D. CLOSED
Receipts			SEWER S.A.D. CLOSED
Interest			SEWER S.A.D. CLOSED
			SEWER S.A.D. CLOSED
	\$	-	SEWER S.A.D. CLOSED
Expenditures			SEWER S.A.D. CLOSED
Balance	\$	-	SEWER S.A.D. CLOSED

FINANCIAL REPORT

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Mar-17

WATER - NEW USER

Previous Balance	\$	257,316.13
Receipts	\$	26,291.44



Interest			-----
	\$		283,607.57
Expenditures			\$2,000.00
			-----
Balance	\$		281,607.57
<b>SEWER OPERATING &amp; MANAGEMT</b>			
Previous Balance	\$		287,327.69
Receipts	\$		1,250.00
Interest			-----
	\$		288,577.69
Expenditures	\$		50,536.62
			-----
Balance	\$		238,041.07
<b>SEWER - NEW USER</b>			
Previous Balance	\$		2,042,620.84
Receipts	\$		7,420.79
Interest			-----
	\$		2,050,041.63
Expenditures	\$		250.00
			-----
Balance	\$		2,049,791.63
<b>SPEC ASSESS. FUND</b>			
Previous Balance			\$151,539.63
Receipts	\$		28,711.26
Interest			-----
			\$180,250.89
Expenditures	\$		3,050.00
			-----
Balance			\$177,200.89

## SUMMARY TOTALS

General Fund	\$	861,631.67	
Cemetery Fund	\$	15,526.39	
Parks & Rec Capital Chkg Acct	\$	8,222.01	
Sewer S.A.D.	\$	-	CLOSED
Water - New User	\$	281,607.57	
Sewer Operating & Management	\$	238,041.07	
Sewer - New User	\$	2,049,791.63	
Special Assess. Fund	\$	177,200.89	
Parks & Rec Capital Chkg Acct	\$	8,222.01	
		-----	
TOTAL	\$	3,640,243.24	

Ref: Financial Report MARCH 2018

# HOWELL AREA FIRE AUTHORITY MEETING

## Oceola Township Hall

1577 N. Latson Rd. – Howell, MI

April 19, 2017 – 6:00 PM

Authority Board  
Members and Other  
Officials:

- |                                                            |                                                                                                             |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Bill Bamber<br>Oceola Township<br><i>Chairman</i>          | 1. Meeting called to order at 6:00 pm.                                                                      |
|                                                            | 2. Pledge of Allegiance (all stand)                                                                         |
|                                                            | 3. Approve minutes of the regular meeting of March 15, 2017.                                                |
| Mike Coddington<br>Howell Township<br><i>Vice Chairman</i> | 4. Call to Public (items not on agenda)                                                                     |
|                                                            | 5. Discussion: Howell Area Fire Authority Proposed 2017/2018<br>Budget Status.                              |
| Mark Fosdick<br>Cohoctah Township<br><i>Secretary</i>      | 6. Fire Chief Update to Board:<br>a. Station 24 Concrete Repair<br>b. E-23 Engine Control Module            |
| Robert Hanvey<br>Marion Township<br><i>Member</i>          | 7. Discussion/Approval: Payment of bills and payroll.                                                       |
|                                                            | 8. New Business                                                                                             |
|                                                            | 9. Old Business<br>a. Main Station Building Expansion<br>b. Howell Fire Authority Retiree Trust Fund Status |
| Nick Proctor<br>City of Howell<br><i>Treasurer</i>         | 10. Adjourn                                                                                                 |
| Andy Pless<br><i>Fire Chief</i>                            |                                                                                                             |
| Barbara Souchick<br><i>Asst. Sec/Treasurer</i>             |                                                                                                             |

### WELCOME!

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

## HOWELL AREA FIRE AUTHORITY

March 15, 2017 – 6:00 pm

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

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**Present:** Chairman Bill Bamber, Vice Chairman Mike Coddington, Secretary Mark Fosdick, Member Robert Hanvey, Treasurer Nick Proctor, Fire Chief Andy Pless, Asst. Secretary/Treasurer Barbara Souchick, Attorney Kevin Gentry

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

**Approve the minutes of the regular meeting of February 15, 2017:** MOTION by Mr. Proctor, SUPPORT by Mr. Coddington to approve the minutes of the regular meeting of February 15, 2017. MOTION CARRIED UNANIMOUSLY.

**Call to Public:** No Response

**Discussion/Approval: Howell Area Fire Authority Proposed 2017/2018 Budget:** MOTION by Mr. Hanvey, SUPPORT by Mr. Fosdick to send the 2017/2018 proposed Howell Area Fire Authority Budget to the City of Howell Council and the Cohoctah, Howell, Marion and Oceola Township Boards. MOTION CARRIED UNANIMOUSLY.

**Approve Payment of Bills and Payroll:** MOTION by Mr. Hanvey, SUPPORT by Mr. Coddington to authorize payment of bills and payroll in the amount of \$118,215.79. MOTION CARRIED UNANIMOUSLY.

**Old Business: Main Station Expansion:** MOTION by Mr. Coddington, SUPPORT by Mr. Proctor to authorize Chief Pless to move forward with the next phase of the main station expansion. MOTION CARRIED UNANIMOUSLY.

**Retiree Trust Fund Status:** MOTION by Mr. Proctor, SUPPORT by Mr. Fosdick to authorize Chief Pless to transfer the funds from the Chase Account labeled Retiree Healthcare Fund to the MERS Retiree Trust Fund. MOTION CARRIED UNANIMOUSLY.

**Adjourn:** MOTION by Mr. Proctor, SUPPORT by Mr. Fosdick to adjourn the meeting at 6:31 pm. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted: \_\_\_\_\_  
Barbara J. Souchick, Asst. Secretary/Treasurer

Approved By: \_\_\_\_\_  
Mark Fosdick, Secretary



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## MONTHLY UPDATE TO THE BOARD

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**TO:** HOWELL AREA FIRE AUTHORITY BOARD OF DIRECTORS  
**FROM:** ANDY PLESS, FIRE CHIEF  
**SUBJECT:** MONTHLY HAFD REPORT FOR MARCH, 2017  
**DATE:** APRIL 6, 2017

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During the month of March the HAFD responded to a total of 192 calls for service. There were 133 calls in March of 2016. The total year-to-date runs for 2017 is 429. Last year's total at the end of March was 349.

Some of the more significant incidents for the month included:

On March 8<sup>th</sup> the area suffered a significant weather event with strong winds gusting to over 60 mph in some areas. Between the hours of 9am and 10pm the Fire department responded to over 65 calls for service. The incidents included 5 large scale wind driven brush fires, 4 mutual aid calls for structure fires, (all were a complete loss due to the high winds) and over 60 calls for powerlines and trees down blocking roads. All of the events were handled by the Department in an extremely efficient manner.

On March 9<sup>th</sup> the department received a request from a resident in the City of Howell. The resident had lost power due to the storm and had no access to a generator to provide heat and Oxygen for their elderly parent. Firefighters loaned a spare generator to the resident and hooked it up for them so they could remain in their home until power was restored.

On March 12<sup>th</sup> Howell Firefighters along with Automatic aid from Fowlerville responded to a reported structure fire in an occupied home in the 6000 block of Raddatz Rd in Cohoctah Township. On arrival the residents had escaped the fire and flames were through the roof at the rear of the home. The fire was quickly brought under control. Damages were limited to the attic and ceiling of the residence. The cause of the fire was determined to be electrical in nature.

Throughout the remainder of the month of March firefighters responded to numerous grass / brush fires throughout the area. Most fires were cause by careless or unattended open burning.

The Michigan Municipal League (work comp insurer) arrived unannounced and conducted our annual safety audit. Because of this audit our MOD factor was lowered from a 1.66 last year to a 1.36. Three slip and fall injuries were the only reason the factor was not lowered even more. I have included their report in the monthly packet for your review.

Training for the month of March consisted of Air pack Refresher, Firefighter survival, Downed Firefighter and Mayday training. LESA allowed us to use the 2 portable buildings scheduled for demolition for this training adding a realistic element to these annually required exercises.

The next meeting of the Howell Area Fire Authority Board is scheduled for Wednesday April 19<sup>th</sup>, 2016 at 6:00 pm.

April 13, 2017

Chief Pless,

The month of March 2017 was busy in the Fire Marshal Division.

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

The FMD has been involved with new and proposed projects for vacant property and existing buildings throughout our jurisdiction. Proposals and plans for projects continue to be submitted for review and comment.

Planning and meetings have started for the 2017 Home Show and the 2017 Michigan Challenge Balloonfest. The Fire Department will have a booth at the Home Show again this year. The Home Show is April 7-9, 2017 at the Howell High School Field House.

To date 530 kids and 128 adults have made public education contact with the HAFD, totaling approximately 13 personnel hours.

The HAFD visited 9 homes and installed a total of 20 smoke detectors and 5 CO/Smoke detectors. To date, 36 working smoke detectors plus the 20 smokes and 7 CO/Smoke detectors we've installed.

9 new inspections and 4 re-inspections were completed. 22 plan reviews/consultations and 6 fire safety tests were also completed.

April 2017 brings us more planning for future projects and various fire prevention events.

