

MARION TOWNSHIP
2877 W. Coon Lake Rd.
Howell MI 48843
BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 10, 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, Township Attorney; Tom Meagher, Township Special Attorney

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

Bruce Powelson provided the board members with a summary of the recent MTA seminar he attended.

APPROVAL OF AGENDA

Additional items were added to the agenda: Zoning Ordinance Text Amendments, Zoning Administrator Responsibilities, Crystalwood SAD. Greg Durbin motioned to approve the agenda as amended. Les Andersen seconded. **Motion carried.**

CONSENT AGENDA

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

EDC CONTRACT EXTENSION

Phil Santer from SPARK and Rich Perlberg from the EDC gave a presentation on the services they provide to the community and to ask for the township's support. Duane Stokes asked if the groups received support from the local chambers of commerce; Mr. Perlberg said yes. Local municipalities currently contribute about 75% of the total budget; in the future, they hope to have 1/3 from townships, 1/3 from the county, and 1/3 from private contributions. Bob Hanvey asked how the township sees the return on its investment. Mr. Perlberg said many of the benefits are intangible.

Les Andersen motioned to not support the renewal for the next three-year period. Scott Lloyd seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Stokes—all yes. **Motion carried 7-0.**

ZONING ADMINISTRATOR POSITION

The three applicants were present: Ginny Waltz, Tracey York, and Dave Hamann.

Ms. Waltz summarized her work experience for the board members. Scott Lloyd said her desired hourly rate is what the previous zoning administrator asked for; Ms. Waltz said it was less. Greg Durbin asked if the salary requested was flexible; Ms. Waltz said it would depend on the offer.

Tracey York introduced herself and summarized her work experience. She said she doesn't know a lot about zoning, but is a quick learner. Greg Durbin asked if she understood the role of the zoning administrator; Ms. York said very little.

Dave Hamann summarized his work experience and his experience working on various township boards. Duane Stokes asked what he felt the most challenging ZBA case was while he was on the ZBA; Mr. Hamann said a case on Truhn Rd involving a 66' easement.

Ms. York asked about the organizational structure of the township, and who does the zoning administrator report to. Mr. Hanvey said to him. Greg Durbin asked Mr. Hamann what his job function at Ford Motor Company was; Mr. Hamann said mainframe and software support.

Scott Lloyd motioned to offer the zoning administrator position to Dave Hamann. Greg Durbin seconded. Roll call vote: Durbin, Stokes, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

Scott Lloyd motioned to set the starting pay at \$20 per hour. Tammy Beal seconded. Roll call vote: Beal, Andersen, Stokes, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

Les Andersen asked whether the zoning administrator should be taking notes for the minutes during the Planning Commission. He also asked whether a stipend should be set for the zoning administrator to attend meetings at the board's request. Board members will send suggestions to Tammy Beal for discussion at the next meeting (deadline is noon on 8/17.)

NEW SOUND EQUIPMENT

Dave Durbin was present to answer any questions the board members had on the proposed equipment. He will check to see whether the recommended unit has a plug-in adapter vs. batteries. Scott Lloyd said he didn't have information yet, but would still like to bring to the next meeting. This agenda item will be postponed until the 8/24 meeting.

CARLISLE WORTMAN ENFORCEMENT CONTRACT

A proposal for an enforcement program is included in the packet. They would charge per case at a cost not to exceed \$320; this includes travel costs, phone calls, and correspondence, but does not include court costs if necessary. Dan Lowe said he doesn't think it's necessary. Les Andersen motioned to use Carlisle Wortman for enforcement issues with board approval for each case. Tammy Beal seconded. Roll call vote: Hanvey—yes; Lowe—no; Durbin—yes; Beal—yes; Lloyd—yes; Stokes—yes; Andersen—yes. **Motion carried 6-1.**

ROADS

An email from Tom Miller, board member for The Meadows, is included in the packet. He is asking for the board's help with the speed limits on D-19 south of I-96. Bob Hanvey asked if anyone had any suggestions; none were heard.

RECYCLING

Tammy Beal updated the board members on this program. The bins were set up on August 1, and the owner of the company passed away on August 5. His sons are going to continue with the business.

