

**MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
Thursday, February 8, 2018  
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 January 25, 2018 Regular Meeting Minutes
  - b.) Complaint Report
  - c.) DPW Report
  - c.) Investment Report
  - d.) Zoning Report
  - e.) 2017 Livingston County Sheriff Report
  - f.) December 2017 Marion Township Sheriff Report
  - g.) Peavy Road Meter Readings
  
- 3.) 2018 Primary Road Projects
- 4.) Point and Pay On Line Payment System
- 5.) Tracilee Pump Station Controller
- 6.) Howell Landscaping
- 7.) Crystalwood Road Escrow Agreement
- 8.) Meadows West
- 9.) Noise, Nuisance and Motor Braking General Ordinances

**Correspondence and Updates**

**Livingston County Update**

**Call to the Public**

**Adjournment**

DRAFT

MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
JANUARY 25, 2018

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

MEMBERS ABSENT: None

OTHERS PRESENT: Phil Westmoreland, Spicer

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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

No response.

APPROVAL OF AGENDA

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

CONSENT AGENDA

Les Andersen motioned to approve the consent agenda. Greg Durbin seconded. **Motion carried.**

2018 PRIMARY ROAD PROJECTS

The Livingston County Road Commission is asking for townships to submit primary road projects by February 28. Les Andersen asked for Phil Westmoreland's opinion of Bentley Lake Road and Coon Lake Road. Mr. Westmoreland said Bentley Lake Road is not in good condition. Mr. Andersen said the township should get an estimate to grind up, widen and repave Bentley Lake Road, and repair Coon Lake Road in front of the township hall. Dan Lowe said Cedar Lake Road gets more traffic; Mr. Westmoreland said he will talk with Jodie from the LCRC regarding Cedar Lake Road. He also said if the LCRC is estimating \$7,000 per mile to overband crack seal, the township should do any roads that have been paved in the past five years; this will extend the life of the roads. He will compile a list for the board's review.

BREIJAK ZONING VIOLATION

Mr. Breijak was present to ask for an extension to correct the zoning violation he received. He has several vehicles he's going to get rid of and a pool that needs repair. Greg Durbin motioned to extend the deadline to correct the violation until May 31, 2018. Tammy Beal seconded. **Motion carried.**

**STATE TAX COMMISSION ON ASSESSING**

Bob Hanvey provided the board members with information on the Audit of Minimum Assessing Requirements, and a list of dates available for elected officials to attend a new course on Understanding the Basics of Assessing for Local Unit Officials.

**SEWER LIFT STATION COMMUNICATIONS**

An email from Mike Spittler is included in the packet. The City of Howell hasn't approved this system yet. No action required at this time.

**HOWELL LANDSCAPING**

Emails between Bob Hanvey and the township attorney are included in the packet. Mr. Hanvey suggested regulations to reduce the complaints. Dan Lowe said this activity shouldn't be anywhere in the township. Les Andersen passed out an email to Dave Hamann from Tim Ryan regarding this activity. The board members asked to have the attorney pursue enforcement.

**MEADOWS WEST**

Mitch Harris has applied for a Special Use Permit and site plan review; the public hearing is scheduled for February.

**CRYSTALWOOD ROAD ESCROW AGREEMENT**

Bob Hanvey reported that the township attorney will rewrite the proposed settlement agreement as a modification to the consent judgment.

**CORRESPONDENCE/UPDATES**

An email from Bob Hanvey to MHOG billing is included in the packet; Mr. Goldman has purchased an irrigation meter.

**CALL TO THE PUBLIC**

Les Andersen said that businesses within the township are advertising on the radio. The zoning administrator needs to create a spreadsheet. Mr. Hanvey said the zoning administrator's has started the process, as well as creating a form for Home Occupations (Class 1.)

**ADJOURNMENT**

Les Andersen motioned to adjourn at 8:20 pm. Tammy Beal seconded. **Motion carried.**

Submitted by: S. Longstreet

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

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

# COMPLAINT LOG

#01-18	Zoning Administrator	Brian Bunting	2 driveways	6.19A.2	1/9/18 notice				
		444 Dinkel dr	dumping snow on Plrd						
		4710-35-300-002							



QUARTERLY INTEREST REPORT

General Fund

#003

First National Bank Sav #599  
 The State Bank #33737  
 Flagstar Bank 00427853054  
 PNC Bank 22013294148  
 First National Bank Land Acqui #342  
 Key Bank 229683001700

	July	Aug	Sept	Oct	Nov	Dec
Monthly Totals	\$ 109.77	\$ 131.32	\$ 128.44	\$ 130.04	\$ 128.51	\$ 130.09