Respectfully submitted,  
Jamil Czubenko, Battalion Chief/Fire Marshal



## Incident List by Alarm Date/Time

Alarm Date Between {03/01/2017} And {03/31/2017}  
and District = "MTP "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
17-0000260-000	03/08/2017	08:54:59	PINCKNEY RD & BRIGHTON RD	551 Assist police or other gover
17-0000296-000	03/08/2017	15:42:47	2605 RUBBINS RD	444 Power line down
17-0000295-000	03/08/2017	15:51:53	3245 PINCKNEY RD	444 Power line down
17-0000314-000	03/08/2017	19:13:39	PINCKNEY RD & SEXTON RD	444 Power line down
17-0000339-000	03/11/2017	16:03:39	351 MARION MEADOWS DR	143 Grass fire
17-0000351-000	03/13/2017	07:46:47	4147 SUNDANCE MDWS	600 Good intent call, Other
17-0000356-000	03/14/2017	10:04:03	3839 BRENT DR	311 Medical assist, assist EMS c
17-0000360-000	03/15/2017	10:19:27	MASON RD & MCPHERSON PARK	611 Dispatched & cancelled en ro
17-0000361-000	03/15/2017	14:11:41	684 E DAVIS RD	600 Good intent call, Other
17-0000363-000	03/16/2017	12:16:03	1390 TRACILEE DR	411 Gasoline or other flammable
17-0000364-000	03/16/2017	13:53:01	1096 PINGREE RD	311 Medical assist, assist EMS c
17-0000373-000	03/18/2017	06:17:02	158 NEWBERRY LN	311 Medical assist, assist EMS c
17-0000376-000	03/18/2017	21:05:47	172 SUMMER SHADE DR	311 Medical assist, assist EMS c
17-0000377-000	03/18/2017	21:52:01	4238 NORTON RD	311 Medical assist, assist EMS c
17-0000398-000	03/24/2017	05:59:49	PINCKNEY RD & WRIGHT RD	445 Arcing, shorted electrical e
17-0000402-000	03/24/2017	17:10:20	1560 PEAVY RD	611 Dispatched & cancelled en ro
17-0000405-000	03/25/2017	19:53:43	4238 NORTON RD	611 Dispatched & cancelled en ro
17-0000426-000	03/31/2017	17:24:06	2765 DUTCHER RD	311 Medical assist, assist EMS c

Total Incident Count 18



**MHOG Water Authority Meeting**  
**April 19, 2017**  
**5:00 PM at Oceola Township Hall**

## AGENDA

- ✓ 1. Approval of the Minutes of March 15, 2017
- ✓ 2. Call to Public
3. Reports
  - Staff Reports: Greg Tatara and Tesha Humphriss
  - Treasurer (Robin Hunt)
  - Engineer (Gary Markstrom)
  - CPA (Ken Palka)
4. New Business
  - Correspondence
5. Old Business
6. Adjournment

## MHOG Water Authority Meeting MINUTES

The Marion, Howell, Oceola, Genoa Water Authority met on March 15, 2017 at 5:00 PM at the Oceola Township Hall. Members present were Hanvey, Bamber, Coddington, Hunt, Schuhmacher, Rogers, Lowe and Howard.

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The meeting was called to order by Chairman Hanvey.

A motion was made by Schuhmacher to approve the minutes of the February 15, 2017 meeting. The motion was seconded by Rogers and carried.

A call to the public was held

A motion was made by Schuhmacher to approve expenditures of \$188,154.47 from the M.H.O.G. Operating Fund represented by checks numbered 7159 thru 7195 and for payroll checks numbered 7326 thru 7328 and for direct deposit debits 281 thru 285. The motion was seconded by Howard and carried.

A motion was made by Coddington to approve expenditures of \$17,506.00 from the Capital Improvement Fund represented by a check numbered 1102. The motion was seconded by Schuhmacher and carried.

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

William J. Bamber, Secretary



# Livingston County Department of Planning

March 16, 2017

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

Kathleen J. Kline-Hudson  
AICP, PEM  
Director

Robert A. Stanford  
AICP, PEM  
Principal Planner

Scott Barb  
AICP, PEM  
Principal Planner

Re: Z-01-17 to Z-03-17:  
County Planning Commission Review of Zoning Ordinance  
Amendments –

- Section 6.20: Private Roads Serving Single-Family, Multiple-Family and Commercial Developments
- Section 6.07: Accessory Uses and Structures
- Rezoning: Section 23, RR Rural Residential to PL Public Lands

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, March 15, 2017, and reviewed the proposed zoning ordinance amendments and rezoning referenced above. The County Planning Commissioners made the following recommendations:

Z-01-17 Approval With Conditions.

Regarding proposed language in Item A. Would recommend eliminating the sentence, "*Roads developed to these standards do not qualify for acceptance as a public road*", as it now conflicts with the immediately following sentence, "*Roads must meet the Livingston County Road Commission standards to be considered for public acceptance*", and because the Township is proposing to remove all references to the Marion Township Engineering Standards.

Z-02-17 No Action - Encourage Further Review  
(Due to Zero Setback Standards)

Would recommend addressing this issue by establishing a setback that is a ratio of setback to the height of the structure. For instance, at the lot line the structure can be no more than a certain height, and as the structure is located further away from the lot line, the allowable height of the structure could be increased. This would improve sight lines for neighboring parcels and would help to eliminate the obtrusiveness of an accessory structure allowed to be located directly on a shared lot line, with zero setback.

## Department Information

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

(517) 546-7555  
Fax (517) 552-2347

Web Site  
[www.livgov.com/plan](http://www.livgov.com/plan)

Z-03-17      Approval.

The Township is taking the necessary and appropriate corrective action with this rezoning petition. Rezoning the parcel from Rural Residential to Public Lands is reasonable and appropriate.

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

Sincerely,



Kathleen J. Kline-Hudson  
Director

Enclosures

c: **Larry Grunn, Chair, Marion Township Planning Commission**  
Annette McNamara, Zoning Administrator, Marion Township

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



**LIVINGSTON COUNTY PLANNING COMMISSION  
MEETING MINUTES**

**DRAFT – March 15, 2017**

**6:30 p.m.**

**304 E. Grand River Ave., Howell, Michigan**

<b>PLANNING COMMISSION</b>		
<b>COMMISSIONERS PRESENT:</b>	<b>BRIAN PROKUDA JEANNE CLUM</b>	<b>SYLVIA KENNEDY-CARRASCO BILL ANDERSON</b>
<b>COMMISSIONERS ABSENT:</b>	<b>MIKE HUBERT JAMES SPARKS</b>	<b>REID KRINOCK</b>
<b>STAFF PRESENT:</b>	<b>KATHLEEN KLINE-HUDSON ROB STANFORD SCOTT BARB</b>	
<b>OTHERS PRESENT:</b>		

1. **CALL TO ORDER:** Meeting was called to order by Commissioner Prokuda at 6:30 P.M.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL AND INTRODUCTION OF GUESTS:** No introductions at this time.
4. **APPROVAL OF AGENDA**

**Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE AGENDA DATED MARCH 15, 2017, SECONDED BY COMMISSIONER CLUM.**

**All in favor, motion passed.**

5. **APPROVAL OF MINUTES**

**Commissioner Action: IT WAS MOVED BY COMMISSIONER KENNEDY-CARRASCO TO APPROVE THE MINUTES OF THE PLANNING COMMISSION MEETING DATED DECEMBER 21, 2016, SECONDED BY COMMISSIONER ANDERSON.**

**All in favor, motion passed.**

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

7. ZONING REVIEWS:

A. Z-01-17: MARION TOWNSHIP, ZONING ORDINANCE AMENDMENTS -

Article VI: General Provisions, Section 6.20 Private Roads Serving Single-Family, Multiple-Family and Commercial Developments

The Marion Township Planning Commission proposes to revise Article VI: General Provisions, Section 6.20: Private Roads Serving Single-Family, Multiple-Family and Commercial Developments, with regards to eliminating redundancies and outdated requirements in the language for private road development within the township.

**Township Planning Commission Recommendation: Approval.** The Marion Township Planning Commission recommended Approval of the text amendments at their February 28, 2017 meeting. There were no public comments.

**Staff Recommendation: Approval.** Staff believes the proposed changes are reasonable and appropriate

**Commission Discussion:** Commissioner Clum inquired about Item K. and whether there could be duplication of street names. She asked for clarification about who is responsible for street naming. Commissioner Kennedy-Carrasco stated her concern with Item B., regarding suitable storm water outlets. Planning Commissioners discussed this item and determined that it was a good requirement for new roads. Commissioner Prokuda inquired about Item A. He asked if the third sentence is contrary to the proposed deletion of Marion Township Engineering Standards. He would recommend eliminating the sentence, "*Roads developed to these standards do not qualify for acceptance as a public road*", as it now conflicts with the immediately following sentence, "*Roads must meet the Livingston County Road Commission standards to be considered for public acceptance*", and because the Township is proposing to remove all references to the Marion Township Engineering Standards.

**Public Comment:** None.

**Commissioner Action:**

**Commissioner Action:** IT WAS MOVED BY COMMISSIONER CLUM TO RECOMMEND APPROVAL WITH CONDITIONS (REMOVING CONFLICTING SENTENCE), SECONDED BY COMMISSIONER ANDERSON.

**Motion passed. 4-0**

B. Z-02-17: MARION TOWNSHIP, ZONING ORDINANCE AMENDMENTS -

Article VI: General Provisions, Section 6.07: Accessory Uses and Structures

The Marion Township Planning Commission proposes to revise Article VI: General Provisions, Section 6.07: Accessory Uses and Structures, with regards to eliminating the setback requirement for accessory structures under two-hundred (200) square feet.

**Township Planning Commission Recommendation: Approval.** The Marion Township Planning Commission recommended Approval of the text amendments at their February 28, 2017 meeting. There were no public comments.

**Staff Recommendation: Approval With Conditions.** The proposed text amendments are reasonable and appropriate. Staff would highly recommend that the Township consider Staff comments related to including additional language (as suggested by Staff) to better clarify the intended nature of the proposed amendment and eliminate any ambiguity in the zoning requirement, prior to formal approval of the amendments by the Township Board.



**Commission Discussion:** Commissioner Prokuda commented that he and Principal Planner Barb attended a meeting in Putnam Township recently and they were discussing this very same issue. At this meeting, they discussed scenarios where smaller accessory structures (less than 200 sq. ft.) are combined with the ability to have a zero setback standard, and they proposed addressing this issue by establishing a setback that is a ratio of setback to the height of the structure. For instance, at the lot line the structure can be no more than a certain height, and as the structure is located further away from the lot line, the allowable height of the structure could be increased. This would improve sight lines for neighboring parcels and would help to eliminate the obtrusiveness of an accessory structure allowed to be located directly on a shared lot line, with zero setback.

**Public Comment:** None.

**Commissioner Action:**

**Commissioner Action:** IT WAS MOVED BY COMMISSIONER CLUM TO RECOMMEND NO ACTION-ENCOURAGE FURTHER REVIEW (DUE TO ZERO SETBACK STANDARDS), SECONDED BY COMMISSIONER KENNEDY-CARRASCO.

