

MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
Thursday, August 11, 2022  
7:00 p.m.

THIS MEETING WILL BE HELD IN PERSON WITH  
ONLINE PARTICIPATION OPTIONS

Call to Order  
Pledge of Allegiance  
Members Present/Members Absent  
Call to the Public

- 1) Approval of Agenda
- 2) Consent Agenda
  - a. Approval of July 28, 2022 Regular Meeting Minutes
  - b. Complaint Report
  - c. DPW Report
  - d. Financial Report
  - e. Zoning Report
- 3) Loves Creek/Sesame Drive SAD Snow Removal
- 4) Cedar Lake Road Estimate
- 5) Tyler Private Road
- 6) Spangler Stasis
- 7) Hometown Update
- 8) Marion Township Tree
- 9) Call to the Public Policy
- 10) ZBA Report

Correspondence and Updates  
Marion Township Land Preservation Survey

Call to the Public

Adjournment

Reminder: Next Board Packet will be ready after 3pm on Thursday, August 18, 2022.

**MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
JULY 28, 2022**

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, Spicer

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7 pm. The meeting is also available to attend online.

**PLEDGE OF ALLEGIANCE**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

Greg Durbin congratulated his grandson, Luke Durbin, who will be graduating from the Detroit Fire Academy on Friday, July 29, 200 at 10 am.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA**

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

**ASSISTANT ASSESSOR PAY RATE**

Tammy Beal motioned to approve hiring Sara McCleery as Marion Township Assistant Assessor with a date of hire of June 27, 2022 with a pay rate of \$22/hr., and because she has completed the requirements for Michigan Certified Assessing Officer (Level 2) her pay rate should be set at \$25/hr. effective August 1, 2002. Les Andersen seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Donovan—all yes. **Motion carried 7-0.**

**RESOLUTION TO AMEND BUDGET**

Les Andersen motioned to adopt a resolution to approve the General Fund budget amendments for FYE 2023, as presented. Scott Lloyd seconded. Roll call vote: Donovan, Durbin, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

**HOWELL COMMUNITY THEATER SPECIAL EVENT**

The Community Theater of Howell has a special event planned for the Howell Nature Center on August 19-21, 2022. A representative from CTH was present to answer any questions the board members may have. Tammy

Beal motioned to approve Special Event #03-22 from the Community Theater of Howell. Les Andersen seconded. **Motion carried.**

### **CEMETERY CONTRACT**

Sandy Donovan motioned to adopt a resolution to accept the Marion Township Grave and Service Charges, as presented. Tammy Beal seconded. Roll call vote: Hanvey, Lowe, Durbin, Beal, Lloyd, Donovan, Andersen—all yes. **Resolution passed 7-0.**

### **CALL TO THE PUBLIC POLICY**

Les Andersen motioned that he would draft a policy for the board members to review at a future meeting. Tammy Beal seconded. **Motion carried.**

### **PLANNING COMMISSION CONSIDERATION**

Tammy Beal motioned to meet with the architect and engineer to finalize plans to expand the building to the southeast. Sandy Donovan seconded. **Motion carried 5-2 (Andersen, Lowe—no.)**

Scott Lloyd motioned to have the township's Planning Commission review the proposed site plan. Dan Lowe seconded. Roll call vote: Lowe—yes; Durbin—yes; Lloyd—yes; Donovan—no; Beal—no; Hanvey—yes. **Motion carried 5-2 (Donovan, Beal—no.)**

### **MARION TOWNSHIP LAND PRESERVATION SURVEY**

Bob Hanvey handout out a summary of the responses received so far. Responses will be collected through October 1.

### **CORRESPONDENCE & UPDATES**

Bob Hanvey reported that he visited the Norton Road pump station and the control panel and pumps need to be replaced. The pump manufacturer will provide a cost for a SCADA system for communications.

### **CALL TO THE PUBLIC**

Jim Anderson, 84 Cranbrook, urged the board members to consider metal roofing when the addition is done.

Greg Durbin said he recently attended a funeral at Lakeview Cemetery in Howell, where they have a columbarium; the township should consider purchasing one.

### **ADJOURNMENT**

Les Andersen motioned to adjourn at 7:55 pm. Scott Lloyd seconded. **Motion carried.**

Submitted by: S. Longstreet

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

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

### COMPLAINT LOG

Complaint #	Complainant Name	Offender Name	Complaint Details	Action Taken	Date Violation	Show Cause Date	Resolved
#01-22	call in	Stephen Bullinger 245 Brighton rd 4710-25-300-033	Shed in front yard road road ROW	ltr sent 1/18/2022 Extension until spring to move shed		ZBA#01-22 case	
#02-22	call in	Gerald Gillen 4595 Mason 4710-05-100-012	Accessory Structure without land use permit	ltr sent 1/18/2022 Land use obtained			closed
#03-22	Francis Immel 4433 Vines	Bart Rue 4385 Cedar Lake Rd.	Shop & storage; Commercial truck/trash container	visited 2/24-no violation seen; will revisit 3/3			closed
#04-22	Gary Sutherland 2847 Blossom Farm Howell, MI 48843	Jason McKinley 2865 Blossom Farm 4710-15-301-008	9 dogs excessive smells	ltr sent 4/14/2022			closed
#05-22	Maurier 3727 High Hillcrest	Joseph Topolski 3705 High Hillcrest 4710-04-401-009	construction junk	ltr sent 5/9/2022			
#06-22	Milias 121 Dinkel	Musselman 5745 Carter Ct 4710-35-402-008	Nuisance junk over lot line	ltr sent 6/30/2022			Closed
#07-22	Gary Sutherland 2847 Blossom Farms Howell, MI 48843	Jason McKinley 2865 Blossom Farms 4710-15-301-008	Nuisance smells from animals(duck, chicken, dogs)				

DPW Reports 2022

	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
<b>WATER</b>													
NEW	13	14	20	16	21	4	2						90
EXISTING													
REPLACEMENT													
<b>IRRIGATION</b>													
NEW	12	13	1	12	26	2	4						70
EXISTING													
<b>SEWER</b>													
NEW	13	14	19	12	21	5	1						85
EXISTING													
<b>TOTAL</b>	<b>38</b>	<b>41</b>	<b>40</b>	<b>40</b>	<b>68</b>	<b>11</b>	<b>7</b>						<b>245</b>

