

**MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
OCTOBER 10, 2019**

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

**MEMBERS ABSENT:** None

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

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**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**

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

**CONSENT AGENDA**

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

**PUBLIC HEARING FOR TRIANGLE LAKE AQUATIC WEED MANAGEMENT AND GOOSE CONTROL SAD**

Bob Hanvey opened the public hearing. Forms to object to the special assessment were provided; no objections were received. Public hearing was closed at 7:35 pm. Les Andersen motioned to adopt a resolution to approve the roll for Triangle Lake Aquatic Weed Management and Goose Control Special Assessment District, as presented. Scott Lloyd seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Stokes—all yes. **Resolution passed 7-0.**

**ARNOLD SHOW CAUSE HEARING**

No one was present for this agenda item. Greg Durbin motioned to forward the complaint to the attorney for action. Les Andersen seconded. **Motion carried.**

**LACASA DENIM & DIAMONDS SPECIAL EVENT PERMIT**

Beth Marshall, Development Coordinator for LACASA, was present to answer any question about the special event permit application. The event, Denim & Diamonds, is scheduled for Saturday, October 19, 5:30-10 pm, at 3300 County Farm Road. This is LACASA's annual fall fundraiser. Les Andersen motioned to approve Special Event #04-19, LACASA Denim & Diamonds. Greg Durbin seconded. **Motion carried.**

## **TOWNSHIP-WIDE RUBBISH SERVICE**

Josh Tinsley from The Garbage Man was present to answer any questions from the board about his proposal. Steve and Cory Alchin were also present. The board members didn't have any questions, but the audience members asked them about cost, recycling, scheduling, etc. Many expressed concern about losing senior discounts, not being able to opt out, service charges, etc.

Bob Hanvey said there are lots of assumptions being made that are not correct; the township has not made any decisions, they are simply exploring the options. He explained what prompted the township board to consider a single hauler—the township's desire to eliminate the number of garbage trucks on the road for safety reasons and for preservation of the roads.

Mike Mantay, 2710 Black Eagle Ridge, said he's been a resident for 30+ years, and what residents want is timely service that's convenient and a reasonable price. He doesn't believe the trucks are ruining the roads. If the trucks are ruining the roads, then we have a road problem, not a garbage truck problem.

Mark Cartier, 2884 Norton, said he's lived here 20 years, and the road problem isn't from the garbage trucks, it's the fact that the township doesn't control the builders in the area. He's rather pay for more officers to patrol the township. Residents want to choose their own garbage hauler.

Kim Preston, 2661 Rubbins, said she currently has pick-up once a month, and Alchin's has bent over backwards to allow them to do this

Art Del Greco, Sunset Pines, said he's president of his HOA and they changed garbage haulers because of damage to the roads; they were quoted \$120,000 for road repairs. Alchin's has been awesome.

Rebecca Mistretta, 2883 Rubbins, said she also has Alchin's and they're great. People who go away for the season aren't charged. She asked if the township could determine one or two carriers and not have it on the tax rolls? Bob Hanvey said he doesn't think the township has the authority to do that. Mrs. Mistretta said but the township has the authority to limit it to one? Mr. Hanvey said the state gives the township the authority to impose a special assessment, and explained it would be similar to the weed control. Mrs. Mistretta said SADs have to be approved by the people who live there. Mr. Hanvey said the board isn't anywhere near determining how it would be implemented. She said she doesn't want it on her taxes.

Linda Manson-Dempsey, 3076 W. Coon Lake Rd., said she has a dumpster that is used by six families and wants to know if you can opt out, and being able to opt out is a priority.

Beverly Akerley, Cedar Point Rd., said if the township picks one company, she doesn't want it on her taxes.

Deborah Long, 53 Oak Bark Dr., said she just found out about this from Alchin's and didn't receive a notice from the township. We do not want the township to control this, and doesn't think it's fair that every individual home wasn't notified. Bob Hanvey said the agendas are always on the website, and the board is only evaluating the advantages of a single hauler. If the township decides to do this, they will follow the procedures required by the state.

Veronica Chont, 4259 Southwoods, said she hasn't heard if the township board will be getting a "kick back" or fee? People are saying 5% per year, and that's a lot of money. For what reason would the township charge a fee? Bob Hanvey said the board isn't anywhere near that point yet. Ms. Chont said then why is it being brought to the community? Mr. Hanvey said the board needs to get the pulse of the township.

Lee Piepho, 2353 Sexton Rd., said he's been a resident for about 45 years and is a happy Alchin's customer. When you look at the three proposals, Alchin's has the best price.

Susan Dooley, 4397 Sundance Crossing, said this is a very polarizing issue. She said she has Alchin's and they do a great job. She said there are many benefits to moving to an organized program from subscription based.

She suggested that the township send out a survey to the entire community to determine what service levels are possible. She also suggested if the township decides to move forward, they should establish a solid waste task force to gather sound data and make a decision based on data rather than emotion.

Jerry Smith, 3040 W. Coon Lake Rd., said they are happy with Alchin's. They are snowbirds and they're not charged for the time they are gone. They also don't have service every week.

Louie Gehringer, 1456 Triangle Lake Rd., asked about notices in the Fowlerville News & Views, and whether this had been advertised? Mr. Hanvey said no, this is just gathering information.

Mike Heisner, 2989 Rubbins, said he's used Alchin's for over 30 years and they're happy with the service. He asked about the calculations for number of houses—does that include every “taxed” piece of property or houses that actually use trash pick-up? Mr. Hanvey said it's the number of “improved” (with a house) properties.