**Motion passed. 4-0**

**C. Z-03-17: MARION TOWNSHIP – REZONING -**

**Current Zoning:** RR Rural Residential District  
**Proposed Zoning:** PL Public Lands District  
**Proponents:** Sections 23: Marion Township

**Township Master Plan:** The Future Land Use plan and map of Marion Township designates the site as Low Density Residential (LDR). The Township Master Plan describes this area in the following manner (p. 77):

*The intent of the Low Density Residential future land use category is to preserve land area suitable for large-lot residential and agricultural land use, and to protect the rural character of the Township. Much of this land area is currently farmed or it contains single family residences on large lots that are served by septic sewage disposal and gravel roadway. This land use designation also includes large expanses of privately owned recreational resources. LDR designated lands are the least capable of supporting development and community water and sewer services, due to soil conditions, high water table and other environmental issues that impact development and infrastructure.*

*The 15,186 acres of land in the Low Density Residential category comprises most of the southern 2/3 of the Township. The Low Density Residential land use designation is the largest future land use category in the Township. Development densities within the Low Density Residential category should not exceed 1 dwelling unit per 2 acres in order to insure safe septic disposal and to minimize developmental impacts on existing open space, recreational and agricultural lands as well as adjoining conservation lands. This future land use designation corresponds to the RR Rural Residential District of the Marion Township Zoning Ordinance.*

**County Comprehensive Plan:** The Livingston County Comprehensive Plan designates the site Transitional Residential. According to the County Comprehensive Plan (page 63-64):

*Transitional Residential applies to areas that have already experienced new suburban housing growth, but which retain some of their agricultural characteristics. These areas act as a buffer between more strictly agricultural lands and Residential areas. Most of the Transitional Residential area will be on the front lines of residential development pressure over the next two decades. Therefore, it is important to have effective open space and cluster ordinances in place, in order to keep residential development surrounded by plenty of open space or agricultural land at low to moderate overall densities. Public sewer and water*



*are already present in some Transitional Residential areas, but should not be extended further into them, in order to focus higher density development in more appropriate Residential, City/Village, Settlement, and Primary Growth areas. This will help keep the remaining farmland viable while still allowing some residential growth.*

**Township Planning Commission Recommendation: Approval.** The Marion Township Planning Commission recommended APPROVAL of this rezoning at its February 28, 2017 Public Hearing. There were no public comments noted in the meeting minutes regarding this proposed rezoning request.

**Staff Recommendation: Approval.** The Township is taking the necessary and appropriate corrective action with this rezoning petition. Rezoning the parcel from Rural Residential to Public Lands is reasonable and appropriate.

**Commission Discussion:** None.

**Public Comment:** None.

**Commissioner Action:** IT WAS MOVED BY COMMISSIONER CLUM TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER ANDERSON.

**Motion passed. 4-0**

**D. OLD BUSINESS:** None.

**E. NEW BUSINESS:**

- a. 2017 Work Program – A summary distributed
- b. Discussion regarding County Master Plan chapters 1-2
- c. Visits to local Planning Commission meetings planned by the County Planning Commission and Planning Staff

**F. REPORTS**

- a. SEMCOG Report - None
- b. County Planning Staff Report -
  - i. County Planning Connection Newsletter
  - ii. Land and Water Conservation Fund Grant – Fillmore Park
  - iii. Placemaking Award – Courthouse Grounds Renovation
  - iv. Livingston County Hazard Mitigation Plan
  - v. Livingston County Promotional Video
  - vi. Planning Department Letter of Support to LETS for MDOT Grant
  - vii. Status of County Capital Improvement Plan
  - viii. All Planning Commission agenda items now available on County Planning website for reference

**G. COMMISSIONERS HEARD AND CALL TO THE PUBLIC:** None.

**H. ADJOURNMENT**

**Commissioner Action:** IT WAS MOVED BY COMMISSIONER ANDERSON TO ADJOURN THE MEETING AT 7:48 P.M., SECONDED BY COMMISSIONER CLUM.

**All in favor, motion passed.**



# Livingston County Department of Planning

## MEMORANDUM

Kathleen J. Kline-Hudson  
AICP, PEM  
Director

Robert A. Stanford  
AICP, PEM  
Principal Planner

Scott Barb  
PEM  
Principal Planner

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

**FROM:** Robert Stanford, Principal Planner

**DATE:** March 6, 2017

**SUBJECT:** Z-01-17 Amendments to Zoning Ordinance Article - Article VI: *General Provisions*

Section 6.20: *Private Roads Serving Single-Family, Multiple-Family and Commercial Developments*

The Marion Township Planning Commission proposes to revise **Article VI: General Provisions, Section 6.20: Private Roads Serving Single-Family, Multiple-Family and Commercial Developments**, with regards to eliminating redundancies and outdated requirements in the language for private road development within the township.

County Planning Staff has reviewed the proposed changes for accuracy and compatibility with the Township Zoning Ordinance and offers the following comments for your review.

**NOTE:** When existing (current) text are utilized in this review for illustrative purposes, additions (or newly proposed text) are noted in **underlined bold font** while deletions to existing text are noted in ~~strikethrough font~~. Planning Staff comments are noted in **bold italic underline** fashion.

### Department Information

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

(517) 546-7555  
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access  
Web Site of the  
co.livingston.mi.us

Marion Township proposes the following text change to its Township zoning ordinance:

### **ARTICLE VI: GENERAL PROVISIONS**

#### **Section 6.20 Private Roads Serving Single-Family, Multiple-Family and Commercial Developments**

- A. **Purpose and Intent:** Unobstructed, safe and continuous vehicular access to parcels is necessary to promote the health, safety and welfare citizens of Marion Township by ensuring that police, fire, and emergency services can safely and quickly enter and exit private property at all times. It is the intent of this Ordinance to allow for





development of private roadways if those roads meet the minimum design requirements and have a road maintenance agreement in place that comply with the procedures, standards, and specifications hereinafter set forth.

Roads developed to these standards do not qualify for acceptance as a public road. Roads must meet the Livingston County Road Commission standards to be considered for public acceptance.

#### B. ~~Definitions~~

~~**Land:** All land areas occupied by real property, and the surface area known as real estate.~~

~~**New Road:** A public or private right of way or easement, which has not yet been constructed to provide vehicular access to two or more principal buildings and shall be defined by the definition for Road.~~

~~**Permanent Structure:** An object, which exists above ground that is not considered to change in status or location.~~

~~**Road or Roadway:** A public or private right of way, which affords traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, street, and any other thoroughfare, except an alley or driveway, to a building. A road also includes the land between the roadway edges, whether improved or unimproved.~~

**STAFF COMMENTS: These definitions are redundant so they are being removed.**

#### **B. C. Permit Application**

1. **Requirements.** The application and plans for a private road shall include the following information:
  - a. Survey that provides the legal description(s) of all the parcel(s) and any and all easements that exist on the subject property. If applicable, the names and addresses of all the lot or parcel owners served or to be served by the private road shall also be provided.
  - b. A vicinity map of a minimum scale of one inch equals two thousand feet (1" = 2,000'), showing the location of the private road in the Township, any access roads and cross streets, road names, a scale, and a north arrow.



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- c. Existing topography at two (2) foot contour intervals for the portions of the site sufficient to determine drainage from the private road easement to a suitable storm water outlet.
- d. Proposed improvements (including but not limited to, roads, sewers, and ditches) shown in plan and profile indicating all materials, grades, dimensions, and bearings. The plans shall also show all existing and proposed grades, the location of all existing and proposed drainage facilities, the location of existing and/or proposed utilities and structures, other structures, physical or natural conditions existing adjacent to such improvements, and any connections to existing public and private roads.
- e. Soil borings within the proposed route of the road. Tree coverage and wetland areas within one hundred (100) feet of either side of the proposed route.
- f. Location of existing buildings on the lots or parcels being served or intended to be served by the private road, as well as any existing buildings or structures in or adjacent to any proposed road easement.
- g. Plans shall show the existing or proposed location of private utilities and easements, such as gas, telephone, and electric.
- h. Document from Marion Township assessor verifying two or more land divisions are available.
- i. A complete copy of the road maintenance agreement(s) and road easement agreement(s) regarding the maintenance and improvements of the right-of-way and roadway. The road maintenance agreement shall, at a minimum, provide for:
  - i. A method of initiating and financing of such road in order to keep the road up to Township specifications as set forth in this amendment.
  - ii. A workable method of apportioning the costs of maintenance and improvements to current and future users.
  - iii. A notice that if repairs and maintenance are not made, the Marion Township Board may bring the road up to established Township standards as set forth in this amendment and assess owners of parcels on the private road for the improvements, plus an administrative fee.





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- iv. A notice that no public funds of the Township of Marion are to be used to build, repair, or maintain the private road.

Furthermore, said road maintenance agreements shall be in such form as to be recordable with the County Register of Deeds and shall specifically address the liability and responsibility of the parties to said agreement to maintain the private road pursuant to the specifications of this section, including, but not limited to, the responsibility of removing snow from said private roads. The recorded road easement and maintenance agreement, which shall run with the land, shall also inform subsequent purchasers that the road is private and may never be maintained or accepted by the Livingston County Road Commission.

- j. A complete statement of all the terms and conditions of the proposed road easement and road maintenance agreement, which shall also provide for:
  - i. Easements to the public for purposes of emergency and other public vehicles and for whatever public utility services are necessary.
  - ii. A provision that the owners of any and all of the property using the road shall refrain from prohibiting, restricting, limiting or in any manner interfering with normal ingress and egress and use by any of the other owners. Normal ingress and egress and use shall include use by family, guests, invitees, vendors, tradesman, delivery persons, and others bound to or returning from any of the properties and having a need to use the road.
- k. Appropriate deed restrictions and/or master deed provisions shall provide for free and clear vehicular access for emergency service vehicles on all private roads.
- l. Upon approval of the road easement and road maintenance agreement, it shall be recorded at the Livingston County Register of Deeds and a copy of the recorded agreement shall be filed with the Township Clerk. The Township shall not issue a land use permit for any dwelling unit until it has received a copy of the recorded, approved agreement.

**C. D.** **Road Design Requirements:** Private roads shall meet or exceed the following standards and the design requirements set forth in the then current Livingston County Road Commission Plat & Street Development Specifications ~~Marion Township Engineering Standards.~~



1. Roadway length shall be dependent on and limited to the following:
  - a. ~~Gravel: Serving no more than thirty (30) single family dwelling units for any number of points of intersection provided between a private road and public road.~~
  - b. ~~Paved: Serving no more than thirty (30) single family dwelling units if only one point of intersection is provided between a private road and public road.~~

NOTE: Any dwelling unit whose only means of ingress or egress is via the private road shall be considered in the number of dwelling units allowed.

1. 2. Dead end roads shall terminate with a cul-de-sac that meets or exceeds standards in the then current **Livingston County Road Commission Plat & Street Development Specifications** Marion Township Engineering Standards and the following:

- a. Any cul-de-sac shall terminate at the property line except when precluded by a natural barrier or when the cul-de-sac terminates at the last available building envelope, lot or parcel that fronts upon the cul-de-sac.
- b. Frontage measurements along a cul-de-sac shall be measured along the tangent of the front setback line between the side lot lines. See diagram 3-8.
- c. Not more than four (4) principal buildings shall have frontage on a cul-de-sac.
- d. Any lot located on a cul-de-sac shall have its side lot lines designated to be radial to the front property line or right-of-way line on either public or private roads, except where such lot lines would create unusual, inconvenient, or irregular lot shapes.