**GENERAL FUND CHECKING**

Previous Balance	\$	2,357,207.65
Receipts	\$	218,452.86
Interest	\$	-
	\$	<u>2,575,660.51</u>
Expenditures	\$	146,817.07
Balance	\$	<u>2,428,843.44</u>

**CEMETERY FUND**

Previous Balance	\$	50,416.40
Receipts	\$	500.00
Interest	\$	4.00
	\$	<u>50,920.40</u>
Expenditures	\$	662.50
Balance	\$	<u>50,257.90</u>

**PARKS & RECREATION FUND**

Previous Balance	\$	25,573.80
Receipts	\$	-
Interest	\$	2.02
	\$	<u>25,575.82</u>
Expenditures	\$	925.73
Balance	\$	<u>24,650.09</u>

**WATER - NEW USER**

Previous Balance	\$	519,502.28
Receipts	\$	-
Interest	\$	82.34
	\$	<u>519,584.62</u>
Expenditures	\$	3,500.00
Balance	\$	<u>516,084.62</u>

**SEWER OPERATING & MANAGEMT**

Previous Balance	\$	194,971.70
Receipts	\$	6,054.50
Interest	\$	24.71
		<hr/>
	\$	201,050.91
Expenditures	\$	30,158.90
		<hr/>
Balance	\$	170,892.01

**SEWER - NEW USER**

Previous Balance	\$	1,502,288.17
Receipts	\$	-
Interest	\$	361.75
		<hr/>
	\$	1,502,649.92
Expenditures	\$	-
		<hr/>
Balance	\$	1,502,649.92

**SPEC ASSESS. FUND**

Previous Balance	\$	169,337.35
Receipts	\$	1,606.14
Interest	\$	26.90
		<hr/>
	\$	170,970.39
Expenditures	\$	4,333.50
		<hr/>
Balance	\$	166,636.89

**ESCROW FUND**

Previous Balance	\$	102,300.46
Receipts	\$	-
Interest	\$	16.25
		<hr/>
	\$	102,300.46
Expenditures	\$	157.50
		<hr/>
Balance	\$	102,142.96

**SUMMARY TOTALS**

<b>General Fund</b>	<b>\$</b>	<b>2,428,843.44</b>
<b>Cemetery Fund</b>	<b>\$</b>	<b>50,257.90</b>
<b>Parks &amp; Rec Capital Chk</b>	<b>\$</b>	<b>24,650.09</b>
<b>Water - New User</b>	<b>\$</b>	<b>516,084.62</b>
<b>Sewer Operating &amp; Mana</b>	<b>\$</b>	<b>170,892.01</b>
<b>Sewer - New User</b>	<b>\$</b>	<b>1,502,649.92</b>
<b>Special Assess. Fund</b>	<b>\$</b>	<b>166,636.89</b>
<b>Escrow Fund</b>	<b>\$</b>	<b>102,142.96</b>
<b>TOTAL</b>	<b>\$</b>	<b>4,962,157.83</b>



#101 General Fund  
**Transactions by Account**

As of July 31, 2022

Date	Num	Name	Amount
<b>001-001 · CASH - GENERAL - FNB</b>			
07/06/2022	11974	AT&T -General	-462.51
07/06/2022	11975	QUADIENT FINANCE USA, INC	-450.00
07/06/2022	11976	DAVID HAMANN	-125.19
07/06/2022	11977	SANDRA DONOVAN	-381.08
07/06/2022	11978	Gail Ann Burlingame	-25.00
07/06/2022	11979	Kitsey A Rennells	-25.00
07/06/2022	11980	SANDRA LONGSTREET	-21.65
07/06/2022	11981	Loreen Judson	-52.07
07/06/2022	11985	Chloride Solutions	-12,942.95
07/07/2022	11982	VOYA Institutional Trust	-300.00
07/07/2022	11983	Marion Township Flex Fund	-1,700.00
07/07/2022	11984	ALERUS PAYMENT SOLUTION	-3,783.10
07/07/2022	11986	Culligan of Ann Arbor	-35.40
07/07/2022	0016673	CHERYL A. RANGE	-92.35
07/07/2022	0016670	JAMES L. ANDERSON JR.	-132.14
07/07/2022	0016672	BRUCE V. POWELSON	-92.35
07/07/2022	E109748	THOMAS A. LLOYD	-516.89
07/07/2022	0016671	SCOTT R. LLOYD	-150.51
07/07/2022	0016669	LESLIE D. ANDERSEN	-324.09
07/07/2022	E109739	TAMMY L. BEAL	-2,540.82
07/07/2022	E109740	GAIL A. BURLINGAME	-2,927.33
07/07/2022	E109741	SANDY DONOVAN	-3,267.27
07/07/2022	E109742	GREGORY L. DURBIN	-1,099.76
07/07/2022	E109743	DAVE HAMANN	-2,739.49
07/07/2022	E109744	ROBERT W. HANVEY	-3,777.14
07/07/2022	E109745	RICHARD HASLOCK	-133.21
07/07/2022	E109747	LOREEN B. JUDSON	-3,308.54
07/07/2022	E109749	SANDRA J. LONGSTREET	-2,408.58
07/07/2022	E109750	DANIEL F. LOWE	-479.09
07/07/2022	E109751	SARA MCCLEERY	-731.22
07/07/2022	E109753	KITSEY A. RENNELLS	-2,309.41
07/07/2022	E109755	JESSICA S. TIMBERLAKE	-2,199.74
07/11/2022	11987	LIV CO CLERKS ASSOC	0.00
07/11/2022	11988	DTE ENERGY	-659.45
07/11/2022	11989	FOWLerville NEWS & VIEW	-190.00
07/11/2022	11990	VERIZON WIRELESS	-53.05
07/11/2022	11991	LIV CO CLERKS ASSOC	-20.00
07/18/2022	11992	THE GARBAGE MAN	-300.01
07/18/2022	11993	Charter Communications	-164.79
07/18/2022	11994	Spicer Group Inc	-160.00
07/18/2022	11995	Green Oak Township	-20.00
07/18/2022	11996	VOID	0.00

