

**MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
JANUARY 24, 2019**

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

Lee Mason, 4724 Hawthorne Dr., were present to discuss complaints from the neighbors regarding his Class I home occupation, which has been approved by the township. He disputes the claims that the business generates excessive traffic, he stated he has no employees, and the only cars that were parked on the road belonged to his children and their friends. He generally only has one car at a time, and the only work he does on them are oil changes and/or tune ups in his carport. The zoning administrator contacted Mr. Mason to discuss the home occupation after multiple neighbors attended the recent Planning Commission meeting. Larry Grunn, Planning Commission chairman, mentioned a sign for the business; Mr. Mason said the sign is required by the state, and Bob Hanvey said that small signs are allowed for home occupations.

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.**

SIX MONTH BUDGET TO ACTUAL GENERAL FUND REPORT

Bob Hanvey provided the board members with this report as specified in the Township General Appropriations Act adopted in 2018. Scott Lloyd questioned \$25,562.97 on page three under Treasurer—Miscellaneous. Mr. Hanvey said that amount was in the wrong account; he will fix it for the next meeting.

HEALTH INSURANCE PA 152 OPT-OUT RESOLUTION

Les Andersen motioned to adopt a resolution to opt out of the 2011 Public Act 152, as presented. Tammy Beal seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Stokes—all yes. **Motion carried 7-0.**

SANITARY SEWER FLOW COMPARISON

The comparison spreadsheet is included in the packet. The difference equals about \$16,000 over five years.

FINAL REVIEW OF TXT #02-18: SECTION 17.04 A & B AUTOMOVILE REPAIR GARAGE, AUTOMOBILE FUELING/MIXED USED STATIONS SPECIAL USE

The proposed amendment would remove the requirement for a 200' isolation distance from a church. Les Andersen motioned to approve TXT #02-18 for Section 17.04 A as presented. Tammy Beal seconded. **Motion carried.** Les Andersen motioned to approve TXT #02-18 for Section 17.04 B as presented. Scott Lloyd seconded. **Motion carried.**

COST OF ENFORCEMENT MEMO

Dave Hamann provided the board members with information on the cost of enforcement. Greg Durbin suggested forming a committee to work on enforcement. Les Andersen said the goal is to make sure the zoning ordinances are being followed.

BOARD OF REVIEW LETTER APPEAL CHANGES

This is an updated version of the resolution that was approved at the last meeting to include "personal property." Duane Stokes motioned to adopt a resolution to allow property owners to file letter appeals to the 2019 Board of Review, as presented. Les Andersen seconded. Discussion: Scott Lloyd wants to be sure they can be told they can appeal. Roll call vote: Stokes, Durbin, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

HOMETOWN ICE RINK REQUEST

Charlie Hainstock, a resident of Hometown Village, was present to ask the board members about allowing a temporary DIY-style ice rink on township property that adjacent to Hometown Village. Les Andersen asked Bob Hanvey to check on whether the township needs to "lease" it to them for \$1; Mr. Hanvey will check with the attorney. Tammy Beal will check with the insurance agent; Duane Stokes suggested there might be a rider that could be added. Les Andersen motioned to permit the request contingent on the information received from the attorney and insurance company. Duane Stokes seconded. **Motion carried.**

MINUTES UPDATE

Tammy Beal provided the board members with information from MTA regarding the CDs that are used for transcribing minutes. Once the minutes of the meeting are approved, the CDs will be destroyed. That still gives anyone wishing a copy two weeks for the Board of Trustee meetings and four weeks for the Planning Commission and ZBA to request a copy.

BUILDING ADDITION AND MAINTENANCE

An agreement between the township and Spicer for a township hall assessment and concept study is included in the packet. Scott Lloyd asked about using the schools for voting; Tammy Beal and Bob Hanvey met with the superintendent of finance and will schedule a site visit. Dan Lowe feels this is a waste of money and there are other ways to create more storage space. Bruce Powelson, 3466 Pingree, asked the clerk how long before another precinct will need to be added; she said soon. Mr. Powelson said at the last two elections, people have been wall-to-wall.

Tammy Beal motioned to accept the agreement from Spicer for an amount not to exceed \$16,900, as presented. Les Andersen seconded. Roll call vote: Hanvey—yes; Lowe—no; Durbin—yes; Beal—yes; Lloyd—no; Stokes—yes; Andersen—yes. **Motion carried 5-2.**

EMPLOYEE HANDBOOK UPDATE

Tammy Beal presented the board members with an update for the employee handbook. Greg Durbin asked if something happened to prompt this change; Ms. Beal said a recent ZBA meeting. These policies apply to all employees, board members, volunteers, election workers, etc. Les Andersen motioned to approve the changes as presented. Tammy Beal seconded. **Motion carried.**

TRI STAR ELECTRICAL ESTIMATE

An estimate from Tri Star was included in the packet. Bob Hanvey motioned to postpone this item until the DTE project is done. Greg Durbin seconded. **Motion carried.**

ZBA REPORT

Dave Hamann gave the update on the January 7 ZBA meeting; no new cases were heard, but the minutes needed to be approved.

CORRESPONDENCE & UPDATES

A CIRAB meeting is scheduled for Thursday, January 31 at 8 am.

Three possible dates for mediation with Witkowski's are February 5, 6 and 12. The motion to dismiss hearing is scheduled for February 11. Tammy Beal and Greg Durbin would like to attend; Les Andersen said he would attend if there isn't a quorum present.

The attorney sent a letter to be read by all board members regarding the Howell Landscaping ZBA case.

The Livingston MTA meeting is Wednesday, January 30, 7 pm at the Howell Chamber.

Bob Hanvey asked if any of the board members know where the streetlight on D-19 near Cranbrook came from; DTE has no record of it.

CALL TO THE PUBLIC

Bruce Powelson asked if there is a quorum at the mediation, is that considered an open meeting; Bob Hanvey said no, it would be considered a closed meeting and would be posted. The motion to dismiss hearing is open to the public. It is scheduled for 1:30 pm on February 11 in Judge Hatty's courtroom.

ADJOURNMENT

Les Andersen motioned to adjourn at 9:16 pm. Greg Durbin seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date