Water Fund

#003

First National Water CD12 23 M 0024

\$ 170.34

\$ 172.35

Monthly Totals	\$ 170.34	\$ -	\$ -	\$ 172.35	\$ -	\$ -
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Sewer Fund

#002

TCF #1443842072  
 Chemical Bank (Talmer) #502038707

Monthly Totals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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#004

Grand Total	\$ 280.11	\$ 131.32	\$ 128.44	\$ 302.39	\$ 128.51	\$ 130.09
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July 2017 to June 2018 Total

\$ 1,342.99

2nd Quarter Total (Oct-Dec) \$560.99



LIVINGSTON COUNTY SHERIFF 2017 REPORT

BRIGHTON COHOCTAH CONWAY DEERFIELD GENOA HANDY HARTLAND HOWELL IOSCO MARION OCEOLA PUTNAM TYRONE

CALLS FOR SERVICE

JANUARY	174	20	25	27	257	59	125	127	24	173	229	183	319
FEBRUARY	107	21	14	34	202	35	113	94	17	67	64	36	95
MARCH	168	29	22	33	268	58	105	123	29	63	108	57	116
APRIL	135	18	19	23	228	71	131	100	26	72	79	61	113
MAY	169	21	14	37	260	56	142	135	29	81	87	68	123
JUNE	133	20	21	32	249	56	106	112	20	83	95	73	123
JULY	161	33	29	29	289	77	160	124	21	86	72	85	150
AUGUST	123	23	27	13	244	54	147	115	28	78	74	66	135
SEPTEMBER	170	28	24	14	238	58	163	134	23	71	86	86	124
OCTOBER	173	27	32	34	255	84	146	131	28	86	102	82	103
NOVEMBER	154	21	16	41	278	73	126	144	18	83	117	70	123
DECEMBER	209	25	34	29	290	91	211	169	30	113	118	67	168
<b>2017 TOTAL:</b>	<b>1876</b>	<b>286</b>	<b>277</b>	<b>346</b>	<b>3058</b>	<b>772</b>	<b>1675</b>	<b>1508</b>	<b>293</b>	<b>1056</b>	<b>1231</b>	<b>934</b>	<b>1692</b>



LIVINGSTON COUNTY SHERIFF 2017 REPORT

BRIGHTON COHOCTAH CONWAY DEERFIELD GENOA HANDY HARTLAND HOWELL IOSCO MARION OCEOLA PUTNAM TYRONE

TICKETS WRITTEN

JANUARY	59	1	4	1	95	16	34	84	1	14	46	4	17
FEBRUARY	44	6	5	7	101	25	69	72	1	12	4	1	12
MARCH	53	5	2	6	83	15	44	64	1	26	37	5	16
APRIL	38	1	3	2	77	16	28	46	4	16	39	3	7
MAY	38	1	0	3	61	10	52	55	3	10	24	8	10
JUNE	45	3	2	4	69	19	39	40	2	8	20	3	13
JULY	21	2	2	4	63	12	37	67	11	30	1	6	15
AUGUST	28	4	4	5	75	28	39	124	3	27	46	5	23
SEPTEMBER	102	5	2	4	76	17	40	91	1	13	36	2	10
OCTOBER	40	3	3	13	73	19	69	62	5	15	37	1	23
NOVEMBER	51	1	103	15	40	50	2	18	40	18	40	8	14
DECEMBER	31	2	2	5	84	9	23	32	4	24	23	5	2
<b>2017 TOTAL:</b>	<b>550</b>	<b>34</b>	<b>132</b>	<b>69</b>	<b>897</b>	<b>236</b>	<b>476</b>	<b>755</b>	<b>76</b>	<b>213</b>	<b>353</b>	<b>51</b>	<b>162</b>

LIVINGSTON COUNTY SHERIFF 2017 REPORT

BRIGHTON COHOCTAH CONWAY DEERFIELD GENOA HANDY HARTLAND HOWELL IOSCO MARION OCEOLA PUTNAM TYRONE

ARRESTS

JANUARY	10	2	1	5	20	3	5	14	0	4	9	4	4
FEBRUARY	3	0	1	1	16	0	12	9	0	4	8	1	3
MARCH	4	2	3	3	17	2	9	15	2	5	7	4	9
APRIL	13	3	0	0	23	5	4	6	0	11	8	2	5
MAY	11	1	0	1	17	4	4	10	0	3	6	3	3
JUNE	5	0	0	1	19	2	7	6	3	6	7	5	4
JULY	13	0	1	13	5	12	10	10	1	4	4	1	6
AUGUST	5	1	0	2	28	1	7	12	0	2	10	4	3
SEPTEMBER	8	2	0	0	26	1	6	7	1	5	5	3	5
OCTOBER	5	0	0	1	19	5	7	12	2	4	12	1	7
NOVEMBER	11	1	0	2	20	5	10	9	1	8	8	2	10
DECEMBER	10	1	0	2	12	3	11	4	0	4	4	5	4
<b>2017 TOTAL:</b>	<b>98</b>	<b>13</b>	<b>6</b>	<b>31</b>	<b>222</b>	<b>43</b>	<b>92</b>	<b>114</b>	<b>10</b>	<b>60</b>	<b>88</b>	<b>35</b>	<b>63</b>