**D. E. Dedication of Rights-of-Way or Easements:** While not required to be dedicated to the public, no structure or land use activity shall be established within approved rights-of-way or easements. All plans, as submitted for approval, must show the private road easement including a legal description.

**E. F. Connection to County Roads:** Construction authorization from the Livingston County Road Commission is required for connection to County roads. When applicable, a permit is also required from the County under the Soil Erosion and Sedimentation Control Act, PA 347 of 1972. At the discretion of the Township Board, a proposed private road that otherwise meets the requirements of this





Ordinance may be disapproved unless it connects to another private road or a County road when necessary to provide safe traffic flow and emergency vehicle access. No lots or units shall be permitted driveway access from a road that is not an interior road of the plat, condominium, or development.

- E. G. Application Procedure:** Application for road construction shall not be made without evidence of an approved land division. The applicant shall prepare and provide twelve (12) sets of a plot plan, site plan, or construction plan, pursuant to the application and design requirements of this Ordinance. All of the required information shall also be submitted twenty-one (21) days prior to the meeting date to which the applicant requests consideration by the Marion Township Zoning Administrator. The Zoning Administrator shall submit the private road site plan to the Livingston County Road Commission and Township Engineer for review and comment as necessary. The proposed road maintenance agreement and road easement agreement shall be sent to the Zoning Administrator who shall then forward to the Township Attorney and Township Engineer for review and comment.

**STAFF COMMENTS: According to the Township Zoning Administrator, the township never asks their engineer to review private road maintenance agreements, so this portion of the language is being eliminated.**

**G. H. Application Review and Approval or Rejection**

1. The reports of the Livingston County Road Commission, as necessary, Township Attorney, and Township Engineer shall be forwarded to the Township Board who shall be responsible for granting final approval for the private road. Prior to granting final approval such reports, **the** application and all supporting data shall be **forwarded to and** reviewed by the Planning Commission which shall make a recommendation to the Township Board **who shall be responsible**. The recommendations shall contain reasons that support the recommendation of the Planning Commission. By resolution of the Township Board, the Township Board may delegate responsibility for granting final approval **for the private road**, to the Planning Commission. In that case, the reports of the Livingston County Road Commission, Township Attorney, and Township Engineer shall be forwarded to the Planning Commission.

**STAFF COMMENTS: According to the Township Zoning Administrator, the township felt this language was too confusing – materials are not forwarded to the Board of Trustees first. The township is just trying to streamline and clarify the process.**

2. If the private road application is approved, construction authorization will be issued by the Zoning Administrator. Following approval of a private road application no new private road construction permit(s) will be issued without





an approved amendment to the site plan or the private road application, as the case may be, in compliance with the zoning ordinance in effect at the time the land use permit is requested. If the private road application is rejected, the reasons for the rejection as well as any requirements that must be met in order to obtain approval shall be given in writing to the applicant.

3. The Zoning Administrator will arrange for inspections by the Township Engineer during construction of, and upon completion of the private road. The costs of inspection, including the compensation of the Marion Township Engineer or designated official shall be paid by the applicant prior to the issuance of the certificate of completion.

**H.-I. Variances:** The Zoning Board of Appeals shall not grant a variance from road design requirements found in the then current Livingston County Road Commission Plat & Street Development Specifications Marion Township Engineering Standards until the Planning Commission has provided a recommendation on the variance being requested based upon the nine (9) criteria listed below. The Planning Commission and Zoning Board of Appeals shall consider the following criteria prior to making their recommendation and decision, respectively.

1. Anticipated traffic flows will not overburden the proposed roadway design.
2. Unusual topographic conditions constrain roadway design.
3. Roadway design will preserve natural features on the site.
4. Stub road connections do not exist nor are such connections feasible.
5. The Planning Commission shall make reference to the specific criteria met in their recommendation to the Zoning Board of Appeals.
6. That a variance or exemption is required in order to comply with conflicting County or State laws, rules, or regulations.
7. That there are such special circumstances or conditions affecting said property that strict application of the provisions of this Ordinance would clearly be **impractical or unreasonable**. This may include topographic, vegetative, or drainage conditions.
8. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
9. That such variance or exemption will not be contrary to the intent and purpose of this Ordinance, the Master Plan, or the Zoning Ordinance.





- I. J. Failure to Perform:** Failure by the applicant to begin construction of the private road according to approved plans on file with the Township within one (1) year from the date of approval shall void the approval and a new plan shall be required by the Township subject to any changes made herein or subject to any changes made by the Livingston County Road Commission or the Township in their standards and specifications for road construction and development.
- J. K. Issuance of Land Use Permit for Structures on Private Roads:** No land use permit shall be issued for a structure on any private road until such private road is given final approval by the Township Board. Should the applicant desire to obtain a land use permit prior to final completion and Board approval of the approved private road, as a condition to the granting of any permit under this Ordinance, the Township Board may require that the applicant deposit with the Township Clerk a sum of money, bank letter of credit or certified check, in an amount sufficient to guarantee that the applicant shall perform the terms and conditions of the permit, including the application of a final course of asphalt and payment of any required fees. Upon completion of all road improvements required by this Ordinance, any unused portion of the deposit shall be refunded to the applicant. Regardless of the amount of money deposited with the Township, the actual cost to complete all of the road improvements remains the responsibility of the proprietor or its surety agent.
- K. L. Posting of Private Roads:** ~~All private roads shall be designated as such and shall be clearly posted with a clearly readable name that can be easily seen in an emergency.~~

**Regulatory signs shall be positioned and installed in accordance with the Michigan Manual of Uniform Traffic Control Devices on all private roads where such private roads intersect public streets. All other signs with the private road shall be identified on the site plan and be in accordance with the Michigan Manual of Uniform Traffic Control Devices, unless the Planning Commission approves another type of design for consistency with the character of the development. Street name signs shall be provided at all intersections. Private road name signs shall contrast in terms of color with public street name signs, and shall clearly indicate the private road is private.**

The sign shall be paid for, posted, and thereafter maintained by the property owner's association or developer. ~~The Zoning Administrator shall check with the Livingston County Road Commission to avoid a duplicate of names and give approval of same.~~

**STAFF COMMENTS: According to the Township Zoning Administrator, some of Marion Township's private roads do not have stop signs or any sign indicating the road name. The**



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**Planning Commission felt this was redundant as the State of Michigan already requires stop signs at the ends of all roads.**

**L. M. Notice of Easements:** All purchasers of property where a private road provides access to the premises shall, prior to closing of the sale, receive from the seller a notice of easement, in recordable form, substantially conforming to the following:

"This parcel of land has private road access across a permanent sixty-six (66) foot easement which is a matter of record and a part of the deed. This notice is to make Purchaser aware that this parcel of land has egress and ingress over this easement only. Neither the County nor Township has any responsibility for maintenance or upkeep of any improvement across this easement. This is the responsibility of the owners of record. The United States mail service and the local school district are not required to traverse this private improvement and may provide service only to the closest public access. (Maintenance of Private Roads Act, PA 139 of 1972, as amended.)"

**M. N. Fees:** The Marion Township Board shall establish by resolution a fee schedule to defray costs, which may include but not be limited to inspection, plan review, administration, and enforcement of this section. Before final approval, any costs incurred by the Township shall be paid by the applicant.

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**STAFF COMMENTS:**

**The existing zoning ordinance language in this article refers to "Marion Township Engineering Standards". However, according to the Marion Township Zoning Administrator, Marion Township doesn't have a set of engineering standards. So the township is proposing to revise this article in order to inform applicants that they have to meet Livingston County Road Commission Standards.**

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**Township Planning Commission Recommendation: Approval.** The Marion Township Planning Commission recommended Approval of the text amendments at their February 28, 2017 meeting. There were no public comments.

**Staff Recommendation: Approval.** The proposed text amendments are reasonable and appropriate.



# LIVINGSTON COUNTY PLANNING DEPARTMENT – CONDITIONAL REZONING REVIEW

<b>CASE NUMBER:</b> Z-03-17	<b>LOCATION:</b> Marion Township <b>SECTION NUMBER:</b> Section 23 <b>TOTAL ACREAGE:</b> 3.4 acres	<b>APPLICANT/OWNER:</b> Marion Township
-----------------------------	----------------------------------------------------------------------------------------------------------	--------------------------------------------

**CURRENT ZONING:** RR– Rural Residential District  
**PERMITTED / SPECIAL USES (Not all inclusive):**

**Permitted: Including but not limited to:** Single-family dwellings, agricultural buildings and agricultural operations involving no more than two hundred (200) animal units at a density not to exceed 1.4 animal units per acre, landscape nursery operations, including retail sales of nursery stock grown on the premises, public or private conservation areas, parks, game refuges, and similar uses, family child care homes, adult foster care family homes, accessory buildings.

**Special: Including but not limited to:** Public facilities, campgrounds, cemeteries, child care centers, commercial kennels.

**MINIMUM LOT AREA:** 2 acres

**REQUESTED ZONING:** PL – Public Lands District  
**PERMITTED / SPECIAL USES (Not all inclusive):**

**Permitted Including but not limited to:** Public conservation areas, parks, game refuges, and similar uses, public schools, administrative offices and maintenance buildings of municipal corporations or the State of Michigan, municipal water supply and treatment facilities, municipal fire and police facilities, municipal sewage disposal and treatment facilities, municipally owned and maintained cemeteries and/or mausoleums.

**Special: Including but not limited to:** Public excavation operations, public communication towers on land owned by Marion Township

**MINIMUM LOT AREA:** 11,000 square feet (0.25 ac.)

**ZONING:**



**LAND USE:**



**TOWNSHIP PLANNING COMMISSION RECOMMENDATION AND PUBLIC COMMENTS:**

The Marion Township Planning Commission recommended **APPROVAL** of this rezoning at its February 28, 2017 Public Hearing. There were no public comments noted in the meeting minutes regarding this proposed rezoning request.

**ESSENTIAL FACILITIES:**

**SANITARY SEWER:** Would be serviced by private septic.

**WATER SUPPLY:** Would be serviced by private well

**ACCESS ROAD(S):** The site is accessed from Pinckney Road.



**EXISTING CONDITIONS:**

The site proposed for the conditional rezoning request is located in Section 23 of Marion Township.

**Natural Areas:** According to the map "Livingston County's High Quality Natural Areas", there are no High Quality Natural Areas located on the subject parcel.