Michelle Dechy, 1590 Copperfield Ct., said she supports Susan's idea to send out a survey and it would be good to hear from all the voices. Her sub has 29 homes and five carriers, and they have 10 garbage trucks three different days of the week and she's seen first hand what it does to the roads.

James Godair, 3564 Black Eagle Dr., said he agrees with Susan's comments. It would be beneficial to see the numbers and financial benefit.

Carolyn Smith, 3040 W. Coon Lake Rd., said the garbage trucks usually go pretty slow, but the gravel haulers go by her home all day long and do more damage than the garbage trucks.

Kim Preston said that everyone paying the same isn't fair; she shouldn't have to pay the same as someone with six children.

Mark Cartier said the residents who are in subdivisions and pay fees could determine what hauler they use.

Greg Durbin said he's the president of his HOA and they are not given the authority to do that. He said his HOA will be paying \$12,000 to an asphalt company for the fourth time to repair the roads. He said the board's intention was simply to explore an issue that's been brought to the board and they're trying to determine how to make it better.

Yvonne Black, Cedar Lake Rd., said this is a cart before the horse if the policies and procedures aren't even known. Why does the township need \$38,000 per year? To use the number of trucks as justification isn't appropriate. The township has more homes and less maintenance on the roads.

Mr. Hanvey said the township has done several SADs in the past, and the first question is always what it's going to cost, so they got prices so that people will know what the cost will be. The next steps would be determining the procedures. There are a lot of assumptions being made that aren't based on fact.

Kim Yaden, West Coon Lake Road, asked if it would be put to a vote? Mr. Hanvey said people in SADs don't vote, they are able to object. There is no provision for a vote in a SAD.

Mike Heisner, 2989 Rubbins, said he believes the township is doing it the right way, but the bids should be based on the same specifications.

Suzanne Macaluso, 4875 Pinckney Rd., said if the township does this, they could be putting someone out of business.

Veronica Chont said the minutes online said this would be wrapped up by the end of year so it could begin in 2020. Mr. Hanvey said he doesn't recall that. Dan Lowe said that is not in the minutes.

Les Andersen said the recycle bin behind the township hall costs about \$25,000 per year; those in attendance overwhelmingly want to get rid of it. He also said that Iosco Township subsidizes an amount to go toward garbage to provide an incentive to use the single hauler.

Duane Stokes asked how many days it would take a single hauler to handle the township's rubbish? Mr. Alchin said it would vary based on the services provided.

Dan Lowe asked if it was possible to get a price without the recycling? Mr. Alchin said yes.

Kathy Del Greco said the township should just pick three companies for residents to choose from and not put it on the taxes.

Patrick Macaluso, 4875 Pinckney Rd., asked what the township intends to do about gravel hauler traffic?

Les Andersen said that there is still about 1,000 acres to develop on D-19. He told them about the ability to purchase developmental rights, but people have to be willing to put up the money. Dan Lowe said the township wasn't given a choice for the golf course; the court decided what would be allowed. You can't stop development.

Scott Lloyd motioned that the township not pursue a single hauler for township rubbish collection. Duane Stokes seconded. Roll call vote: Stokes—yes; Durbin—yes; Hanvey—no; Lloyd—yes; Beal—yes; Andersen—yes; Lowe—no. **Motion carried 5-2.**

Scott Lloyd motioned to discontinue the township recycle bin because of excessive cost and abuse, effective November 1, 2019. Duane Stokes seconded. **Motion carried.**

### **FINAL REVIEW TXT #05-17 SECTION 9.01 HS OUTDOOR VEHICLE STORAGE; SECTION 17.34 SPECIAL USE**

Greg Durbin motioned to adopt the proposed text amendment for TXT #05-17 Section 9.01 HS Outdoor Vehicle Storage and Section 17.34 Special Use, as presented. Les Andersen seconded. **Motion carried.**

### **FIREWORKS ORDINANCE**

Bob Hanvey provided information from the attorney on this item. Greg Durbin said the language seems excessive; Duane Stokes feels it's not enforceable. Greg Durbin motioned to postpone discussion on this item to another meeting. Dan Lowe seconded. **Motion carried** (Stokes—no.)

### **MAHER SEWER LEAD**

Phil Westmoreland said the bid opening is scheduled for Wednesday, October 16, 2 pm at the township hall; he's solicited bids from five companies. Bob Hanvey passed out an email from Lisa Maher proposing an alternative and asked the board members to review for the next meeting.

### **TREE CUTTING ESTIMATES**

Tammy Beal said bids were received from four companies. Les Andersen motioned to accept the bid from Four Seasons for \$1,800. Dan Lowe seconded. Roll call vote: Beal, Andersen, Stokes, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

### **PFEFFER, HANNIFORD & PALKA LETTER**

Duane Stokes motioned to authorize the supervisor, clerk and treasurer to sign the representation letter to Pfeffer, Hanniford & Palka. Les Andersen seconded. **Motion carried.**

### **CORRESPONDENCE & UPDATES**

A preliminary informal meeting for the Parker Drive SAD is scheduled for Thursday, October 17 at 7 pm.

The site plan review class is scheduled for Monday, October 21 at 5:30 pm.

**CALL TO THE PUBLIC**

No response.

**ADJOURNMENT**

Scott Lloyd motioned to adjourn at 9:35 pm. Greg Durbin seconded. **Motion carried.**

Submitted by: S. Longstreet

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Tammy L. Beal, Township Clerk      Date

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Robert W. Hanvey, Township Supervisor      Date