**LIVINGSTON COUNTY SHERIFF'S OFFICE  
MARION TOWNSHIP DECEMBER 2017**

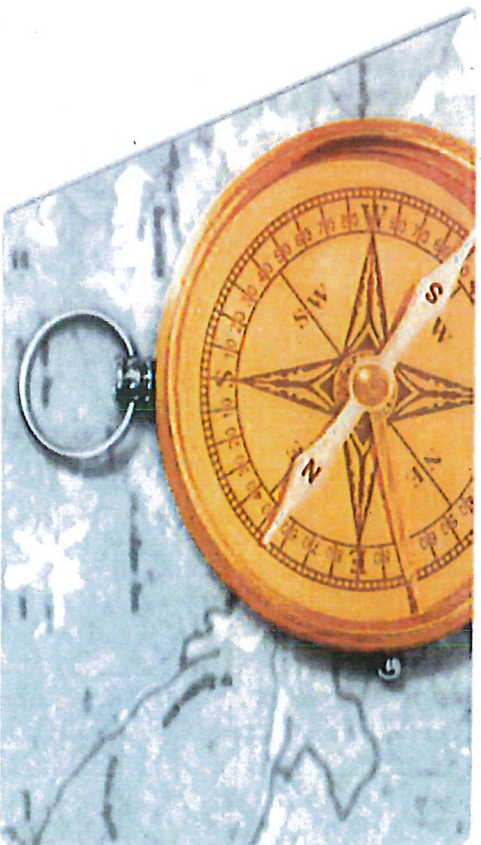
Nature	# Events
911 HANG UP	3
ALARM	4
ANIMAL COMPLAINT	1
AREA CHECK	2
ASSAULT REPORT ONLY	1
ASSIST OTHER AGENCY	3
CITIZEN ASSIST	6
DOMESTIC PHYSICAL IN PROGRESS	1
FRAUD	4
HAZARD	2
HIT AND RUN ACCIDENT	1
INDECENT EXPOSURE	1
INTIMIDATION THREATS HARASSMEN	3
LARCENY	1
MDOP	4
MISSING PERSON/RUN-A-WAY	1
MOTORIST ASSIST	4
OVERDOSE/INGESTION	1
PDA	32
PERSON LOCKED IN A VEHICLE	1
PERSONAL INJURY ACCIDENT	7
PIREF (REFUSE EMS)	4
ROAD RUNOFF	4
SUSPICIOUS SITUATION	4
UDAA	1
UNKNOWN ACCIDENT	9
VEH UDAA REPORT	1
WELFARE CHECK	7
<b>TOTAL:</b>	<b>113</b>

Livingston County Sheriff Report  
2017

<u>MONTH</u>	<u>CALLS FOR SERVICE</u>	<u>TICKETS WRITTEN</u>	<u>ARRESTS</u>
JANUARY	173	14	4
FEBRUARY	67	12	4
MARCH	63	26	5
APRIL	72	16	11
MAY	81	10	3
JUNE	83	8	6
JULY	86	30	4
AUGUST	78	27	2
SEPTEMBER	71	13	5
OCTOBER	86	15	4
NOVEMBER	83	18	8
DECEMBER	113	24	4
YTD TOTALS:	1056	213	60



