

**MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
DECEMBER 13, 2018**

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

MEMBERS ABSENT: None

OTHERS PRESENT: Phil Westmoreland, Spicer; Dave Hamann, Zoning Administrator

CALL TO ORDER

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

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 as presented. Greg Durbin seconded. **Motion carried.**

CONSENT AGENDA

Scott Lloyd motioned to approve the consent agenda. Les Andersen seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Stokes—all yes. **Motion carried 7-0.**

AUDIT REVIEW

Ken Palka from Pfeffer, Hanniford, Palka presented the audit report for the year ended 6/20/18. He reviewed the general fund and sewer budgets, and again encouraged the board members to consider raising the sewer rates to ensure the funds are available to maintain the aging infrastructure. Les Andersen motioned to accept the audit report as presented and authorize the auditor to submit to the State of Michigan. Tammy Beal seconded. **Motion carried.**

PFEFFER, HANNIFORD, PALKA INVOICE

Les Andersen motioned to approve payment of the Pfeffer, Hanniford, Palka invoice for \$17,500. Duane Stokes seconded. Roll call vote: Durbin, Stokes, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

MARION TOWNSHIP CVTRS FINANCIAL INFORMATION

Bob Hanvey presented the board members with information on this item and reviewed the CVTRS Certification information.

SEWER EASEMENT CLEARING

Additional work was required on this project that wasn't known at the time the contract was signed. Les Andersen motioned to approve the invoice from Joe Vellardita for \$1,070.20. Greg Durbin seconded. Roll call vote: Beal, Andersen, Stokes, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

HOWELL SCHOOL'S 2019 SUMMER TAX COLLECTION RESOLUTION

Les Andersen motioned to adopt a resolution to sign the agreement with Howell Public Schools for collection of summer school property taxes at \$3/parcel, as presented. Scott Lloyd seconded. Roll call vote: Hanvey, Lowe, Durbin, Beal, Lloyd, Stokes, Andersen—all yes. **Resolution passed 7-0.**

FRED BROWN PARK DAMAGE

Les Andersen motioned to have the Livingston County court collect the fees that are charged by the contractor. Greg Durbin seconded. **Motion carried.**

PARKING LOT LIGHTING

Les Andersen motioned to approve the quote from DTE and approve payment of \$2,900.99, as presented. Scott Lloyd seconded. Roll call vote: Stokes, Beal, Andersen, Lowe, Hanvey, Lloyd, Durbin—all yes. **Motion carried 7-0.**

MUGG & BOPP'S PRECONSTRUCTION MEETING

Minutes from the meeting were included in the packet. Dan Lowe said the agreement doesn't meet the requirements; the drainage needs to be fixed. Bob Hanvey said the two parties can work that out, and the owner has agreed to grant an easement to fix the drainage.

MARION OAKS PRECONSTRUCTION MEETING

Minutes from the meeting were included in the packet. The board members discussed how to ensure the funds are available for the roads. Dan Lowe said they should pay an amount with each land use permit issued. Scott Lloyd motioned to postpone action on this item. Greg Durbin seconded. **Motion carried.**

CRYSTALWOOD ROADS

Scott Lloyd motioned to accept the proposed Crystalwood road paving agreement, as presented. Les Andersen seconded. Roll call vote: Lowe—no; Durbin, Lloyd, Stokes, Andersen, Beal, Hanvey—all yes. **Motion carried 6-1.**

CRYSTALWOOD UNIT 7 SEWER CONNECTION

An email and photo from Bob Hanvey were included in the packet. The photo shows no ground water in the excavation.

MARIHUANA ISSUES

Les Andersen said the township should adopt an ordinance to opt-out of recreational marihuana sales in the township. Les Andersen motioned to create an ordinance for the township board members to review and approve. Greg Durbin seconded. **Motion carried.**

ZBA REPORT

Dave Hamann updated the board members on the two interpretations at the December 3 ZBA meeting. The first, an interpretation for Witkowski on ag-tourism, was tabled on the advice of the attorney. For the second

case, an interpretation of landscape nursery operation, the ZBA created a definition rather than interpret Sections 8.01 B3 and 3.02. The minutes are being reviewed by the attorney.

CORRESPONDENCE & UPDATES

The Master Plan Community Survey Summary is available on the website.

The Livingston County HSCB minutes are included in the packet.

The consent judgment for Volante was provided.

CALL TO THE PUBLIC

Tim Ryan, 459 E. Davis Rd., said while he appreciates the township’s work on this situation, it’s still a trucking company located in a Rural Residential zoning district.

Les Andersen motioned to schedule a meeting between a representative from the township board, the attorney, and the planner regarding the procedure of the ZBA at the recent meeting. Tammy Beal seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Stokes—all yes. **Motion carried 7-0.**

ADJOURNMENT

Les Andersen motioned to adjourn at 9:05 pm. Greg Durbin seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date