

**MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
JUNE 8, 2017**

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Mike Kehoe, attorney; Tom Meagher, attorney

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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**

Annette McNamara, zoning administrator, said she had hoped to be on the agenda for this meeting. Tammy Beal said it would be handled during the discussion on the budget.

**APPROVAL OF AGENDA**

Items #12.5—EDC Invoice and #12.6—Sewer Easement Maintenance were added to the agenda. Les Andersen motioned to approve the agenda as amended. Greg Durbin seconded. **Motion carried.**

**CONSENT AGENDA**

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

**HOWELL PARKS AND RECREATION AUTHORITY**

Paul Rogers, Executive Director of HAPRA, was present to review the final draft of the HAPRA Articles of Incorporation. Greg Durbin motioned to adopt a resolution to approve the 4<sup>th</sup> Amended Articles of Incorporation for Howell Area Parks and Recreation Authority, as presented. Les Andersen seconded. Discussion: Duane Stokes asked Mr. Rogers if he has information on the levels of participation in different communities. Mr. Rogers said he didn't have the information with him, but it is available; he also said they've installed new software that will help in tracking each municipality's level of participation. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Stokes—all yes. **Resolution passed 7-0.**

**HOWELL FIRE DEPARTMENT LEASE AGREEMENT**

Les Andersen motioned to approve the agreement to lease the Marion Township fire station by the Howell Area Fire Authority, as presented. Scott Lloyd seconded. Roll call vote: Durbin, Stokes, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

## WWTP OPERATIONS/LIFE STATION COMMUNICATIONS

No new information on this item.

## CRYSTALWOOD

Estimates from Spicer for the road construction were included in the packet. Bob Hanvey passed out the Livingston County Road Commission policy on public roads in condominiums.

## ROADS

The work on Norton Road is almost done. Tammy Beal said that Jodie from the LCRC called to ask about manhole covers, and she referred her to the engineer.

Tammy Beal passed out a letter from Spicer recommending the township pay TLS Construction for the Burkhart Road sewer lead. Les Andersen motioned to approve payment of \$11,884 to TLS Construction for work completed on the Burkhart Road sewer lead. Scott Lloyd seconded. Roll call vote: Beal, Andersen, Stokes, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

## BUDGET

A projected budget report was passed out. Bob Hanvey said the budget public hearing will be at the next meeting. The millage rate will likely be reduced.

A memo from Annette McNamara is included in the packet. Tammy Beal said the salary study isn't done yet, and the FOIA request hasn't been completed. Duane Stokes asked why a FOIA was submitted; Ms. McNamara said she wanted to see salary increase percentages from previous years. Bob Hanvey said the procedure in the employee handbook wasn't followed. Ms. McNamara said that salary studies weren't required for other increases that were more than the standard percentage. Greg Durbin asked if asking for a wage study is normal, and feels it's counterproductive.

## RECYCLING

Tammy Beal presented the board members with correspondence from GFL Environmental regarding drop-off recycling. Bob Hanvey said he would like to review the contract. Dan Lowe said having them come 2-3 times a week wouldn't be good for the parking lot. Tammy Beal will get a copy of the contract for the board members to review.

## NUISANCE/NOISE ORDINANCE

Greg Durbin said that the owner of the property (S.R. Jacobson) needs to send a letter to the Livingston County Sheriff and Michigan State Police asking them to enforce "no trespassing" on the property.

Les Andersen asked the attorney if there would be legal issues if the township were to put up signs regarding engine braking. The attorney feels there would be enforcement issues.

## NEW SOUND EQUIPMENT

Greg Durbin updated the board members on this item, and said he hopes to have information to review within the next few weeks.

## AREA AGENCY ON AGING MOU

Les Andersen motioned to authorize the clerk to sign the memorandum of understanding between Area Agency on Aging 1-B and Marion Township, as presented. Duane Stokes seconded. **Motion carried.**

## EDC INVOICE

Bob Harvey said this is the third invoice for the second contract. Les Andersen said we are trying to attract new factories and companies still have to bring in employees from other communities because they don't pay enough. Bob Harvey motioned to approve payment of \$8,700 for the EDC contract services. Greg Durbin seconded. Roll call vote: Harvey, Lowe, Durbin, Beal, Lloyd, Stokes, Andersen—all yes. **Motion carried 7-0.**

## SEWER EASEMENT MAINTENANCE

Dan Lowe said the trees need to be brush hogged on cross-country easements such as the one following the drain from Peavy to D-19 and behind Foxfire. Bob Harvey said he will ask the attorney to review the easements to see what's allowed. Mr. Lowe emphasized that they need to be accessible.

Phil Westmoreland said he talked with Jodie about the Norton Road manhole covers.

## CORRESPONDENCE/UPDATES

Les Andersen said that Dick Mundy, who's familiar with security cameras, said there's a game cam that can be linked to our computer. It could be used for security in the park area.

Mr. Andersen also commented on the complaint log regarding the Howell Gun Club. He said the gun club has been there for many years.

Mr. Andersen said that the township planner suggested that a spreadsheet be created of all of the existing "businesses" in the township. Mike Kehoe, the township attorney, said an inventory would be a good idea.

A copy of the Wellhead Protection Team participation agreement is in the packet.

## CALL TO THE PUBLIC

Bruce Powelson, 3466 Pingree, said he's a member of the Howell Gun Club and they are going to great expense to ensure that no projectiles leave the property.

Judy Andersen, 1529 Cedar Lake Rd., said she is concerned that the township has decided to discontinue the recycling program. She said there are grants, and gave the clerk information on DEQ grants that are available.

A resident had concerns about her driveway on Norton Road; there's a 6-8" gap from the driveway to the road. She was told to call the Livingston County Road Commission. Dan Lowe said the LCRC needs to fix all of the driveways.

## MEADOWS EXECUTIVE SESSION

Motion by Les Andersen, support by Duane Stokes, to go into a closed session to consult with attorney regarding case settlement strategy in connection with specific pending litigation because an open meeting would have a detrimental financial effect on the litigation or settlement position of the township concerning the Mitch Harris lawsuit. Roll call vote: Harvey, Beal, Andersen, Lowe, Stokes, Durbin, Lloyd—all yes. **Motion carried 7-0.**

Motion by Tammy Beal to have attorney proceed as discussed in closed session. Les Andersen seconded. **Motion carried.**

## ADJOURNMENT

Greg Durbin motioned to adjourn at 9:07 pm. Les Andersen seconded. **Motion carried.**

Submitted by: S. Longstreet

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Tammy L. Beal, Township Clerk      Date

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Robert W. Harvey, Township Supervisor      Date