

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR ELECTRONIC MEETING
JANUARY 14, 2021

DRAFT

MEMBERS PRESENT: Les Andersen (home), Tammy Beal (home), Sandy Donovan (home), Greg Durbin (township hall), Scott Lloyd (township hall), Dan Lowe (home), and Bob Hanvey (township hall)

MEMBERS ABSENT: None

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

CALL TO ORDER

Bob Hanvey called the meeting to order at 7:31 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. Tammy Beal seconded. No objections were heard. **Motion carried.**

CONSENT AGENDA

Item E (Sheriff's report) was removed until next month. Les Andersen motioned to approve the consent agenda as amended. Scott Lloyd seconded. No objections were heard. **Motion carried.**

BURNHAM & FLOWER INSURANCE PRESENTATION

Jon Johnson from Burnham & Flower gave an overview of the PAR Plan insurance package. The plan has returned dividends of \$10,434.03 to date, and \$8,855 grant awards. Les Andersen asked about the cemetery professional endorsement; Tammy Beal said the sexton is an employee of the township, not a contractor.

Les Andersen motioned to accept the Michigan Township Participating Plan Package with additional Casualty and Property Limited Terrorism Coverage for a total of \$45,993.75. Tammy Beal seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Donovan—all yes. **Motion carried 7-0.**

PUBLIC HEARING FOR LAKE LOCHMOOR SAD CREATION

Bob Hanvey opened the public hearing for creation of the SAD at 8:05 pm.

Robert Hammond, 4734 Lakeshire Dr., said he is opposed to creation of the SAD as he has no access to the lake and his wellhead is less than 100' away. Mr. Hammond would like to be removed from the district.

Erik Smalley, 4657 Lakeshire Dr., said he has a similar situation to Mr. Hammond. He's talked with EGLE about the wetland as his well is within 40'. He is concerned the chemicals will be introduced into his water system via draw down. He also said there are concerns about health-related issues.

Marty Ficaro, 4716 Lakeshire Ct., said his wellhead is within 20'.

Matt Brinker, 4717 Lakeshire Ct., said he is aware of Mr. Smalley's concerns and there can be alternatives for treatment within 75' of wellheads that have been vetted for safe use. Those on the west side of the water will have access through "spokes" out to the main section.

Craig Miller, 4577 Lakeshire Dr., said he supports doing something.

Matt Cieslak, 4595 Lakeshire Dr., said he supports the SAD.

Erik Smalley asked who owns the bottom part (middle) of the lake. Dave Hamann said the State of Michigan.

Robert Hammond asked if there are guarantees on the chemicals being safe for wells. Bob Hanvey said EGLE must grant approval before anything is done. Mr. Hammond also said the wetlands weren't part of the lake when he moved in.

Bob Hanvey closed the public hearing at 8:28 pm. The following objections were received:

Michael T. & Tracy Muscoe, 4501 Lakeshire Dr., Tax Code 4710-36-104-021
Erik & Katherine Smalley, 4657 Lakeshire Dr., Tax Code 4710-36-104-029

Dan Lowe asked how many residents opposed? Bob Hanvey said Mr. Hammond has asked to be removed entirely; Mr. Smalley and Mr. Muscoe have opposed creation of the district. A petition in support was signed by 76%.

Greg Durbin said he supports efforts to reclaim this lake.

Bob Hanvey asked if any board members were opposed to removing Robert Hammond from the SAD. No response was heard.

Greg Durbin motioned to adopt a resolution to create the Lake Lochmoor Aquatic Weed Control SAD, minus Parcel #4710-36-104-030. Scott Lloyd seconded. Roll call vote: Hanvey, Durbin, Donovan, Lloyd, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

PUBLIC HEARING FOR LAKE LOCHMOOR SAD ROLL

Bob Hanvey opened the public hearing for the Lake Lochmoor SAD roll. He said all parcels will be treated equally except for two owners (Fitzgerald and Williams) who each own two parcels. The following objections were received:

Michael T. & Tracy Muscoe, 4501 Lakeshire Dr., Tax Code 4710-36-104-021
Erik & Katherine Smalley, 4657 Lakeshire Dr., Tax Code 4710-36-104-029

Both of these property owners are eligible to appeal to the MTT.

The public hearing was closed at 8:40 pm.

Scott Lloyd motioned to adopt a resolution to approve the roll for the Lake Lochmoor Aquatic Weed Control SAD, as modified. Greg Durbin seconded. Roll call vote: Beal, Andersen, Donovan, Durbin, Lowe, Hanvey, Lloyd—all yes. **Resolution passed 7-0.**

2021 POVERTY EXEMPTION GUIDELINES

Bob Hanvey said the township is still waiting to hear from the State Tax Commission on the percentage reduction so the guidelines may need to be changed.

