

**MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 16, 2023**

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

MEMBERS ABSENT: None

OTHERS PRESENT: Attorney John Gormley; Phil Westmoreland, Spicer

CALL TO ORDER

Bob Hanvey called the meeting to order at 7:30 pm. The meeting is also available to attend online.

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. Tammy Beal seconded. **Motion carried.**

CONSENT AGENDA

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

HARRIS REZONING CONTINUATION

Mitch Harris was present for this agenda item, along with his attorney, Roger Myers, and his engineer, Pat Keough. Dan Lowe said the wetlands can be mitigated to allow access. The applicant and his engineer feel that is not practical.

Bob Hanvey motioned to approve the Mitch Harris rezoning request as recommended by the Planning Commission and the Livingston County Planning Department. Sandy Donovan seconded. Roll call vote: Lloyd—no; Andersen—no; Donovan—yes; Durbin—yes; Lowe—no; Beal—yes; Hanvey—yes. **Motion carried 4-3.**

CIVIL INFRACTION DISCUSSION

John Gormley was present to discuss civil infractions for zoning violations. He said the standard of proof for a civil infraction is 51%. The violation should be issued by the zoning administrator. There is an opportunity for the recipient of the violation to appeal the zoning administrator's decision to the Zoning Board of Appeals. He said it's easier to have the courts handle payment of fines. The next step would be to identify which ordinances would have civil infractions. The board members discussed whether

violations should be complaint driven and selective enforcement. Sandy Donovan said she would like to have a cost study done.

Les Andersen motioned to have a committee formed with the township supervisor, a planning commission member, the planner, and attorney to do a cost analysis of having civil infractions not to exceed \$1,500. Bob Hanvey seconded. Discussion: Scott Lloyd asked why we can't do show cause hearings. Greg Durbin said he feels the civil infractions are heavy handed. Roll call vote: Beal—yes; Andersen—yes; Donovan—no; Durbin—no; Lowe—no; Hanvey—yes; Lloyd—no. **Motion failed 3-4.**

The board members discussed hiring an enforcement officer and asked Bob Hanvey to get job descriptions from other municipalities.

GENERAL FUND BUDGET AMENDMENTS

Greg Durbin motioned to adopt a resolution to approve the FY 7/1/23-6/30/24 General Fund budget amendments, as presented. Tammy Beal seconded. Roll call vote: Hanvey, Lowe, Durbin, Beal, Lloyd, Donovan, Andersen—all yes. **Resolution passed 7-0.**

Sandy Donovan motioned to adopt a resolution to approve the proposed new Relief Fund budget for FY 7/1/23-6/30/24, with an ending fund balance of \$572,015.08, and none of the remaining funds will be spent until after the end of this fiscal year. Greg Durbin seconded. Roll call vote: Donovan, Beal, Andersen, Lowe, Hanvey, Lloyd, Durbin—all yes. **Resolution passed 7-0.**

PROVIDENT ACCIDENT INSURANCE

Tammy Beal motioned to approve the Provident Accident Insurance policy in the amount of \$1,582, as presented. Scott Lloyd seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Donovan—all yes. **Motion carried 7-0.**

2024 BOARD MEETING SCHEDULE

Bob Hanvey suggested the November 21, 2024 Board meeting should be held on November 14 due to the certification date of the election. Les Andersen motioned to approve the 2024 Meeting Schedule as amended. Scott Lloyd seconded. **Motion carried.**

Tammy Beal asked for the board's approval to close the office for two hours on Wednesday, December 20, 2023 from 12 noon-2 pm for an office potluck. Sandy Donovan seconded. **Motion carried 5-2** (Hanvey/Lowe—no.)

MARION TOWNSHIP MAINTENANCE

Tammy Beal updated the board members on the project. Scott Lloyd found someone to reinstall the glass partition on the front counter for \$400. Tammy Beal motioned to have the partition reinstalled without the cut-outs. Les Andersen seconded. Roll call vote: Lowe—no; Durbin—yes; Lloyd—no; Donovan—yes; Andersen—yes; Beal—yes; Hanvey—yes. **Motion carried 5-2.**

CORRESPONDENCE & UPDATES

A report on the November 7, 203 special school election is included in the packet.

A representative from MSU is doing training for Planning Commission members at various locations, including online. The township will pay the \$25 registration fee for those who wish to attend.

The buck pole was held on Wednesday, November 15; 17 deer were hung and there was a good turnout.

Dan Lowe asked for an update on the proposed sign. Tammy Beal said the foundation was poured this week. He said he thought this was going to come back to the board for approval rather than the building committee.

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Les Andersen motioned to adjourn at 9:09 pm. Scott Lloyd seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date