anywhere, anytime



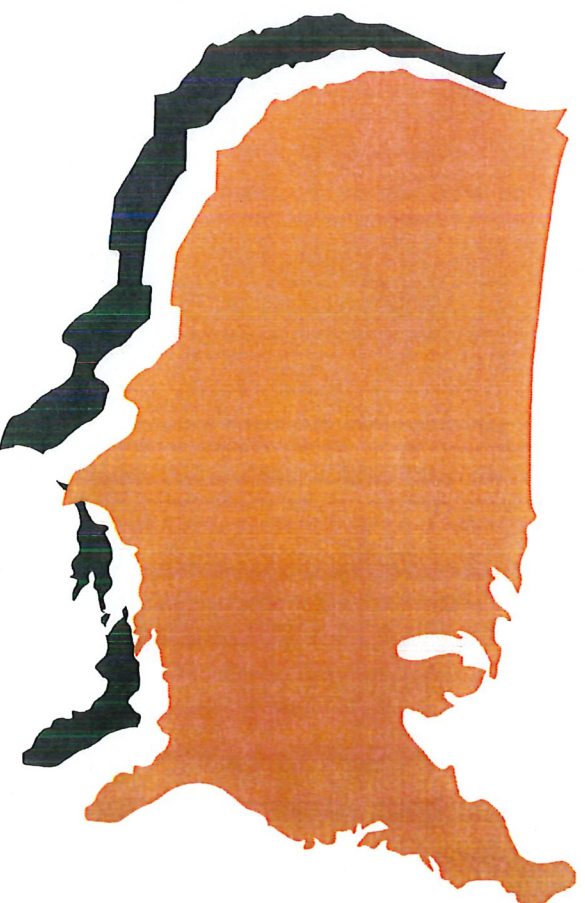
Marion Township, MI  
January, 2018

# About Point&Pay



solutions

- Nationwide payment processing solutions since 1999, based in Troy, MI
- More than 2000 clients in 48 states
- Provides proven, fully-integrated Secure Systems with PCI Level 1 certification
- Preferred partner of BS&A software
- Specializing in payment processing for:
  - Government
  - Courts
  - Clerks
  - Law Enforcement
  - Utilities
  - Education
  - Healthcare







# Credit Card Payments in BS&A Cash Receipting



solutions

If your municipality accepts payments in BS&A Cash Receipting, you have the option to accept credit card payments in Cash Receipting with out having to log into Point & Pay.

Cash Receipting User: SHEBI DR: Demo\_V Group: DEMO Version: 12/07/2010

File View Navigation Data Entry Tables Reports BS&A Applications Help

Application Menu: Counter Receipt Entry, Deposit Receipt Entry, Quick Receipt Entry, Tables: Receipts, Program Setup

Quick Search: Receipt Amount, Receipt Date, Receipt Item Amount

Open Receipts: 36 Open, (\$112,855.50), Unposted Journal Entries: None

Receipt Item: 018705, Description/Notes:  Address:  Receipt: [Item Available], Cashier: SHEBI, Batch: CC225, Workstation:

Post Date: 12/14/2010, Status: Open

Receipt Item	Reference	Del	Amount	Distribution
018705		Del	\$112.07	Distribution

double-click or begin typing here to add a new row >

Totals: Tendered: \$412.07, Change: (\$412.07)

Buttons: Save, Cancel

Input Credit Card Information

Swipe or Enter Card: 4111111111111111 Amount: \$412.07

Exp. Date (MM/YY): 03/13 Fee: \$12.16

Total: \$424.23

Card Type: Visa

AVS and CVV Info: Street Address:  CVV Code:

Card Signer Information: First Name: JEFF, Last Name: BACKUS, Street Address: 77 Marsh Rd, City: Haddett, State: MI, Zip Code: 48840

Buttons: OK, Cancel



# Convenience Fee Pricing



solutions

No set up fees

No Maintenance fees

No Support Fees

Online Training included



## Card Readers

2 card readers for free per department.

Each additional card reader is \$50.00 each.

## Property Tax Convenience fee

Credit/Debit 3% with a \$2.00 minimum

## Non Tax flat convenience fee

*-options of \$3.00 per \$100 or \$1.50 per \$50.00*

*-no cap on the amount paid*

\$1-\$50	\$1.50
\$51-\$100	\$3.00
\$101-\$200	\$6.00
\$201-\$300	\$9.00
\$301-\$400	\$12.00
\$401-\$500	\$15.00

or

3% with a \$2.00 minimum

## E-Checks

\$3.00 up to \$10,000

\$10.00 over \$10,000

## Absorbed Pricing Available



## Bob Hanvey

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**From:** Bob Hanvey <supervisor@mariontownship.com>  
**Sent:** Tuesday, January 30, 2018 2:52 PM  
**To:** Duane Stokes (dstokes@mariontownship.com); Tammy Beal (tammybeal@mariontownship.com)  
**Subject:** FW: Tracilee Lift Station

fyi

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**From:** Bob Hanvey [mailto:supervisor@mariontownship.com]  
**Sent:** Tuesday, January 30, 2018 2:50 PM  
**To:** 'Mike Spitler' <MSpitler@cityofhowell.org>  
**Subject:** RE: Tracilee Lift Station

Hi Mike – please get started on the repair as soon as possible.  
Thanks  
Bob Hanvey

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**From:** Mike Spitler [mailto:MSpitler@cityofhowell.org]  
**Sent:** Tuesday, January 30, 2018 9:11 AM  
**To:** [supervisor@mariontownship.com](mailto:supervisor@mariontownship.com)  
**Subject:** Tracilee Lift Station

Bob,

The Tracilee station's pump controller is starting to malfunction. I have received a quote for replacement of \$3237.00. I just wanted to give you the heads up. If you have any questions please contact me.