#101 General Fund  
Transactions by Account

As of July 31, 2022

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
07/19/2022	11997	Chloride Solutions	-4,003.43
07/20/2022	11998	BS & A SOFTWARE, INC	-1,457.00
07/20/2022	11999	Colonial Life	-647.56
07/20/2022	12000	GORMLEY AND JOHNSON LA	-401.25
07/20/2022	12001	AT&T -General	-186.53
07/20/2022	12002	PIVOT POINT PARTNERS LLC	-1,866.20
07/20/2022	12003	CARLISLE/WORTMAN, Inc.	-940.00
07/26/2022	12004	B&L Services	-555.00
07/28/2022	12005	CARTRIDGE WORLD	-217.98
07/28/2022	12006	PNC Bank	-2,117.23
07/28/2022	12007	STAPLES	-211.00
07/28/2022	12008	SPECTRUM PRINTING INC.	-375.91
07/28/2022	12009	QUADIENT LEASING USA, INC	-382.35
07/28/2022	12010	BURNHAM & FLOWER AGENC	-51.00
07/28/2022	12011	CONSUMERS ENERGY	-47.03
07/28/2022	12012	Blue Cross Blue Shield of Michig	-16,060.35
07/28/2022	12013	Tri Star Electrical	-825.00
07/28/2022	12014	NORTHERN PLUMBING, INC.	-250.00

2022 ZONING REPORT

	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Homes	13	15	6	12	25	5	13						89
Condo Units			16	5									21
Accessory Bldgs.		1	3		3	2	1						10
Decks	1		7	12	7	3	1						31
Pools			2	3	3	1	2						11
Additions			2	1	3	1	1						8
Land Balancing				1									1
Other	1			1	2	1	1						6
<b>TOTAL LAND USES</b>	15	16	36	35	43	13	19	0	0	0	0	0	177
Waivers	3	2	2	6	2	6	4						25
Finals	14	11	17	20	25	19	21						127
Site Plans													0
Pre-Planning Meetings				1									1
Sewer Inspections	8	8	8	12	11	12	11						70

## Bob Hanvey

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**From:** Larry Grunn [mailto:larrygrunn@yahoo.com]  
**Sent:** Wednesday, August 3, 2022 1:40 PM  
**To:** Tammy Beal; supervisor@mariontownship.com  
**Cc:** Mary  
**Subject:** Lovescreek/Sesame Dr. Road assessment

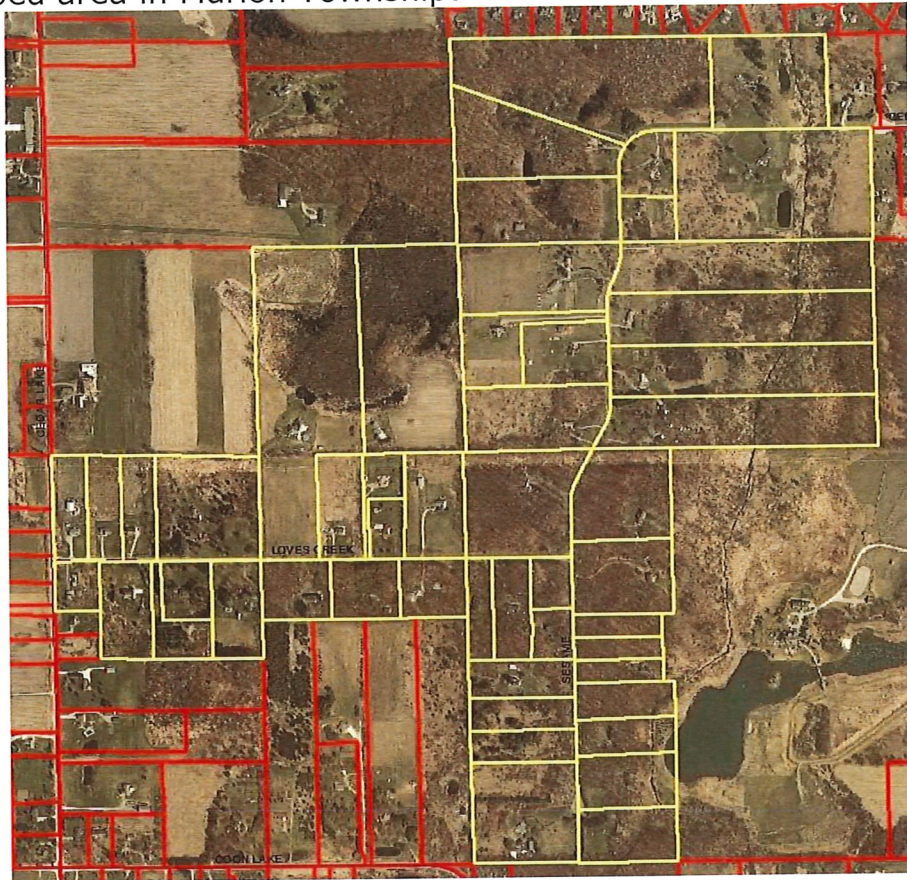
Good afternoon Tammy and Bob,  
Hopefully you survived the Polls!  
I sure was dragging last night can't imagine how you felt.

It sounds like it time to ask the Township to renew our road assessment. Would you please request a meeting with the board, so that we can get this done? I understand it takes two meetings?