**Land Use:** The subject parcel is currently vacant.

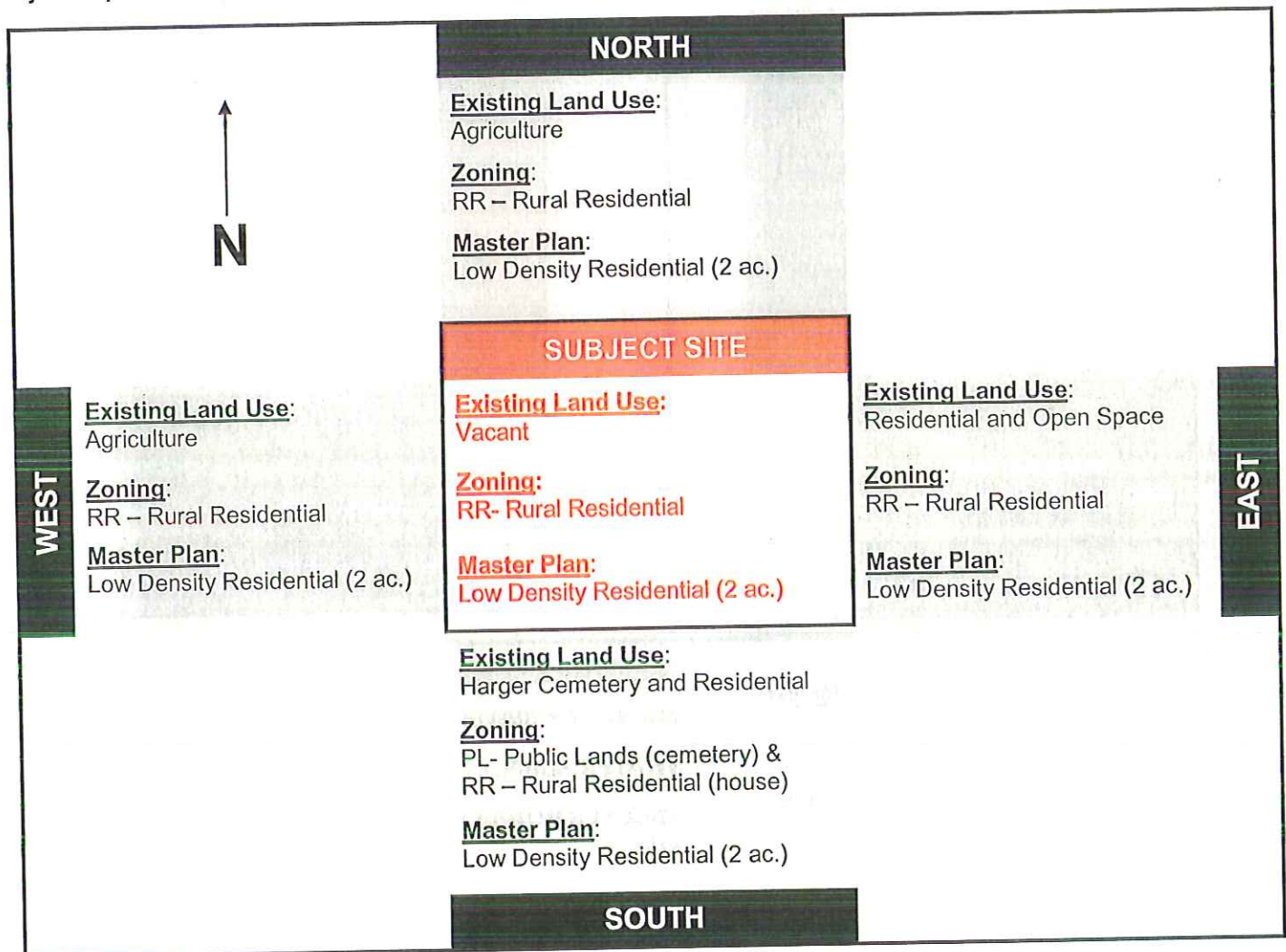
**Soils:** Soils on the site consist of Fox Sandy loams, 2-6 percent slopes, on the western half of the subject site. The eastern half of the subject site consists of Fox-Boyer complex soils, 12-18 percent slopes.

**Wetlands:** According to the National Wetlands Inventory (NWI), the central portion of an approximate 2.5 acre, finger-shaped scrub-shrub (palustrine, emergent) wetland bisects the eastern portion of the subject site, running in a general north-south direction. The portion that is located on the subject site occupies approximately 0.5 acres.

**Topography:** The topography of the subject parcel is generally flat. The site slopes gently from west to east.

**Vegetation:** The southern border of the subject site is a heavily-wooded. The entire remaining portion of the site consists of flat, grassy open areas.

**CURRENT LAND USE, ZONING, AND MASTER PLANNING MATRIX:** The graphic below provides a general overview of the existing uses, zoning and future land use designations of the subject site and the immediately adjacent parcels.





**TOWNSHIP MASTER PLAN:**

The Future Land Use plan and map of Marion Township designates the site as **Low Density Residential (LDR)**. The Township Master Plan describes this area in the following manner (p. 77):

*The intent of the Low Density Residential future land use category is to preserve land area suitable for large-lot residential and agricultural land use, and to protect the rural character of the Township. Much of this land area is currently farmed or it contains single family residences on large lots that are served by septic sewage disposal and gravel roadway. This land use designation also includes large expanses of privately owned recreational resources. LDR designated lands are the least capable of supporting development and community water and sewer services, due to soil conditions, high water table and other environmental issues that impact development and infrastructure.*

*The 15,186 acres of land in the Low Density Residential category comprises most of the southern 2/3 of the Township. The Low Density Residential land use designation is the largest future land use category in the Township. Development densities within the Low Density Residential category should not exceed 1 dwelling unit per 2 acres in order to insure safe septic disposal and to minimize developmental impacts on existing open space, recreational and agricultural lands as well as adjoining conservation lands. This future land use designation corresponds to the RR Rural Residential District of the Marion Township Zoning Ordinance.*

**COUNTY COMPREHENSIVE PLAN:**

The Livingston County Comprehensive Plan designates the site **Transitional Residential**. According to the County Comprehensive Plan (page 63-64):

*Transitional Residential applies to areas that have already experienced new suburban housing growth, but which retain some of their agricultural characteristics. These areas act as a buffer between more strictly agricultural lands and Residential areas. Most of the Transitional Residential area will be on the front lines of residential development pressure over the next two decades. Therefore, it is important to have effective open space and cluster ordinances in place, in order to keep residential development surrounded by plenty of open space or agricultural land at low to moderate overall densities. Public sewer and water are already present in some Transitional Residential areas, but should not be extended further into them, in order to focus higher density development in more appropriate Residential, City/Village, Settlement, and Primary Growth areas. This will help keep the remaining farmland viable while still allowing some residential growth.*

**COUNTY PLANNING STAFF COMMENTS:**

The Township, as applicant, is seeking to rezone the northern 2 acres of an approximate 3.4 acre parcel from Rural Residential (RR) to Public Lands (PL). According to the Township Zoning Administrator, Marion Township purchased the 2-acre parcel, which is located contiguous to the existing Harger Cemetery, in September of 2009, and intended to rezone the parcel to PL-zoning at that time, to be used as an addition to the existing cemetery. However, at the time, the Township held off setting a date for the public hearing until the public hearing could be combined with another public hearing. Completing the process was simply missed, as the public hearing for this parcel never took place. The Township is simply correcting this past oversight with this rezoning petition.

**STAFF RECOMMENDATION:**

**Approval.** The Township is taking the necessary and appropriate corrective action with this rezoning petition. Rezoning the parcel from Rural Residential to Public Lands is reasonable and appropriate.





# Livingston County Department of Planning

## MEMORANDUM

Kathleen J. Kline-Hudson  
AICP, PEM  
Director

Robert A. Stanford  
AICP, PEM  
Principal Planner

Scott Barb  
PEM  
Principal Planner

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

**FROM:** Robert Stanford, Principal Planner

**DATE:** March 6, 2017

**SUBJECT:** Z-02-17 Amendments to Zoning Ordinance Article -  
Article VI: *General Provisions*  
Section 6.07: *Accessory Uses and Structures*

The Marion Township Planning Commission proposes to revise **Article VI: General Provisions, Section 6.07: Accessory Uses and Structures**, with regards to eliminating the setback requirement for accessory structures under two-hundred (200) square feet.

County Planning Staff has reviewed the proposed changes for accuracy and compatibility with the Township Zoning Ordinance and offers the following comments for your review.

**NOTE:** When existing (current) text are utilized in this review for illustrative purposes, additions (or newly proposed text) are noted in **underlined bold font** while deletions to existing text are noted in ~~strike through font~~. Planning Staff comments are noted in **bold italic underline** fashion.

Marion Township proposes the following text change to its Township zoning ordinance:

### Department Information

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

•  
(517) 546-7555  
Fax (517) 552-2347

•  
Web Site  
co.livingston.mi.us

## ARTICLE VI: GENERAL PROVISIONS

### Section 6.07 Accessory Uses and Structures

9. Accessory structures under two-hundred (200) square feet do not require a land use permit or building permit ~~and must meet zoning district setbacks and maximum square footage requirements.~~

**STAFF COMMENTS: The Township is proposing to eliminate the setback requirements for structures under 200 s.f. According to the Township Zoning Administrator, there are some lots in Marion Township that are so small, that if the township required a 25' rear yard setback, the accessory structure would be located in the middle of the yard.**



Staff understands the intent of the proposed amendment, however, it appears that the proposed amendment alone does not completely satisfy the intended purpose.

For example, the other portion of this article that speaks to setbacks for accessory uses and structures is Item #6, which reads:

6. Accessory structures shall meet the minimum setbacks for the district in which it is located.

Item #6 above seems to contradict the intended nature of the proposed amendment. In addition, the two items taken together (Item #6 and Item #9, even with the proposed amendment), still do not adequately address the intended nature of the proposal, as there is still some ambiguity i.e., is the setback required or not?)

Therefore, Staff would recommend that the Township add a simple phrase to Item #9, which specifically states that, in the case of accessory structures under two-hundred (200) square feet, do not need to meet district setback requirements. For example, Staff would suggest language similar to the following:

9. Accessory structures under two-hundred (200) square feet do not require a land use permit or building permit, **and are not required to meet zoning district setback requirements.** ~~and must meet zoning district setbacks and maximum square footage requirements.~~

Staff believes that the above example may address the intended nature of the amendment a bit more clearly and satisfactorily to the lay reader of the ordinance, and eliminates the ambiguity associated with the amendment as proposed.

---

**Township Planning Commission Recommendation: Approval.** The Marion Township Planning Commission recommended Approval of the text amendments at their February 28, 2017 meeting. There were no public comments.

**Staff Recommendation: Approval With Conditions.** The proposed text amendments are reasonable and appropriate. Staff would highly recommend that the Township consider Staff comments related to including additional language (as suggested by Staff) to better clarify the intended nature of the proposed amendment and eliminate any ambiguity in the zoning requirement, prior to formal approval of the amendments by the Township Board.