Thanks,

Michael Spitler  
WWTP Operations Manager / [City of Howell](#)  
O (517) 546-6230  
C (517) 410-1085  
[m spitler@cityofhowell.org](mailto:m spitler@cityofhowell.org)

MEMO

To: Marion Township Board

From: Bob Hanvey

Subject: Noise, Nuisance, and Motor Braking General Ordinances

Date: February 8, 2018

At the November meeting of the Marion Township Planning Commission a motion was made to send three ordinances to the Township Board for review.

**MARION TOWNSHIP  
2877 W. Coon Lake Rd., Howell MI 48843  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
NOVEMBER 28, 2017  
7:30 P.M.**

**5) General Ordinances proposed**

- #01-17 Land Division
- **#02-17 Nuisance** *(New)*
- **#03-17 Noise** *(New)*
- **#04-17 Motor Braking** *(New)*
- #05-17 Combine Lake Ordinance's, Change Cemetery, Change Park & Rec

Cheryl Range motioned to send **GO# 02-17, GO# 03-17** and **GO# 04-17** to the Board for approval. Bruce Powelson seconded. **Motion carried 4-0**

Attached are versions of the proposed general ordinances for your review and comment. The version prepared by Carlisle-Wortman combines all three issues into a single general ordinance. The emails have a stand-alone version for Motor Braking and combined noise/nuisance ordinance.

**Dave Hamann**

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**From:** Christopher Atkin <catkin@cwaplan.com>  
**Sent:** Friday, November 17, 2017 4:03 PM  
**To:** Dave Hamann; John Enos  
**Subject:** Proposed Draft Nuisance - Noise Ordinance  
**Attachments:** Public Nuisances - Noise Ordinance.pdf

Dave,

Attached is draft language for noise/nuisance ordinance. It is a bit more involved than what you sent last week, however, I was able to incorporate most of the requested language. This language will replace the current ordinance of Section 4.04 A., all subsequent subsection will remain. I would recommend all of Section 4.04 and Section 4.05 be place in the townships general ordinance.

I reviewed the proposed regulations for decibel levels, as stated in Section 17.09 D. 15, *The intensity level of sounds shall not exceed seventy (70) decibels (dba) at the lot line of industrial uses; sixty-five (65) decibels at the lot line of commercial uses and fifty-five (55) decibels at the lot line of residential uses. The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards;* unfortunately, the maximum 70 decibel level may be too restrictive for a passenger car. Below is the decibel scale I referenced.

Noise Source	Decibel Level	Decibel Effect
Jet take-off (at 25 meters)	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121 dB).	120	Painful. 32 times as loud as 70 dB.
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure.
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage in 8 hour exposure.
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 hour exposure.
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbltrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 feet.	60	Half as loud as 70 dB. Fairly quiet.
Quiet suburb, conversation at home. Large electrical transformers at 100 feet.	50	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area.	30	One-sixteenth as loud as 70 dB. Very Quiet.

Whisper, rustling leaves	20	
Breathing	10	Barely audible

Please let John or I know if you have any questions.

Have a good weekend and Happy Thanksgiving.



**Carlisle | Wortman**  
ASSOCIATES, INC.

Chris Atkin

*Planner*

*PH: 734.662.2200*

*Fax: 734.662.1935*

Marion Township  
Draft Nuisance – Noise Ordinance  
November 17, 2017

SECTION 1. MODIFY SECTION 3.02 DEFINITIONS

[Amend the following definition]

~~Nuisance: An offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things including but not limited to: noise; dust; smoke; odor; glare; fumes; flashes; vibration; objectionable effluent; noise of a congregation of people, particularly at night; passing traffic; or invasion of street frontage by traffic generated from an adjacent land use which lacks sufficient parking and circulation facilities. A continuing or repeated act or continuing or repeated occurrence which annoys, injures, or endangers the safety, health, welfare, comfort, or repose of the public; offends public decency or aesthetic sensibilities; interferes with, obstructs, or renders dangerous any street, highway, navigable lake, or stream; or in any way renders the public insecure in life or property, and is hereby declared to be a public nuisance. Public nuisances shall include, but shall not be limited to: noise; dust; smoke; odor; glare; fumes; flashes; vibration; objectionable effluent; noise of a congregation of people, particularly at night; passing traffic; or invasion of street frontage by traffic generated from an adjacent land use which lacks sufficient parking and circulation facilities, is forbidden by any provision of this Ordinance. No person shall commit, create or maintain any public nuisance.~~