Thank you for all that you do,  
Larry Grunn

RESOLUTION SCHEDULING HEARING ON THE CREATION OF  
LOVES CREEK/SESAME SNOW REMOVAL  
SPECIAL ASSESSMENT DISTRICT

BE IT HEREBY RESOLVED the township board does hereby tentatively declare its intent to provide snow removal service to the following described area in Marion Township:



**PARCEL NUMBERS**

4710-16-300-009	4710-16-400-016	4710-21-100-007	4710-21-100-030
4710-16-300-010	4710-16-400-019	4710-21-100-008	4710-21-100-031
4710-16-300-011	4710-16-400-037	4710-21-100-010	4710-21-100-032
4710-16-300-013	4710-16-400-038	4710-21-100-014	4710-21-100-033
4710-16-300-014	4710-20-200-005	4710-21-100-016	4710-21-100-036
4710-16-300-016	4710-20-200-006	4710-21-100-017	4710-21-100-038
4710-16-300-021	4710-20-200-024	4710-21-100-018	4710-21-100-039
4710-16-300-022	4710-20-200-034	4710-21-100-021	4710-21-100-040
4710-16-300-024	4710-20-200-036	4710-21-100-022	4710-21-100-041
4710-16-400-001	4710-20-200-037	4710-21-100-025	4710-21-100-042
4710-16-400-013	4710-20-200-038	4710-21-100-026	4710-21-100-043
4710-16-400-014	4710-20-200-039	4710-21-100-028	4710-21-100-044
4710-16-400-015	4710-20-200-040	4710-21-100-029	

BE IT FURTHER RESOLVED that the township board does tentatively designate the special assessment district against which the costs of the service is to be placed as Loves Creek/Sesame Snow Removal District which shall include the lands and premises more particularly described above.

BE IT FURTHER RESOLVED that a hearing on any objections to the service, to the cost, and to the special assessment district proposed to be established for the assessment of the cost of such service, shall be held on September 8, 2022 at a regular meeting of the township board at the Marion Township Hall, 2877 West Coon Lake Road, Howell MI 48843, commencing at 7:00 PM.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

Roll call vote:

I, the undersigned, the duly qualified and acting Clerk for the Township of Marion, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Board of Trustees at a meeting held on the 11<sup>th</sup> day of September, 2022, and further certify that the above Resolution was adopted at said meeting.

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Marion Township Clerk

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Date



MEMO

To: Marion Township Board  
From: Bob Hanvey  
Subject: Estimate for paving Cedar Lake Road  
Date: August 11, 2022

The following email was sent to the Livingston County Road Commission:

Hi Steve:

At our last Board meeting, we passed a motion to ask LCRC for prices on paving Cedar Lake Road:

**REQUEST TO THE LCRC FOR ESTIMATES ON CEDAR LAKE ROAD**

Dan Lowe motioned to get an estimate from the LCRC for Cedar Lake Road to include itemized costs for paving and fixing the hill by Love's Creek and the low spot near Jewell Road. Bob Hanvey seconded. Discussion: Andy Herald, 1881 Cedar Lake Road, asked if the cost for paving could include a three-foot wide shoulder. **Motion carried 6-1 (Andersen—no.)**

Their response is attached.

## Engineer's Opinion of Costs

<b>Project Number:</b> Cedar Lake Rd <b>Estimate Number:</b> 1 <b>Project Type:</b> Miscellaneous <b>Location:</b> Coon Lake Rd to Jewell Rd <b>Description:</b> Reconstruct 1.5 Miles of gravel road. HMA pave 11ft lane with 3ft paved shoulder and 3ft aggregate shoulder	<b>Project Engineer:</b> Jodie Tedesco <b>Date Created:</b> 7/27/2022 <b>Date Edited:</b> 7/28/2022 <b>Fed/State #:</b> <b>Fed Item:</b> <b>Control Section:</b>
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Line	Pay Item	Description	Quantity	Units	Unit Price	Total
0001	1100001	Mobilization, Max 5% Max	1.000	LSUM	\$232,035.00	\$232,035.00
0002	2010001	Clearing	3.000	Acre	\$11,000.00	\$33,000.00
0003	2020002	Tree, Rem, 19 inch to 36 inch	75.000	Ea	\$1,165.42	\$87,406.50
0004	2020003	Tree, Rem, 37 inch or Larger	5.000	Ea	\$2,350.00	\$11,750.00
0005	2020004	Tree, Rem, 6 inch to 18 inch	150.000	Ea	\$370.32	\$55,548.00
0006	2020006	Stump, Rem, 19 inch to 36 inch	5.000	Ea	\$330.13	\$1,650.65
0007	2020007	Stump, Rem, 37 inch or Larger	2.000	Ea	\$550.00	\$1,100.00
0008	2020008	Stump, Rem, 6 inch to 18 inch	25.000	Ea	\$284.05	\$7,101.25
0009	2020010	Corduroy, Rem	2.000	Sta	\$2,500.00	\$5,000.00
0010	2030001	Culv, Rem, Less than 24 inch	10.000	Ea	\$569.49	\$5,694.90
0011	2040025	Fence, Rem	500.000	Ft	\$2.73	\$1,365.00
0012	2040050	Pavt, Rem	100.000	Syd	\$17.06	\$1,706.00
0013	2040080	Exploratory Investigation, Vertical	100.000	Ft	\$57.39	\$5,739.00
0014	2050006	Ditch Cleanout	10.000	Sta	\$764.29	\$7,642.90



Line	Pay Item	Description	Quantity	Units	Unit Price	Total
0015	2050012	Embankment, Structure, CIP	7,920.000	Cyd	\$18.36	\$145,411.20
0016	2050016	Excavation, Earth	28,394.700	Cyd	\$21.10	\$599,128.17
0017	2050031	Non Haz Contaminated Material Handling and Disposal, LM	50.000	Cyd	\$51.92	\$2,596.00
0018	2050035	Subgrade Manipulation	25,000.000	Syd	\$1.26	\$31,500.00
0019	2050041	Subgrade Undercutting, Type II	2,500.000	Cyd	\$40.81	\$102,025.00
0020	2057002	_ Swamp Surcharge	10.000	Sta	\$3,500.00	\$35,000.00
0021	2057021	_ Peat Excavation	16,170.000	Cyd	\$25.00	\$404,250.00
0022	2080036	Erosion Control, Silt Fence	15,000.000	Ft	\$2.68	\$40,200.00
0023	3010002	Subbase, CIP	8,800.000	Cyd	\$29.12	\$256,256.00
0024	3020020	Aggregate Base, 8 inch	26,311.000	Syd	\$17.04	\$448,339.44
0025	3020026	Aggregate Base, 10 inch	8,889.000	Syd	\$20.03	\$178,046.67
0026	3060020	Maintenance Gravel	250.000	Ton	\$24.32	\$6,080.00
0027	3070001	Approach, CI I	200.000	Ton	\$28.80	\$5,760.00
0028	3070021	Approach, CI II	150.000	Ton	\$40.61	\$6,091.50
0029	3070101	Shld, CI I	1,850.000	Ton	\$32.98	\$61,013.00
0030	3070121	Shld, CI II	1,850.000	Ton	\$29.01	\$53,668.50
0031	3080010	Geotextile, Stabilization	10,222.000	Syd	\$4.83	\$49,372.26
0032	3082002	Road Grade Biaxial Geogrid	10,222.000	Syd	\$5.50	\$56,221.00
0033	4010015	Culv End Sect, 15 inch	6.000	Ea	\$414.79	\$2,488.74