Marion Township requires that all new private roads meet the Livingston County Road Commission Standards. The Township does not guarantee that the roads may become public at a later date. The decision to accept roads as public will be made by the Livingston County Road Commission.

There is no side or rear lot line setback requirement for accessory structures under 200 square feet and with a height no more than 7 feet above grade. Accessory structures over 200 square feet and/or more than 7 feet above grade must meet the setback requirements of the zoning district in which they are located.



MARION TOWNSHIP  
MEMORANDUM

**TO:** MARION TOWNSHIP COUNCIL  
**FROM:** MICHAEL SPITLER, WWTP OPERATIONS MANAGER  
**DATE:** APRIL 18, 2017  
**RE:** LIFT STATION TELEMETRY

The City of Howell WWTP services a total of twenty-four lift stations, ten in Marion Township and fourteen within the city. Currently there are five stations on an unlicensed radio system, fourteen with auto dialers, two with both, and three that don't have any communication due to lack of use. What this means operationally is when problems occur, such as large power outages, the on-call operator may receive as many as 15 different calls at one time. This can add time and stress to what's already a pretty stressful situation. In an effort to both minimize the calls and bring at least the City's stations into the plants SCADA monitoring system, the WWTP has budgeted to transition to a licensed radio system in this next fiscal year.

HRC was given the task to evaluate what communication system would best suit our needs at the plant. I have attached the draft report with this letter for your review. In the letter they include some budgetary estimates of \$15,000-\$20,000 per station. However, the draft report was completed after the budget sessions for the City. I took the liberty of contacting Rod Parks from RS Technical who gave me a more accurate pricing to include in my budget packet. He estimated \$6,000 per station and \$10,000 for the plant. I also added an additional \$10,000 for licensing and additional programing. This brought my total to \$98,000 (one station in the City will remain without communications).

During a CIRAB meeting last year Mr. Hanvey had shown interest in moving away from a monthly bill for the landlines in each station. I invited him to a meeting with HRC on the 17<sup>th</sup> where we discussed the licensed radio system and the budget. Currently the Township pays \$60 monthly on each of eight its stations and \$30 on the one through your cable provider. This brings your yearly costs to \$6,120 for communications. However, you could do away with your landlines and use only cable modems. This would reduce your yearly cost to \$3,240 the first year and \$4,320 thereafter<sup>1</sup>. If the Township chooses to move to a license radio system, the upfront cost will be \$54,000<sup>2</sup> and your share of the licensing cost estimated at \$1500. The license is based on per site and is renewed every 5 years. If you eliminate your landlines, based on your current yearly cost the pay back would be 8.8 years.

---

<sup>1</sup> It should be noted that these are rough estimates given to me by Mr. Hanvey.

<sup>2</sup> Only includes 9 lift stations.



**PRINCIPALS**  
Daniel W. Mitchell  
Nancy M. D. Faught  
Keith D. McCormack  
Jesse B. VanDeCreek  
Roland N. Alix  
Michael C. MacDonald  
James F. Burton  
Charles E. Hart

**SENIOR ASSOCIATES**  
Gary J. Tressel  
Randal L. Ford  
William R. Davis  
Dennis J. Benoit  
Robert F. DeFrain  
Thomas D. LaCross  
Albert P. Mickalich  
Timothy H. Sullivan  
Thomas G. Maxwell

**ASSOCIATES**  
Marvin A. Olane  
Marshall J. Grazioli  
Donna M. Martin  
Colleen L. Hill-Stramsak  
Bradley W. Shepler  
Keryn M. Stickel  
Jane M. Graham  
Todd J. Sneathen  
Aaron A. Uranga  
Salvatore Conigliaro

**HUBBELL, ROTH & CLARK, INC.**  
OFFICE: 105 W. Grand River  
Howell, MI 48843  
PHONE: 517.552.9199  
FAX: 517.552.6099  
WEBSITE: [www.hrcengr.com](http://www.hrcengr.com)  
EMAIL: [info@hrcengr.com](mailto:info@hrcengr.com)

March 28, 2017

Howell Wastewater Treatment Plant  
1191 Pinckney Road,  
Howell, MI 48843

Attn: Mr. Michael Spitler, Operations Manager  
City of Howell WWTP

Re: Waste Water Collection System Monitoring  
And Alarming Pump Stations Alarm and  
Telemetry System

HRC Job No. 20160988

Sir:

On February 16 of this year we met with you and went around the City visiting several typical Pump Station installations to review and discuss the needs and current issues of the existing Pump Stations Alarming equipment. The City presently has a total of fourteen (14) Pump/Lift Stations. It is unclear if all 14 are presently monitored, but it is desired that all stations be included in proposed improvements.

We noted that the Stations are varied in type, including ten (10) Gorman-Rupp package duplex, self-priming package pump stations, and four (4) other stations of which at least two (2) are Flygt submersible pump stations with above-ground control panels. Of these stations, many were originally equipped with alarm-dialers (Raco Chatterbox, or similar) which connected to the WWTP via traditional dial-up telephone lines. Since original installation, stations have been updated to more modern means in an effort to provide more reliable connection and alarm/monitoring than was possible via the dial-up lines which have generally become more unreliable over the years as the infrastructure aged.

To be inclusive of telemetry systems tried or in use, both for the Water System, and for the Waste Water system in the City of Howell, the following technologies newer than old-style, land-line auto-dialers have been installed/implemented in an effort to ensure more reliable telemetry communications for off-site installations: 900 MHz Spread-spectrum (license-free) radio modems; Cellular dialers (an update to traditional alarm dialers) and, cellular data modems.

As with most Waste Water Collection Systems, the Lift/Pump Stations tend to be located at 'low spots' in the City, immediately putting them at a disadvantage with regard to obstructions and clear connection paths for wireless communications.

Given the terrain and installation limitations (as 70 to 100 foot masts are generally undesirable in residential area) spread-spectrum modem use has been found to be not reliable/practical at many sites due to the need for "line-of-sight" from antenna to antenna for each radio. Also, with the typical rural area cellular coverage, which is not at all as thorough as that in high-density metropolitan areas, cellular coverage is spotty at some sites, with no certain improvement in coverage presently on the horizon.



Per conversation with City personnel, it is desired to provide monitoring for at least all of the following data for each Pump/Lift Station:

- Wet Well Level (0 to 10 or 20 feet?) as an analog (continuous) value;
- Pump 1 Run (On / Off) as a discrete (contact closure) signal;
- Pump 2 Run (On / Off) as a discrete (contact closure) signal;
- Pump 1 Trouble/Fail (On / Off) as a discrete (contact closure) signal;
- Pump 2 Trouble/Fail (On / Off) as a discrete (contact closure) signal;
- Wet Well High Level Alarm (On / Off) as a discrete (contact closure) signal from either a float switch input or from the site analog value as not all sites have high alarm float switches;
- Power Fail (On / Off) as a discrete (contact closure) signal (with a time delay on fail to eliminate false alarms due to short/momentary power outages/'flickers'.

In addition, the City would like to have the following monitoring and Supervisory Control features if practical and possible for a reasonable cost. These might be implemented immediately at some sites, an/or added in the future as deemed important for controlling energy costs, or as an aid to ongoing maintenance at sites:

- KW use(running) as an analog (continuous) value;
- Pump 'short cycling' (rapid repeating of starting/stopping);
- Pump 'long run' cycles(indicating a problem where a pump is plugged);
- Pump 1 Trouble/Fail (On / Off) as a discrete (contact closure) signal;
- Pump 2 Trouble/Fail (On / Off) as a discrete (contact closure) signal;
- Pumped Flow (0 to XXX GPM) as an analog (continuous) value, 2 sites have flowmeters installed, or possibly calculated from pump runtimes and wet well pump-down cycles;
- Supervisory Control Pump Start/Run command (discrete contact closure output) to allow for remotely operating one or more pumps.

With this in mind a general survey of the available Remote Site Monitoring offerings, including current products from Raco, Motorola, ICL (Industrial Control Links), and other suppliers. The purpose was to review current offerings of the various suppliers, available installations and support in the Southeast Michigan area, and the various options offered regarding communications – be it by landline, cellular service, radio (both unlicensed, and licensed), even looking at the possibility of satellite-radio coverage. The benefits, capabilities, and limitations of each approach and option were considered.

We also contacted Mr. Rod Parks of RS-Technical Services, as he is intimately familiar with the existing SCADA System at the WWTP, and also had insight into the history of monitoring and alarming for the off-site pump stations. After a long telephone conversation regarding the issues and challenges of monitoring the off-site stations, and a discussion delving into what he knew of the technical issues, and probable solutions, we found that we concurred in the most probable reliable solution

that would meet the technical issues present, and also allow for providing the functions and features desired by the City.

With all this in mind, the most promising approach to improve communications reliability for all the Pump/Lift Stations would appear to be a VHF, or UHF radio-modem, preferably with IP addressability (Ethernet protocol), coupled with a local PLC/PAC for Inputs/Outputs and simple local logic functions for enabling the above features and functions, and for managing communications (such as implementing DNP-3 type communications management).

We feel that this approach, using an Ethernet capable radio-modem, such as offered by CalAmp – either the Gemini G-3 UHF series (operating in the 450 to 512 MHz region), or the Vipre SC Series (operating in the 406 to 512 MHz region) would seem a good possibility. The Township of Independence has had CalAmp Vipre radios in service for their off-site monitoring for several years. Licensed channels are readily available in Southeast Michigan, due to many former users moving to cellular services in the past several years.

These radios would then connect to a PLC/PAC similar to a Rockwell MicroLogix, or perhaps a CompactLogix series, which would provide the Input/Outputs, the basic logic for alarm management, pump run-time monitoring, etc., and for supervisory control outputs. Communications management (such as the DNP3 protocol) should also be managed by the PLC/PAC, so as to maximize throughput of the radio network.

The PLC and Radio modem should be battery-backed so as to provide a minimum of 4 to 8 hours of continued operation during a power outage.

This approach would allow for the necessary equipment to be provided locally to Southeast Michigan, improving support, and is well known to the personnel at RS Tech who provide support services to the City.

Due to the rapid changes in the technologies proposed, the details of the selection and design of these RTU panels for each site are not addressed here, and should be defined and final selections made during the design and implementation of such an update project.

Presently we estimate that the cost for design, installation, licensing, startup/commissioning, and necessary Central SCADA application changes (at the WWTP) for the improvements for alarm monitoring at each site would be in the range of \$15,000 to \$20,000 per site.