SECTION 2. MODIFY SECTION 4.04 VIOLATIONS

[Amend the following]

A. ~~Violations are Nuisances Per Se: Violations of any provisions of this Ordinance are declared to be nuisances per se. The following acts, apparatus, accumulations, violations, and activities within the Township are hereby declared to be nuisances per se:~~

1. ~~No person shall throw, place, or leave; or permit the throwing, placing, or leaving any of the following substances: organic refuse, food wastes, ashes, dead animals, fish, animal bones, hides, rotten soap, grease, tallow, offal, shell, food containers or wrappings, cans, bottles, jars, crockery, garbage, discarded furniture, cartons, boxes, crates, rags, discarded clothing, bedding, floor covering, wallpaper, sweepings, waste paper, newspapers or magazines, discarded appliances, rubbish, excrement, rot, construction debris including, but not limited to, lumber, bricks, block, plumbing or heating materials, roofing materials, concrete, cement, electrical materials or siding, yard debris or rubbish including, but not limited to, grass clippings, clippings from hedges or shrubs, or detached tree branches, industrial waste, unclean or nauseous fluids or gases, in any of the following locations:~~
  - a. ~~On the premises of another without permission.~~
  - b. ~~On any public street, highway, lane, road, alley, public place, square, sidewalk, sewers, or any lands within the boundaries of the Township owned by the Township or other municipal corporation.~~
  - c. ~~In any river, lake, stream, or other body of water.~~
  - d. ~~No person shall maintain or permit to remain on their premises, so owned, occupied, or possessed by another, substances that constitute a dangerous~~

Marion Township  
Draft Nuisance – Noise Ordinance  
November 17, 2017

condition or are detrimental to the public health, safety, or welfare or may cause sickness or attract flies, insects, rodents, or vermin.

2. The emission of noxious fumes or gas, smoke, ashes, or soot in such quantities as to render occupancy of property dangerous to a person of ordinary sensibilities.
3. The keeping, either inside or outside of any building, structure, or dwelling, in a place accessible to children, any abandoned, unattended, unused, or discarded icebox, refrigerator, or any airtight container of any kind which has a snap latch or other locking device thereon without first removing the snap latch or other locking device or the doors from such icebox, refrigerator, or other such airtight container.
4. Abandoning, leaving, keeping, or maintaining a junk or abandoned motor vehicle, as provided in the Michigan Vehicle Code (MCL 257.1 et seq.), unless such vehicle body or chassis is enclosed in a building or is not visible from surrounding properties,
5. The registered owner or lessee of a vehicle from which litter is thrown, dropped, dumped, deposited, placed or left is presumed to be the person responsible for littering.
6. Violating the following noise regulations:
  - a. General Regulation. It shall be unlawful for the owner of any premises within the Township of Marion, or for the occupant or person in possession of any premises within the Township of Marion, or for any person to knowingly make, allow to be made, or to permit to be made upon the premises so owned, occupied, or possessed, any excessive, unnecessary, unnatural, repeated, prolonged, unusually loud noise, which is clearly audible from nearby properties, within the limits of the Township of Marion.
  - b. Specific Noise Violations. The following recurring noise disturbances are hereby declared to be a violation of this Ordinance provided, however, that the specification of the same is not to be construed to exclude other violations of this Ordinance not specifically enumerated below:
    - (i) The playing of any radio, television, or other electronic or mechanical sound-producing device, including any musical instrument.
    - (ii) Yelling, shouting, singing or other noise making at any time or place.
    - ~~(j)~~(iii) The keeping of any animal, bird or fowl that emanates frequent or extended noise such as allowing or permitting any dog to bark repeatedly.
    - (iv) The operation of any automobile, motorcycle or other vehicle in such disrepair; or modified, enhanced, upgraded, or improved with aftermarket products, beyond manufacturer standards, which cause loud and unnecessary grating, grinding, rattling, or other unreasonable noise including the noise resulting from exhaust, which is clearly audible from nearby properties. The modification of any noise abatement device on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this Section.