Line	Pay Item	Description	Quantity	Units	Unit Price	Total
0034	4010018	Culv End Sect, 18 inch	4.000	Ea	\$732.26	\$2,929.04
0035	4010024	Culv End Sect, 24 inch	4.000	Ea	\$968.88	\$3,875.52
0036	4010131	Culv, CIA, 12 inch	300.000	Ft	\$76.29	\$22,887.00
0037	4010132	Culv, CIA, 15 inch	120.000	Ft	\$68.06	\$8,167.20
0038	4010133	Culv, CIA, 18 inch	120.000	Ft	\$74.39	\$8,926.80
0039	4010134	Culv, CIA, 24 inch	120.000	Ft	\$106.41	\$12,769.20
0040	4020005	Sewer, CIA, 15 inch, Tr Det A	1,500.000	Ft	\$70.00	\$105,000.00
0041	4020006	Sewer, CIA, 18 inch, Tr Det A	1,500.000	Ft	\$75.00	\$112,500.00
0042	4030210	Dr Structure, 48 inch dia	4.000	Ea	\$2,542.30	\$10,169.20
0043	4040083	Underdrain, Subgrade, Open-Graded, 6 inch	15,840.000	Ft	\$16.77	\$265,636.80
0044	4040093	Underdrain Outlet, 6 inch	200.000	Ft	\$22.25	\$4,450.00
0045	4040113	Underdrain, Outlet Ending, 6 inch	20.000	Ea	\$197.99	\$3,959.80
0046	4040200	Video Inspection of Underdrain	15,840.000	Ft	\$1.13	\$17,899.20
0047	5010061	HMA Approach	350.000	Ton	\$173.84	\$60,844.00
0048	5012013	HMA, 3EML	4,125.000	Ton	\$105.21	\$433,991.25
0049	5012025	HMA, 4EML	2,750.000	Ton	\$115.86	\$318,615.00
0050	5012037	HMA, 5EML	2,063.000	Ton	\$124.55	\$256,946.65
0051	8010008	Driveway, Nonreinf Conc, 9 inch	100.000	Syd	\$105.26	\$10,526.00
0052	8020016	Curb and Gutter, Conc, Det B2	1,500.000	Ft	\$25.60	\$38,400.00

Line	Pay Item	Description	Quantity	Units	Unit Price	Total
0053	8020055	Shld Gutter, Conc, Det 1	2.000	Ea	\$574.80	\$1,149.60
0054	8020056	Shld Gutter, Conc, Det 2	2.000	Ea	\$646.77	\$1,293.54
0055	8020075	Spillway, Conc	40.000	Ft	\$59.69	\$2,387.60
0056	8070004	Guardrail, Type MGS-8	1,500.000	Ft	\$35.77	\$53,655.00
0057	8070044	Guardrail Approach Terminal, Type 2M	2.000	Ea	\$3,210.00	\$6,420.00
0058	8070050	Guardrail Departing Terminal, Type B	2.000	Ea	\$937.50	\$1,875.00
0059	8070095	Post, Mailbox	10.000	Ea	\$125.15	\$1,251.50
0060	8110231	Pavt Mrkg, Waterborne, 4 inch, White	15,960.000	Ft	\$0.15	\$2,394.00
0061	8110232	Pavt Mrkg, Waterborne, 4 inch, Yellow	15,960.000	Ft	\$0.15	\$2,394.00
0062	8110251	Pavt Mrkg, Waterborne, 2nd Application, 4 inch, White	15,960.000	Ft	\$0.15	\$2,394.00
0063	8110252	Pavt Mrkg, Waterborne, 2nd Application, 4 inch, Yellow	15,960.000	Ft	\$0.15	\$2,394.00
0064	8120035	Channelizing Device, 42 inch, Fluorescent, Furn	250.000	Ea	\$22.87	\$5,717.50
0065	8120036	Channelizing Device, 42 inch, Fluorescent, Oper	250.000	Ea	\$3.30	\$825.00
0066	8120170	Minor Traf Devices	1.000	LSUM	\$15,000.00	\$15,000.00
0067	8120330	Sign, Portable, Changeable Message, Furn	2.000	Ea	\$2,406.60	\$4,813.20
0068	8120331	Sign, Portable, Changeable Message, Oper	2.000	Ea	\$310.56	\$621.12
0069	8120350	Sign, Type B, Temp, Prismatic, Furn	480.000	Sft	\$5.50	\$2,640.00
0070	8120351	Sign, Type B, Temp, Prismatic, Oper	480.000	Sft	\$0.65	\$312.00
0071	8120370	Traf Regulator Control	1.000	LSUM	\$20,000.00	\$20,000.00
0072	8130010	Riprap, Plain	100.000	Syd	\$97.26	\$9,726.00

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Line	Pay Item	Description	Quantity	Units	Unit Price	Total
0073	8162002	Slope Restoration, Non-Freeway, Type B	17,600.000	Syd	\$5.50	\$96,800.00

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**Estimate Total: \$4,872,742.40**

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## Livingston County Road Commission

3535 Grand Oaks Drive • Howell, Michigan 48843-8575  
Telephone: (517) 546-4250 • Facsimile: (517) 546-9628  
Internet Address: [www.livingstonroads.org](http://www.livingstonroads.org)

August 4, 2022

Kenneth Tyler  
9797 Rolling Pines  
Brighton, MI 48116

Re: Shared driveway application #2212-014  
Bentley Lake Road, Parcel 4710-28-400-016  
Marion Township, Section 28

Dear Mr. Tyler:

Per my letter dated June 15, 2022, I completed a field inspection for your request to construct a shared driveway approach across parcel 4710-28-400-016, which is on the east side of Bentley Lake Road, 2850 feet south of Cedar Point. There were 2 outstanding issues to be addressed prior to our issuance of a shared driveway approach permit. Item #1 was to establish the clear vision area. The clear vision area has been created and is acceptable.