Tammy Beal motioned to adopt a resolution approving the poverty exemption policy and guidelines for 2021 income and asset tests, as presented. Les Andersen seconded. Roll call vote: Lowe, Hanvey, Durbin, Beal, Lloyd, Donovan, Andersen—all yes. **Resolution passed 7-0.**

BOARD OF REVIEW LETTER APPEALS

Les Andersen motioned to adopt a resolution to allow residents to file letter appeals to the 2021 Board of Review, as presented. Greg Durbin seconded. Roll call vote: Donovan, Beal, Andersen, Lowe, Hanvey, Lloyd, Durbin—all yes. **Resolution passed 7-0.**

HEALTH INSURANCE PA #152 RESOLUTION

Tammy Beal motioned to adopt a resolution to opt out of PA 152 of 2011, the Public Funded Health Insurance Contribution Act, as presented. Les Andersen seconded. Roll call vote: Lowe, Durbin, Lloyd, Donovan, Andersen, Beal, Hanvey—all yes. **Resolution passed 7-0.**

HOWELL SCHOOLS AGREEMENT FOR COLLECTING SUMMER SCHOOL TAXES

Tammy Beal motioned to adopt a resolution providing for the collection of the summer levy of school district property taxes for 2021, as presented. Sandy Donovan seconded. Roll call vote: Beal, Lloyd, Lowe, Hanvey, Durbin, Andersen, Donovan—all yes. **Resolution passed 7-0.**

SCHROEDER BODY SHOP

Dave Hamann provided a summary of this project that was approved by the Board in 2018. He detailed the issues that are outstanding and other issues that were not approved.

Bob Hanvey said they have been operating without approval, and the City of Howell is not enthused about the RV dumping. Phil Westmoreland said he inspected the lead himself; it's unmetered and they're dumping chemicals. Scott Lloyd asked if they could pump and haul? Mr. Westmoreland said it's possible, it depends on the location of the tank. He would need to know the composition of the septage.

The board members agreed this site plan needs to go back to the Planning Commission.

Les Andersen motioned to grant a three-month temporary zoning compliance for Schroeder's Body Shop with restrictions on the sewer RV dumping, and this will be sent back to the Planning Commission for outstanding issues related to parking, fencing, landscaping, propane tanks, HVAC, and an easement agreement. Greg Durbin seconded. **Motion carried.**

SUNRIDGE PHASE III (TAMARACK PLACE)

Bob Hanvey reported that he attended a meeting on Tuesday with Phil Westmoreland, Dave Hamann, Dan Lowe, John Enos, Mike West, Manny Kianicky, Dan Larabel, and Julie Kroll. The developer offered to provide \$100K for the township to use for road improvements. Scott Lloyd said that's not enough for road improvements; Bob Hanvey said that's about \$750 per parcel. There are 144 units. They discussed a left-turn lane on Mason Road at Peavy and a dedicated right-turn lane at Keddle Road and improve the approach.

Dan Lowe said it's up to them to submit the design to the township. Bob Hanvey said he will work with Phil Westmoreland on specifications.

2021-22 ROADS

Phil Westmoreland said that Jodie from the LCRC indicated that Burkhart Road from Mason to I-96 will be done this year, and the work should all be done at once.

Les Andersen asked about Coon Lake Road; Phil Westmoreland said it's not ready for chip seal.

The board members discussed Schafer Road and perhaps sharing the cost with Putnam Township. Dan Lowe asked for a road count on Schafer.

Tammy Beal said that Triangle Lake Road off Coon Lake Road could use some work as it's very narrow.

The LCRC would like to have projects submitted by February 28 to be considered for the 2021 pavement program.

ZBA REPORT

Dan Lowe said the ZBA, at the January 4 meeting, granted setback and landscape buffer variances for a commercial property on Lucy Road. Bob Hanvey said he thinks this will be a major improvement for the site.

CORRESPONDENCE & UPDATES

Tammy Beal reported that the duct cleaning was done. Dan Lowe asked if there was video; Tammy said they took before and after pictures and fixed the furnace.

AJR depositions were held on January 5, 2021.

The monthly Livingston County update is in the packet.

A letter was received from George Mazen thanking Jessica, Gail and Kitsey for their help in getting his phone service repaired.

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Les Andersen motioned to adjourn at 9:35 pm. Greg Durbin seconded. No objections were heard. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date