Marion Township  
Draft Nuisance – Noise Ordinance  
November 17, 2017

- (v) The use of compression release engine brakes, commonly known as or referred to as Jake Brakes.
- (vi) The sounding of any unreasonably disturbing horn unless necessary to operate said vehicle safely or as required by the Michigan Motor Vehicle Code.
- (vii) The construction, excavation, demolition, alteration or repair of any building or premises in any part of the Township, including the streets and highways, other than between the hours of 7:00 a.m. and sundown on any day, except in cases of urgent necessity in the interest of public health and safety. Urgent necessity would include snow plowing, utility repairs, and similar situations.
- (viii) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention to any performance, show, sale, display or other commercial purpose.
- (ix) The operation of any machinery, equipment or mechanical device, so as to emit unreasonably loud noise or frequent noise.
- (x) The operation of any race track, proving ground, testing area or obstacle course for vehicles of any kind or nature in any area of the Township.

c. Exceptions. None of the prohibitions enumerated above shall apply to the following:

- (i) Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in necessary emergency activities.
- (ii) Excavation or repair of bridges, streets or highways or other property by or on behalf of the State of Michigan, Marion Township, or the County of Livingston, between sundown and 7 a.m. when the public welfare, safety and convenience render it impossible to perform such work during other hours.
- (iii) Warning devices emitting sound for warning purposes as authorized by law.
- ~~(ii)~~(iv) Activities permitted by Township actions.
- ~~(iii)~~(v) Home owners performing ordinary property maintenance (i.e. lawn mowing, general repairs, gardening, snow removal...etc.)

**Dave Hamann**

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**From:** pcrange@mariontownship.com  
**Sent:** Wednesday, November 08, 2017 12:14 PM  
**To:** supervisor@mariontownship.com; Sandi Longstreet; za; larrygrunn@yahoo.com  
**Subject:** Fwd: Proposed Motor Braking Ordinance  
**Attachments:** Forwarded Message (1.02 KB)

----- Forwarded message from pcrange@mariontownship.com -----

Date: Wed, 25 Oct 2017 15:30:09 +0000  
From: pcrange@mariontownship.com  
Subject: Proposed Motor Braking Ordinance  
To: supervisor@mariontownship.com

Proposed Motor Braking Ordinance

An ordinance to ensure appropriate and considerate operation, at all times, of large diesel truck vehicle (s) on any Marion Township roadway. If said truck vehicle (s) has repurposed or modified exhaust system, illegally modified system, straight pipes, bypass or amplified systems (or similar sound devices resulting in the excessive loud, unusual or explosive noise levels which exceeds the general noise limits (established in township Articles 17.09 D15, 17.13 E9, 17.24E2, 17.27 C1D); or the operator uses motor braking (compression released motor braking); a violation of any provision of this ordinance is a misdemeanor (according to Section 6251C of MI Vehicle Code 1949 PA 300, MCL 257.625) and can carry a fine of \$200.00 - \$500.00 per charged offense.

----- End forwarded message -----

**Dave Hamann**

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**From:** pcrange@mariontownship.com  
**Sent:** Wednesday, November 08, 2017 12:12 PM  
**To:** supervisor@mariontownship.com; Sandi Longstreet; za; larrygrunn@yahoo.com  
**Subject:** Fwd: Proposed Nuisance Ordinance  
**Attachments:** Forwarded Message (1.64 KB)

----- Forwarded message from pcrange@mariontownship.com -----

Date: Wed, 25 Oct 2017 15:09:03 +0000  
From: pcrange@mariontownship.com  
Subject: Proposed Nuisance Ordinance  
To: supervisor@mariontownship.com

**Purposed Nuisance Ordinance**

The purpose of this ordinance is to secure public health, safety and general welfare and to deter loud noise and disturbances to the peace, quiet and comfort to the residents and property owners of the township by any person, their possessions, or owned animal. (Please apply, include and review township nuisance definition. Article III pg. 3-15.) It states: Nuisance: An offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being or the generation of an excessive or concentrated movement of people or things including but not limited to: noise, dust, smoke, odor, glare, fumes, flashes, vibration, objectionable effluent, noise of a congregation of people-particularly at night, passing traffic, or invasion of street frontage by traffic generated from an adjacent land use which lacks sufficient parking and circulation facilities.

It is recommended:

- A) Offended party to peaceably contact the offender to discuss/inform of said issue.
- B) Notify the township by a written complaint (containing information of: who, what, when, where).
- C) In the case of the unreasonable resolve, after a possible site visit by township authority, a further resolution may be attempted by:
  - 1) Board of Trustee show/cause hearing
  - 2) Contacting township attorney
  - 3) Other possible agencies relating to the situation and issues involved.