The LCRC defines a shared driveway as an approach that may serve up to four single-family dwellings if the applicable township ordinance allows. An approach serving more than four single-family dwellings is defined as a private road.

A shared driveway permit for access to four (4) parcels may be issued once written approval from Marion Township for the shared driveway is submitted to our office along with a recorded ingress/egress easement and identification of which parcels will be utilizing the shared driveway approach.

It will be noted on the shared driveway approach permit that the approach will need to be upgraded and permitted as a private road approach when more than four (4) dwellings desire to utilize the approach. At that time, the LCRC will need written approval from Marion Township for the private road approach and the property owners will need to agree upon a road name.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Kim Hiller, P.E.  
Utilities and Permits Engineer

Cc: File  
Dave Hamann, Marion Township (via email)  
Michael Tyler (via email)

May 13, 2022

Robert Hanvey, Supervisor  
Marion Township  
2788 W. Coon Lake Road  
Howell, MI 48843

RE: Private Road Assessment Follow-Up  
Tyler Property off Bentley Lake Road

Dear Mr. Hanvey,

In August of 2017 Spicer Group assessed the condition of a private road on Mr. Tyler's property off Bentley Lake Road, approximately 1500 feet north of High Meadows Drive. Spicer Group provided recommendations for improvements prior the Township Board recognizing it as a Private Road. On May 4, 2022 a follow-up site visit was conducted to assess if our previous comments had been addressed.



**Figure 1 - Proposed Private Road**

We recommended that the entrance gate be removed or improved to allow emergency services to access the site. Per our recommendation a Knox Box was implemented which permits access and effectively addresses our concern.





Figure 2 – Entrance Gate

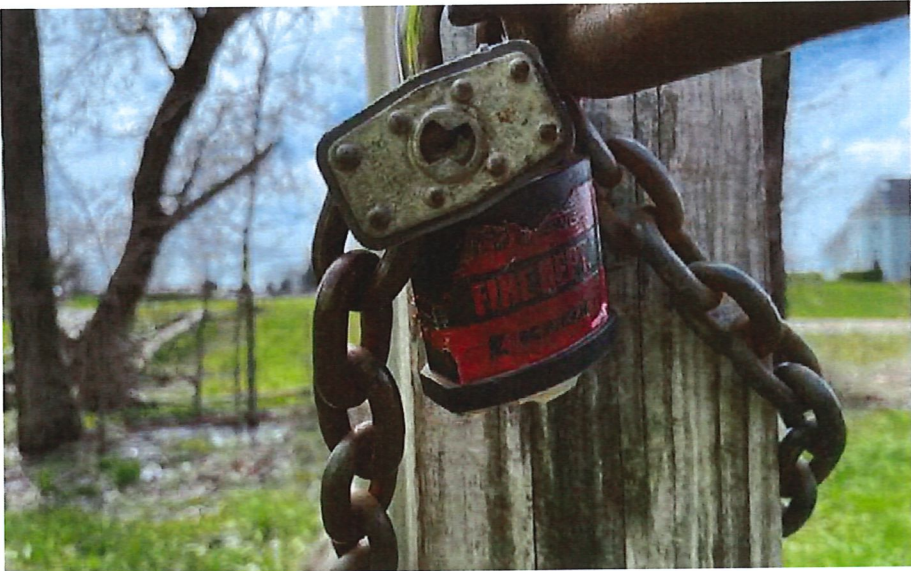


Figure 3 – Installed Knox Box



We recommended that construction debris at the far east side of the site on the east/west section of the drive be removed from the right-of-way. At the time of our follow-up site visit no debris was noted.



**Figure 4 - Construction Debris Noted in August 2017**



**Figure 5 - Construction Debris No Longer Present in May 2022**

Stockpiled gravel and topsoil were noted around the cul-de-sac at the east end of the site, we recommended that it be removed to allow drainage. At the time of the follow-up inspection the stockpiles were no longer present.





**Figure 6 – Stockpiled Material No Longer Present at Cul-De-Sac**

Obstructions in the right-of-way were identified at the north end of the north/south section of the road, our recommendation was to remove them. Vehicles, trailers, and other equipment were still being stored in the right-of way at the time of the follow-up visit.



**Figure 7 – Equipment Stored in ROW**

May 13, 2022  
Page 5 of 5

Overall, the road is still in good condition and appears to be supporting the current development. Most of our earlier recommendations have been addressed, the only outstanding issue is the equipment in the right-of-way at the north end of the north/south section of the road.

On the initial review we recommended that the following be completed prior to acceptance by the Township Board:

- Completion of the required paperwork and road maintenance agreement according to Marion Township Standards.
- Approval or acknowledgment from the Livingston County Road Commission on changing from essentially a driveway approach on Bentley Lake Road to an approved private road intersection.

If these items have not been completed, we continue to recommend that they be addressed.

If you have any questions or require anything further, please feel free to contact us.

Sincerely,



**Adam C. Jacquain**  
Design Engineer  
Phone: (989) 598-6196  
mailto: [adamj@spicergroup.com](mailto:adamj@spicergroup.com)



**Philip A. Westmoreland, P.E.**  
Principal  
Phone: (517) 375-9449  
mailto: [philaw@spicergroup.co](mailto:philaw@spicergroup.co)

**SPICER GROUP, INC**  
125 Helle Blvd, Suite 2  
Dundee, MI 48131

PROPOSED 33 FOOT PRIVATE DRIVEWAY EASEMENT

ACROSS PARCEL # 10-28-400-016

33 FOOT WIDE PRIVATE DRIVEWAY EASEMENT FOR INGRESS AND EGRESS DEDICATED TO BACK LOTS 5029, 5051 BENTLEY LAKE ROAD AND TWO OTHER LOTS OWNED BY KENNETH E. TYLER, MICHAEL A. TYLER, YET TO BE NAMED – PART OF SECTION 28 T2N-R4E, MICHIGAN, CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS, COMENCING AT THE SOUTHEAST CORNER OF SECTION 28, THENCE N 89D 53' 57" W 33 FEET ALONG SOUTH SECTION LINE 28, THENCE N 0D 21' 23" W 34 FEET TO THE POINT OF BEGINNING, THENCE N89D 53'57" W 257.22 FEET, TO THE CENTERLINE OF BENTLEY LAKE ROAD, END OF EASEMENT.