WWTP OPERATION/LIFT STATION COMMUNICATIONS

Bob Hanvey said he received a note from Mike Spittler from the Howell Wastewater Treatment Plant and he is still working on getting prices.

PLANNING COMMISSION MEMBERSHIP

Bob Hanvey passed out a memo in regard to his position on the Planning Commission. MTA didn't give a clear answer, but he believes the supervisor is allowed to be a member of the Planning Commission. Dan Lowe disagreed. Greg Durbin said the timing on making this kind of change isn't good with all of the disruption on the staff, and feels Mr. Hanvey does a good job and provides stability. It was agreed to have the attorney review it. Les Andersen asked the attorney about quorums at public hearings, etc. Mr. Kehoe said he feels it's better to err on the side of caution and not have a quorum unless it's posted.

MARION OAKS

Jack Lansing from Capital Construction was present to discuss this project. There is a consent judgment that needs modification. He presented two different plans: the current consent judgment and his new plan that would allow him to keep the clubhouse intact. Bob Hanvey asked the board members who should review this: the attorney, engineer, Planning Commission? Les Andersen said he would like the planner and engineer to review. Les Andersen motioned to send all of the information to the planner and engineer for review, to be paid by the township. Duane Stokes seconded. Roll call vote: Stokes, Beal, Andersen, Lowe, Hanvey, Lloyd, Durbin—all yes. **Motion carried 7-0.**

ZBA REPORT

Dan Lowe reported that one case was heard at the August 7 ZBA meeting. A variance was granted for a garage in the front yard.

ZONING ORDINANCE TEXT AMENDMENTS

Bob Hanvey said that Matt Schroeder has asked the township about his auto repair shop, which is a use permitted by Special Use Permit, and an outdoor RV storage, which is not. He provided a rough draft of an application form for a zoning ordinance text amendment. Les Andersen wants the planner and Planning Commission to review. Les Andersen motioned to have the planner review the proposed RV storage facility zoning text amendment. Duane Stokes seconded. Roll call vote: Lowe, Durbin, Lloyd, Stokes, Andersen, Beal, Hanvey—all yes. **Motion carried 7-0.**

CRYSTALWOOD SAD

Dan Lowe asked why the attorney hasn't seen this yet. Bob Hanvey said he's waiting to hear back from the owner. Mr. Lowe and Mr. Andersen both agree that the percentage of down payment in the agreement should be changed.

CORRESPONDENCE/UPDATES

A letter from the City of Howell regarding the city wastewater treatment rate is included in the packet. Bob Hanvey said the sewer budget hasn't been approved yet, and an asset management plan is now required. He will provide a proposed budget for the next meeting.

Mr. Hanvey passed out a letter of resignation from the assessor. The position has been posted on the MAA website and the township website.

CALL TO THE PUBLIC

Tim Ryan, 459 E. Davis, said he is concerned about the "tweaks" that the board is making to the zoning ordinance. The business that's he's concerned about is in the Rural Residential zoning district and it's not the right area for that type of business. The owner of the business in question, Robert Rochowiak, was also present. He said he bought the existing business and does try to be respectful of the neighbors.

Les Andersen said the MTA summary provided by Bruce Powelson mentioned short-term rentals and he feels that's important.

Les Andersen motioned to extend the meeting beyond 9:30 pm. Duane Stokes seconded. Motion carried.

MITCH HARRIS LITIGATION CLOSED SESSION

At 9:35 pm, Les Andersen motioned to go into a closed session to consult with the township attorney regarding the settlement strategy in connection with the Mitch Harris pending litigation because an open meeting would have a detrimental financial effect on the litigation or settlement position of the township. Duane Stokes seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Stokes—all yes. **Motion carried 7-0.**

Motion by Les Andersen at 10:05 pm to return to open session, supported by Greg Durbin. Roll call vote: Beal, Lowe, Andersen, Durbin, Stokes, Lloyd, Hanvey—all yes. **Motion carried 7-0.**

ADJOURNMENT

Les Andersen motioned to adjourn at 10:06 pm. Duane Stokes seconded. Motion carried.

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date