----- End forwarded message -----



# Liv.Co UPDATE

Monthly News from the  
Livingston County Commissioners



February 2018

## Livingston County Board of Commissioners



District 1 - Kate Lawrence

District 2 - William Green

District 3 - David J. Domas

District 4 - Douglas G.  
Helzerman

District 5 - Donald S. Parker  
(Board Chairman)

District 6 - Robert J. Bezotte

District 7 - Carol S. Griffith

District 8 - Dennis L. Dolan  
(Board Vice-Chairman)

District 9 - Gary Childs

## Monthly Meetings

2/5/2018 - Full Board Meeting at  
7:30 PM

2/12/2018 - General Government &  
Health & Human Services  
Meeting at 7:30 PM

2/14/2018 - Finance Committee at  
7:30 AM

2/20/2018 - Full Board Meeting at  
7:30 PM

2/21/2018 - Personnel Committee  
at 8:00 AM

2/26/2018 - Infrastructure &  
Development & Public Safety at  
7:30 PM

2/28/2018 - Finance Committee at  
7:30 AM

*"The mission of Livingston County is to be an effective and efficient steward in delivering quality services within the constraints of sound fiscal policy. Our priority is to provide mandated services which may be enhanced and supplemented to improve the quality of life for all who work, reside, and recreate in Livingston County."*

## 4 New Ambulances For The EMS Department

The Livingston County EMS department will be purchasing four new type III Medix ambulances. The new ambulances will come equipped with a Stryker power cot, a new modem for cellular data transmissions, upgraded road safety boxes, and front, rear, and cab view cameras. The ambulances will be purchased directly from the manufacturer as part of a competitively bid national contract. The EMS department has been using Medix ambulances for several years and have had no issues, so they feel confident that the new ambulances will meet the needs of their department.

## Statewide Tornado Drill & Everbridge Alert System

Emergency Management will be seeking support for Livingston County's offices and personnel to participate in the Michigan Statewide Tornado Drill that will be taking place on Wednesday, April 11th at 1 P.M. This year Emergency Management will be emphasizing communications along with the sheltering process. During the drill an initial warning will be sent to County buildings, followed by an all clear when the drill has finished. The drill has been a success for Livingston County in the past. It is a tribute to the proactive efforts to support preparation and planning in the event of a true severe weather or tornado emergency. Each year, more than 1,000 tornadoes strike the United States, and on average, Michigan experiences 15 tornadoes a year. Emergency Management recommends taking time to review disaster preparedness plans not only for severe weather, but for all emergencies. One way to stay informed of emergencies is to register for Livingston County's free mass alert system, Everbridge. The County uses this alert system to send out calls, text messages, and emails in the event of local emergencies. You can sign up for the free Everbridge alerts system at <https://member.smartmsg.com/index/453003085615617#/logi>.

## Resolutions Passed by the Board of Commissioners & Appointments

- A Retirement Plan Advisory Committee will be created for the management of the County's 401 Defined Contribution and 457 Deferred Compensation Plans. The Committee will be comprised of the Board's Finance Committee Chair, County Administrator, Finance Officer, Treasurer, Human Resources/Labor Relations Director, and 2 County employees appointed by the Board. The Committee will review all aspects of the two Plans, including costs, services, investment options, and employee education and participant input. This Committee will also make recommendations to the Board for approval of amendments to the Investment Policy for the Plans.
- Donald Parker has been elected Board Chairman and Dennis Dolan has been elected Board Vice Chairman for 2018. The Board also established rules for Committee structure, meeting dates and general rules of procedure for 2018.
- L.E.T.S. has entered into an agreement with the Livingston Community Mental Health Authority to provide transportation services.
- Lisa Berry-Bobovski has been reappointed to a representative seat on the Livingston County Community Mental Health Authority Board with a term expiring 12/31/2019.
- The County adopted OnBase Enterprise Content Management as the standard imaging platform back in 2014. Using ImageSoft's implementation services, the Friend of the Court and Circuit Court Clerk implemented OnBase for domestic cases in 2016. In early 2018 the Drain Commissioner, Health Department, and Building Inspection will be purchasing licensing and implementing OnBase.
- The County Clerk will be purchasing 2018 election supplies such as ballots, precinct supply kits, and other election related materials.
- The County Clerk has entered into a contract with Court Compliance Corporation for the collection of past due 44th Circuit Court fines and fees.

## Pending Resolutions

- Circuit Court will be seeking authorization for a one year contractual agreement with Mark Gateman to provide attorney services for the Adult Drug Treatment Court program.
- Circuit Court is requesting to reclassify a full – time Court Security Officer position working 40 hours per week into two part-time positions working 20 hours per week.
- The Information Technology Department will be seeking approval for a three year maintenance agreement with Service Express, Inc. for hardware support and maintenance.
- District Court will be seeking approval for appointing Tyler Martinez, Jenelle Neubecker, and Robetra Sacharski as back up magistrates when necessary and for after hours on call duties.
- Emergency Management is requesting approval to amend Resolution #2017-08-137 to appoint members to the Livingston County Local Emergency Planning Committee. Members would be added or removed to the committee based on individual circumstances.