**TOWNSHIP OF MARION  
LIVINGSTON COUNTY, MICHIGAN  
PRIVATE ROAD ORDINANCE NO. 07-03**

**SECTION I: INTENT AND PURPOSE**

There are many private roads in the township that are not maintained by any government agency. Some of these roads are covered by an agreement of the owners that is part of their condominium documents, Planned Unit Development Agreement or a township approved Private Road Maintenance Agreement. This ordinance is intended for private roads that are not covered by any provision for maintenance approved by the township and these roads are referred to as unapproved roads. A list of private roads is maintained by the township for reference. An approved private road maintenance agreement contains provisions for township intervention in the event that repairs and maintenance are not performed.

The Township realizes that at the time the private road was constructed, the developer voluntarily chose not to dedicate the road to the public and therefore maintenance became the responsibility of the owners.

This ordinance is enacted because of the Township's concern for the health, safety and welfare of township residents and others who may use private roads in the township. There are two situations that will trigger the township's involvement with private road maintenance on unapproved private roads:

1. A request for a land division that will create parcels with frontage on the road.
2. A written complaint about the road condition signed by the record owners of land constituting more than 50% of the total frontage upon the road.

It is the Marion Township Board of Trustees' goal to try to help owners of property on unapproved private roads that do not have a private road maintenance agreement approved by the Township, to establish a township approved road maintenance agreement and encourage the future care and maintenance of each private road.

**SECTION II: PROCEDURE**

Under this General Ordinance, the Board of Trustees can initiate an inspection of an unapproved private road when there is an application for a land division that results in a new parcel with frontage on an unapproved private road or the township receives a written complaint about the condition of the unapproved private road as described in Section I of this ordinance.

The zoning administrator, along with the township engineer, will perform an inspection and evaluate the condition of the unapproved private road to determine if the private road is acceptable. The guidelines for acceptability will be the specifications for new private roads taking into consideration the characteristics of the existing conditions. Items to be evaluated include but are not limited to: subbase, base, surface, drainage, length, width, shape, and traffic. Following the inspection, a written report of the road's condition will be provided to the Township Board. The report will include a cost estimate, if required, to address any perceived unacceptable condition of the road.

The Board of Trustees will review the engineer's report and estimates, if applicable, and decide if it is in the best interest of the property owners to facilitate the establishment of a road maintenance

agreement to help provide for improvement and maintenance of the road. If the Township Board determines a road maintenance agreement would be in the best interest of the property owners, or upon request by a property owner, the township zoning administrator will provide a sample private road maintenance agreement to the property owners. An acceptable road maintenance agreement shall contain a provision that indemnifies and holds harmless the township from any liability. The sample maintenance agreement may be modified if necessary. All property owners on the road must sign the maintenance agreement.

After the signature of every property owner is obtained, the maintenance agreement is then submitted to the Township Board for its review to determine thoroughness and to allow the Township Board to decide if the agreement adequately addresses road improvement and maintenance needs of the road and the property owners on the road. After this review and approval by the township board, the maintenance agreement shall then be filed with the Livingston County Register of Deeds for recording to insure future participation by new owners. A copy of the recorded maintenance agreement shall be provided to the Township. A non-profit corporation of property owners can be formed under PA 162 of 1982 for the funding of maintenance for the private road under the specifications of the road maintenance agreement.

If all property owners do not agree to participate in the private road maintenance agreement and the Board of Trustees feels there is a serious concern for health, safety and welfare of residents and others that use the road, a Special Assessment District could be created to fund the maintenance of the road. The Board of Trustees will then follow PA 188 of 1954 and if the residents vote down the Special Assessment then the road will be reclassified as an Unapproved Private Road and no further land divisions will be allowed until some means of maintaining the road has been provided by the owners of the road that is approved by the Township.

### **SECTION III: SEVERABILITY**

Should any provision or part of this ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, such funding shall not affect the validity of enforceability of the remainder of this ordinance.

### **SECTION IV: EFFECTIVE DATE**

This ordinance shall take effect thirty days after publication.

This ordinance was adopted by the Marion Township Board on October 11, 2007, and shall have an effective date thirty days after publication.

The Marion Township Private Road General Ordinance No. 07-03 can be purchased, examined or inspected at the Marion Township Hall, 2877 W. Coon Lake Road, Howell, MI 48843, between the hours of 9 am to 5 pm, Monday through Thursday.

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

Moved by:

Supported by:

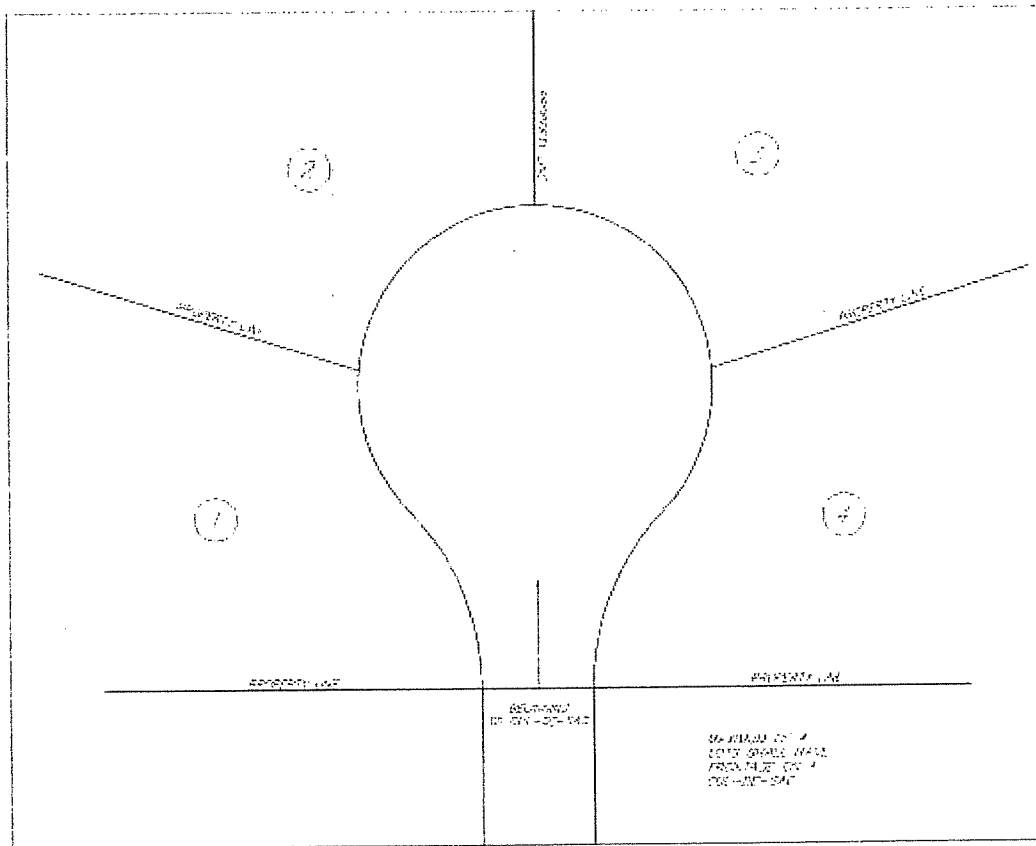
Yeas:                      Hanvey, Lowe, Andersen, Beal, Wyckoff, Hodge

Nays:                      Hamann

Abstentions:           None  
Absent:                 None

I hereby affirm and certify that this is a true and correct copy of the Marion Township Private Road General Ordinance No. 07-03, duly adopted by the Marion Township Board at it's regular meeting held on the 11th day of October 2007, to which I add my signature this 15th day of October 2007.

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



LOTS OF A L L L - DE - SA  
 N. L. L. L. L.

12. PRE-EXISTING, NON-CONFORMING OR NEW PRIVATE ROADS SERVING 2-5 DWELLING UNITS

- a) Any road serving between 2 and 5 dwelling units shall be considered a private road and shall be referred to as a Minor Private Road.
- b) Minor Private Roads should conform to the following criteria, unless exception are permitted by the Township Board. Additional requirements are set forth in Marion Township General Ordinance for Private Roads No. 07-03.
- c) Requirements for Minor Private Roads will be on a case-by-case basis. The requirements set forth herein are general guidelines to ensure public health, safety and welfare, and may be adjusted by the Township as necessary based on site conditions.
- d) Submission requirements shall be sufficient to determine the nature and extent of the existing conditions and any proposed improvements. The extent of the information provided shall be at the discretion of the Township, Township Engineer, and Township Planner.
- e) Right-of-way or easements should have sufficient width to encompass the entire cross section of the road, including any ditches or drainage systems.
- f) Roadway width should be sixteen (16) feet whether paved or gravel. A one (1) foot grass shoulder should be provided on both sides of the road.
- g) Roadway cross section should conform to the following:

*Gravel road:*

- i. Six (6) inches MDOT 22A aggregate placed in two (2) courses.

*Paved road:*

- i. Four (4) inches bituminous surface placed in two (2) courses. No course or lift shall exceed 2" in depth.
- ii. Eight (8) inches of aggregate base, MDOT 21AA Limestone.
- h) All roadways should be sufficiently crowned for drainage.
- i) Vertical alignment should conform to the following guidelines:
  - i. Site distances at all intersections (public roads or private roads) should be verified and shall meet the requirements of the Livingston County Road Commission.
  - ii. Roadway grades should be minimized and provide safe emergency vehicle access.
- j) A system to adequately collect and discharge tributary roadway runoff is required. Either open ditch or enclosed storm sewer systems are acceptable and shall be sized reasonably for the anticipated run-off. Generally, a 10- year storm event shall be used to determine run-off.

13. PRE-EXISTING, NON-CONFORMING PRIVATE ROADS SERVING MORE THAN 5 DWELLING UNITS

- a) Pre-existing, non-conforming private roads should conform to the following criteria, unless exceptions are permitted by the Township Board. Additional requirements are set forth in Marion Township General Ordinance for Private Roads No. 07-03.
- b) Requirements for pre-existing, non-conforming private roads will be on a case-by-case basis. The requirements set forth herein are general guidelines to ensure public health, safety and welfare, and may be adjusted by the township as necessary based on site conditions.
- c) Submission requirements shall be sufficient to determine the nature and extent of the existing conditions and any proposed improvements. The extent of the information provided shall be at the discretion of the Township, township Engineer and Township Planner. In general:
  - i. Minor changes in the physical characteristics of the road will require a sketch of the proposed improvements. The sketch shall be legible and clearly identify all improvements. The sketch should utilize current aerial information but do not need to be to scale. Aerial information is available at the Livingston County GIS Management Department, 304 E. Grand River Ave., Suite 101, Howell, MI 48843.
  - ii. Major changes in the physical characteristics of the road will require detailed plans. The level of detail shall meet the requirements of a full, complete construction plan submittal.
- d) Right-of-way or easements should have sufficient width to encompass the entire cross section of the road, including any ditches or drainage systems. Depending on the location of the private road easement in relation to adjacent parcels, a landscape buffer as provided in the Township Zoning Ordinance may be required by the Township to reduce the impact of the private road upon existing abutting parcels.
- e) Roadway width should meet the following requirements:

*Gravel road:*

- i. twenty-two (22) feet edge of gravel to edge of gravel.



MEMO

To: Marion Township Board  
From: Bob Hanvey  
Subject: Tree by road  
Date: August 11, 2022

Attached is a photo of a dead tree by the road. Having it removed may cost more that the officers are authorized to spend without Board approval.

Comments?