City of Howell  
March 28, 2017  
HRC Job Number 20160988  
Page 4 of 4

If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.

Kimberly Chapman, PE  
Senior Project Engineer  
Sender's Title

KC/trn  
Attachment  
Enclosure  
pc: HRC; File




## Livingston County Road Commission

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

April 17, 2017

MEMORANDUM TO: Marion Township Board of Trustees

FROM: Michael Craine, Managing Director 

SUBJECT: Project Agreement, Norton Road, (Amos Road to  
Burkhart Road)

The enclosed project agreement has been prepared for your review and approval. Once approved, please have all copies signed by the Supervisor and Clerk and returned to our office marked for the attention of Cheryl Szpaichler, Administrative Assistant. PLEASE DO NOT DATE THE DOCUMENT(S).

After submittal to the Board of County Road Commissioners for their approval, dated fully executed copies will be returned to you for your files.

MC/clc

enc:

cc: Jodie Tedesco, County Highway Engineer

## PROJECT AGREEMENT

JOB NUMBER: \_\_\_\_\_

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between the TOWNSHIP of MARION, Livingston County, Michigan, hereinafter referred to as "TOWNSHIP" and the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF LIVINGSTON, hereinafter referred to as "ROAD COMMISSION."

### WITNESSETH

The Township has selected the following road to be improved as described below:

NORTON ROAD  
(AMOS ROAD TO BURKHART ROAD)  
APPROXIMATELY .86 MILES  
MINOR BASE REPAIR,  
HOT MIX ASPHALT WEDGE COURSE,  
HOT MIX ASPHALT OVERLAY,  
ALTOGETHER WITH THE NECESSARY RELATED WORK

The parties agree as follows:

1. The Engineer's Opinion of Probable Cost is \$190,000. The Township shall pay the Road Commission its portion of the cost of the project as follows: \$95,000 or 50% of the cost of the project.
  - A. This contract shall not exceed One Hundred Ten Percent (110%) of the total project cost without prior consultation with the Township.
  - B. The balance shall be paid promptly as invoiced. If an invoice is not paid within 45 days of billing, the Township will pay ten per cent (10%) annual interest on that billed but unpaid.
  - C. The Road Commission shall furnish the Township with a final breakdown of its actual expenses upon completion of the project.
  - D. The Township will not withhold payments because of any set-off, counterclaim, or any other claim which it may have against the Road Commission arising out of this or any other matter. If there is a dispute over the balance due upon completion, the Township will pay the amount claimed by the Road Commission, and such payment shall not be a waiver by the Township of any claims it may have arising from this contract and the completion of the project.
2. All work shall be performed in a good workmanlike manner and in accordance with plans and specifications adopted by the Road Commission.
3. The Road Commission shall hold the Township harmless from any liability arising from the work performed pursuant to this contract.
4. The work will be completed within the current contract year, unless the parties otherwise so agree. In the event the Road Commission is unable to complete the work by the time

specified, any funds prepaid by the Township shall be returned to it or the Road Commission shall pay ten per cent (10%) annual interest on the funds retained. All funds returned to the Township shall be repaid to the Road Commission as invoiced.

5. In the event the project cannot be completed due to circumstances beyond the control of the Road Commission, and through no fault of the Road Commission, the contract price for later completion will be subject to renegotiation.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the date and year first above written.

TOWNSHIP OF MARION

BY: \_\_\_\_\_  
ROBERT HANVEY, SUPERVISOR

\_\_\_\_\_  
TAMMY L. BEAL, CLERK

BOARD OF COUNTY ROAD COMMISSIONERS  
OF THE COUNTY OF LIVINGSTON

BY: \_\_\_\_\_  
MICHAEL CRAINE, MANAGING DIRECTOR

\_\_\_\_\_  
TERRY PALMER, ACCOUNTING SUPERVISOR



# PROJECT AGREEMENT

JOB NUMBER: \_\_\_\_\_

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the TOWNSHIP of MARION, Livingston County, Michigan, hereinafter referred to as "TOWNSHIP" and the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF LIVINGSTON, hereinafter referred to as "ROAD COMMISSION."

## WITNESSETH

The Township has selected the following road to be improved as described below:

JEWELL ROAD  
(JEWELL ROAD BRIDGE TO COUNTY FARM ROAD) 1.1 MILES  
CRUSH AND SHAPE,  
HOT MIX ASPHALT PAVE 4.0" IN TWO LIFTS,  
AGGREGATE SHOULDERS,  
ALTOGETHER WITH THE NECESSARY RELATED WORK

The parties agree as follows:

1. The Township shall pay the Road Commission the cost of the project, as follows: \$350,000.
  - A. This contract shall not exceed One Hundred Ten Percent (110%) of the total project cost without prior consultation with the Township.
  - B. The balance shall be paid promptly as invoiced. If an invoice is not paid within 45 days of billing, the Township will pay ten per cent (10%) annual interest on that billed but unpaid.
  - C. The Road Commission shall furnish the Township with a final breakdown of its actual expenses upon completion of the project which will include fringe benefits, rentals and subcontract charges. It is the intention of the parties that one hundred per cent (100%) of the Road Commission's direct contract costs will be paid by the Township.
  - D. The Road Commission shall furnish the Township with a final breakdown of its actual expenses upon completion of the project which will include fringe benefits, overhead, rentals and subcontract charges. It is the intention of the parties that all of the Road Commission costs, except its administration, will be paid by the Township.
  - E. The Township will not withhold payments because of any set-off, counterclaim, or any other claim which it may have against the Road Commission arising out of this or any other matter. If there is a dispute over the balance due upon completion, the Township will pay the amount claimed by the Road Commission, and such payment shall not be a waiver by the Township of any claims it may have arising from this contract and the completion of the project.
2. All work shall be performed in a good workmanlike manner and in accordance with plans and specifications adopted by the Road Commission.

3. The Road Commission shall hold the Township harmless from any liability arising from the work performed pursuant to this contract.
4. The work will be completed within the current contract year, unless the parties otherwise so agree.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the date and year first above written.

TOWNSHIP OF MARION

BY: \_\_\_\_\_  
ROBERT HANVEY, SUPERVISOR

\_\_\_\_\_  
TAMMY L. BEAL, CLERK

BOARD OF COUNTY ROAD COMMISSIONERS  
OF THE COUNTY OF LIVINGSTON

BY: \_\_\_\_\_  
MICHAEL CRAINE, MANAGING DIRECTOR

\_\_\_\_\_  
TERRY PALMER, ACCOUNTING SUPERVISOR

## Tammy Beal

---

**From:** Elizabeth Hartzler <lizzyhartz123@gmail.com>  
**Sent:** Wednesday, April 26, 2017 7:32 PM  
**To:** tammybeal@mariontownship.com  
**Subject:** Zac's Acts of Caring

Good Afternoon:

--I am not sure if I am reaching out to the appropriate person. Please direct me if I am not.

As you may be aware, we lost a young Marion Township resident to suicide last Monday. Ethan. kids were close with the family. We also lost another young man, Zach Cain (also a Marion Township resident) several years ago to colon cancer.

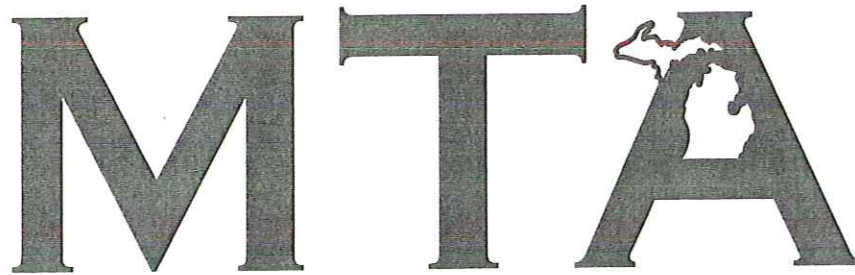
In honor of Zach's birthday, his family has started a pay it forward type of campaign. In a nutshell, I thought my family could plant a tree at the township hall to honor Ethan's life on behalf of Zach. We are to do the kind things Zach would have done if he still could. We leave the coin and someone grabs it and does another act of kindness, leaving the coin behind.

I know there are rule and stuff, but just let me know.

Elizabeth Aulds-Hartzler



*Supervisor Bob Hamvey*



MICHIGAN TOWNSHIPS ASSOCIATION

## LIVINGSTON COUNTY CHAPTER

### 2017 MEETING SCHEDULE/TOPIC

Pizza and Beverages Served at 6:30 p.m.

Program Begins 7:00 p.m.

<u>DATE</u>	<u>TOPIC</u>	<u>LOCATION</u>
MAY 31, 2017	Road Funding	BRIGHTON CHAMBER
AUGUST 30, 2017	Power Grid	HOWELL CHAMBER
NOVEMBER 29, 2017	TBD	BRIGHTON CHAMBER

President:	Lance Schuhmacher, Oceola Township
Vice President:	Ann Bollin, Brighton Township
Secretary/Treasurer:	Mike Rife, Conway Township

Economic Development Council of Livingston County  
Full Board Meeting



Tuesday, April 18, 2017  
3:00-4:30 PM  
Lake Trust Credit Union  
4605 S Old US Hwy 23, Brighton, MI 48114

Minutes

- **Call to order, Rich Perlberg**
- **Review and approval of Agenda**
- **Review and approval of Minutes-** Pam McConeghy Moved, approved
- **Motion to Add Amy Cyphert to EDCLC Board, representing Corrigan Construction**
  - Rich Perlberg said that Amy represents Corrigan and they are interested in becoming more active with the EDC. The Executive Committee already approved her nomination to the board. Now we would like the full board to vote.
  - Pam McConeghy added that she worked for the City of Brighton
  - *Pam McConeghy moved to approve Amy for a 3 year term and the vote was unanimous, Amy was approved*
- **Motion to Nominate Mike Huber, Livingston ISD, to the EDCLC Board**
  - Pam McConeghy made a motion
  - *James Wickman Seconded her motion and the motion was approved*
  - Anna Zinkel will connect with Mike Huber and see if he would like to present for the EDCLC board
- **Visioning Session Debrief, Rich Perlberg & Phil Santer**

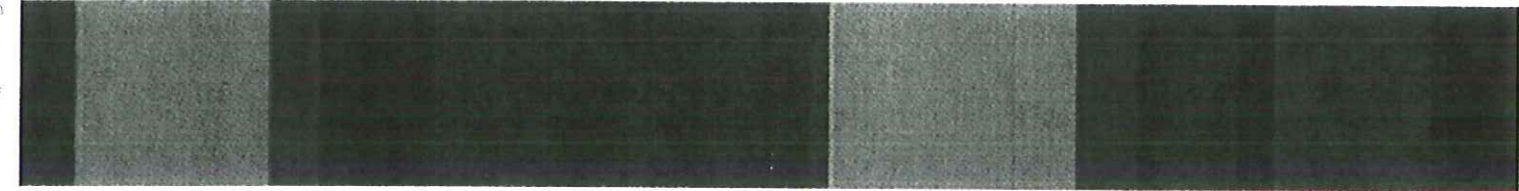
- The visioning session was successful and helped us to find direction for the organization. A summary of the visioning session was included in the EDCLC packets.
- **SPARK Gap Analysis & Action Plan Update, SPARK Staff**
  - SPARK Staff has been working on a gap analysis to understand what needs are and are not met, for both land and talent markets.
  - Study is in response to an obvious mismatch between supply and demand of jobs and workers in Livingston County and supply and demand of available sites.
  - The gap analysis will also include a benchmarking study, which will look at Livingston County in relation to other communities in the region and communities with similar characteristics
  - Rich Perlberg mentioned that one of the comments that came up at the visioning session is that it is important to have tangible goals. This document will help us to establish our goals and determine how to draw business to Livingston County. We will determine how to use data.
  - Phil Santer expressed that we are trying to be as objective as possible when we show this information, we really want to use the data to understand our gaps
  - Rich Perlberg said that if anyone from the board has any information they can offer to collaborate with Anna Zinkel and Julia Upfal, that would be excellent. He asked- are we going in the right direction? Is this what you would like to see after the visioning session?
  - Pat Convery pointed out that she wants to make sure we address whether or not we need to continue growing our manufacturing base given the talent shortage. Rich Perlberg commented that he hopes this study will address this issue.
- **Microloan update, Rick Scofield**
  - Rick Scofield said that two more loans were made, to Barktown USA and Retro-a-go-go.



- The fund has distributed \$135,000 in loans, even though the EDCLC only put \$100,000 in the fund. Todd Van Appledorn said that the fund is still active and we should continue searching.
- CEED is managing the loan for the EDCLC. The EDCLC help set up the program, but the board doesn't need to worry about it much.
- Continue promoting it and tracking successes.
- **Municipal fundraising update, James Wickman**
  - When the EDCLC started we were funded 50% by the county and about 25% from municipal and 25% from private sector partners, with a goal of moving closer to an even split (33% each). The EDCLC needs to continue to work towards increasing the contribution from the private sector and municipalities.
  - The EDCLC board will need to have funders increase their contributions over the next three years. Funders can either increase by 3% each year, or stay the same next year, but increase by 5% for the following two years. We should explore what the municipalities would prefer.
- **Private sector fundraising update, Ron Long**
  - Mike Kennedy, Anna Zinkel, and Ron Long got together a few months ago and identified some targets to solicit this year. They also discussed the amount to ask (about 25 companies). Ron Long hasn't had anyone tell him no yet, but he also has not received any firm dollar commitments
  - Anna Zinkel mentioned the upcoming Hartland Polo Classic. The EDC and SPARK will be partnering to sponsor a table, this will be a good opportunity to take prospective funders out in a casual setting. Think of potential guests for this event.
- **SPARK project update, Anna Zinkel**
  - Aberrant Ales is a project success from the past quarter. The project is currently under construction and successfully went through the OPRA (Obsolete Property Rehabilitation Act) process.

- Zeiss and GM joined SPARK on the Michigan Tech visit, and Chem Trend was a sponsor. Phil Santer went up to Michigan Tech with other companies from the Greater Ann Arbor Region for the student design expo, providing an opportunity for employers to interact with students. About 1,000 students participated in the design expo and about 80 students attended Ann Arbor SPARK's happy hour event!
- Phil Santer mentioned the Tips and Tricks hand outs in your packets, feel free to post, share, and distribute!
- Anna Zinkel discussed FlexDex's growth. They went through SPARK's boot camp in 2009, worked with the University of Michigan for many years, and now they are poised to grow on manufacturing side here in Livingston County. They were recently reviewed by the *MIT Journal of Medicine* and will be receiving national accreditation
- SPARK's job portal has new functionalities thanks to our recent partnership with True Job
- Uptown Coffee received over \$250,000 in CDBG for façade, this was in addition to the EDCLC's microloan
- The Job Fair is on Thursday, please encourage people to go!
- SPARK focused on ~~participated in a lot of~~ community outreach this quarter. SPARK co-presented the Brighton Chamber Power Lunch events, and spoke at the Rotary Club, the Livingston County Planner's Lunch, and Good Morning Livingston
- Pam McConeghy reminded the group of the upcoming **Regional Investment Awards Ceremony at Cleary University (see attached flyer)**
- **Legislative update, Phil Santer**
- SPARK will be having a legislative update with our legislators on Friday, as there are two main pieces of economic development legislation that are on the table right now
  - Good Jobs for Michigan- Michigan often struggles to compete against other states for discretionary incentives for large companies. Good





Jobs for Michigan will help to attract large job creating projects. This bill passed in the senate, but will probably struggle a bit in the House.

- MI Thrive- this bill increases Tax Increment Finance capture to include income and sales tax for transformational projects. In order to be eligible, a site must be a brownfield site (a brownfield is a site where contamination has been identified). This bill has a better chance of passing than the Good Jobs for Michigan bill.
- **EDCLC/SPARK contract renewal discussion, Rich Perlberg & Phil Santer**
- **EDCLC discussion on SPARK contract renewal, EDCLC Board Members Only**
  - Motion to approve contract with Ann Arbor SPARK for 2018-2020
  - *Motion passed unanimously*
- **Call to close**

Reminder: Ann Arbor SPARK's Annual Meeting will take place on April 24 at the EMU Student Center. We hope to see you there!



Minutes of  
April 27, 2017  
Board of Trustees  
Meeting

MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
APRIL 27, 2017

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

MEMBERS ABSENT: Duane Stokes

OTHERS PRESENT: Phil Westmoreland, Spicer Group

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CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves.

CALL TO THE PUBLIC

Peter Tombers from Tracilee Drive was present to follow-up with the board on the noise and trespassing issues on the S.R. Jacobson property. Signs have been posted, but they are being ignored. Mr. Tombers suggested some type of barrier and/or fence. Greg Durbin said that there are state laws in place that can be enforced if the sheriff's department chooses to.

Lance Schuhmacher, trustee from Oceola Township and president of the MTA Livingston County Chapter, provided the board members with a schedule for upcoming meetings. The next meeting is May 31 at the Brighton Chamber and the topic is road funding.

APPROVAL OF AGENDA

Items #10—Tree Donation, #11—Crystalwood Roads, and #12—Parking Lot were added to the agenda. Les Andersen motioned to approve the agenda as amended. Tammy Beal seconded. **Motion carried.**

CONSENT AGENDA

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

TXT AMENDMENT Z-01-17: SECTION 6.20—PRIVATE ROADS FOR SINGLE-FAMILY, MULTIPLE-FAMILY AND COMMERCIAL DEVELOPMENTS

Bob Hanvey presented the board members with suggested wording to address the LC Planning Department's concerns. Greg Durbin motioned to approve TXT Z-01-17 with the additional language: *Marion Township requires that all new private roads meet the Livingston County Road Commission Standards. The township does not guarantee that the roads may become public at a later date. The decision to accept roads as public will be made by the Livingston County Road Commission.* Les Andersen seconded. Discussion: Dan Lowe asked about specifications; Phil Westmoreland said they're online. **Motion carried.**

### **TXT AMENDMENT Z-02-17: SECTION 6.07—ACCESSORY USES AND STRUCTURES**

Bob Hanvey also provided language to clarify this section. The board members would like the requirement to be maximum 10' above grade at the highest point, with a side and rear setback minimum of 5'. Les Andersen motioned to approve the language as amended. Scott Lloyd seconded. **Motion carried.**

### **TXT AMENDMENT Z-03-17: SECTION 23—REZONING RR TO PL**

Tammy Beal motioned to adopt TXT Z-03-17 to change the zoning for the cemetery property on D-19 from rural residential to public lands district, as presented. Les Andersen seconded. **Motion carried.**

### **HIGHE SEWER LEAD**

Dan Lowe said he's still waiting to hear back from the owner. Bob Hanvey will follow up with TLS, and work on obtaining the grinder pump.

### **WWTP OPERATIONS/LIFT STATION COMMUNICATIONS**

Bob Hanvey updated the board members on this agenda item. No action is required at this time.

### **ROADS**

Les Andersen would like the contract to reflect that the road will be 22' wide. Les Andersen motioned to approve the Jewell Road project, with reference to the April 10, 2017 estimate letter added to the agreement. Scott Lloyd seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Lloyd—all yes. **Motion carried 6-0.**

Greg Durbin motioned to authorize the clerk and supervisor to sign the agreement for Norton Road, as presented. Les Andersen seconded. Roll call vote: Durbin, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 6-0.**

### **RECYCLING**

Bob Hanvey talked with Jason Maciejewski of Western Washtenaw Recycling Authority, but hasn't heard back. No action required at this time.

### **TREE DONATION**

Tammy Beal shared an email from Elizabeth Aulds-Hartzler, who would like to donate a tree. The board members had no objections; Ms. Beal will follow up with her with regard to location and type of tree.

### **CRYSTALWOOD ROADS**

Bob Hanvey will give Phil Westmoreland a copy of the agreement for the private road SAD so he can provide the township with a cost estimate; he should be able to have it before the next meeting.

### **PARKING LOT**

Greg Durbin said that Pat DeBottis approached him about resurfacing the parking lot prior to Heritage Days, at the same cost as two years ago, approximately \$2,000. Les Andersen motioned to approve. Scott Lloyd seconded. Roll call vote: Beal, Andersen, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 6-0.**

Greg Durbin will have Mr. DeBottis contact the clerk's office.



**CORRESPONDENCE/UPDATES**

Minutes from the April 18, 2017 Economic Development Council of Livingston County are in the packet.

Les Andersen said the Drain Commission may be creating a special assessment to address some drainage issues in the Cedar Lake Road area.

**CALL TO THE PUBLIC**

Bruce Powelson said he thinks the height restriction for sheds is too restrictive.

Tammy Beal said the deck on the back of the building needs to have chicken wire or screen put in to prevent critters (currently skunks) from living underneath.

Phil Westmoreland said they are waiting until mid to late May to finish the Rurik project.

**ADJOURNMENT**

Les Andersen motioned to adjourn at 8:50 pm. Tammy Beal seconded. **Motion carried.**

Submitted by: S. Longstreet

\_\_\_\_\_  
Tammy L. Beal, Township Clerk      Date

\_\_\_\_\_  
Robert W. Hanvey, Township Supervisor      Date