

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 11, 2021

DRAFT

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

MEMBERS ABSENT: None

OTHERS PRESENT: Phil Westmoreland, Spicer

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

Les Andersen motioned to approve the agenda. Scott Lloyd seconded. **Motion carried.**

CONSENT AGENDA

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

ATTORNEY JOHN GORMLEY LETTER

A legal services agreement from John Gormley was included in the packet, and Mr. Gormley was present to answer any questions the board members may have. Tammy Beal said all of the township meetings begin at 7:30 pm, and she would like to include the zoning administrator on the list of those authorized to seek an opinion from the attorney. Bob Hanvey said the township is currently involved in one case with another attorney regarding short-term rentals and would like to continue that relationship. Mr. Hanvey said the township is also involved in two cases with attorneys who are selected by the insurance company. Tammy Beal said she would like to have Mr. Gormley attend at least one Board meeting per month, as well as Planning Commission and Zoning Board of Appeals. Mr. Gormley said his associate is experienced in working with zoning boards.

Les Andersen motioned to adopt a resolution to authorize the supervisor to sign the agreement with Gormley and Johnson Law Offices, PLC, as presented. Tammy Beal seconded. Roll call vote: Dan Lowe, Scott Lloyd, Tammy Beal, Bob Hanvey, Greg Durbin, Les Andersen, Sandy Donovan—all yes. **Resolution passed 7-0.**

LAW ENFORCEMENT SERVICES AGREEMENT

An agreement for law enforcement services was included in the packet. Bob Hanvey said he would like it noted on page 3 that the enforcement would be for both the general and zoning ordinances. Les Andersen asked if it could be terminated after one year; the agreement can be terminated by any party with thirty (30) days notice. Mr.

7-18-21
Hanvey said they could also be present when there are conflicts with enforcement. They will not enforce the engine braking situation with this agreement in place. Mr. Andersen asked about having them accompany the assessor on field work; Mr. Hanvey said if a property owner doesn't want the assessor there, they leave. Sandy Donovan asked if there would be some kind of report from them. Larry Grunn, Planning Commission chairman, welcomed Mr. Gormley, and said he thinks the engine braking signs will slow things down. Dan Lowe said there are a lot of police officers who live in the township. The board members discussed the amount of the penalty. Mr. Gormley said civil infractions are easier to prove than misdemeanors. Mr. Lowe said he would like to see the ordinance finished before signing the agreement. Greg Durbin suggested sending letters and using social media to educate the public. Tammy Beal said she supports the agreement. Scott Lloyd asked if the police could just issue a warning; Greg Durbin said yes.

Les Andersen motioned to amend the agenda to include the Nuisance general ordinance amendment. Tammy Beal seconded. Roll call vote: Sandy Donovan, Greg Durbin, Bob Hanvey, Scott Lloyd, Tammy Beal, Les Andersen, Dan Lowe—all yes. **Motion carried 7-0.**

Tammy Beal motioned to set the fines in the nuisance general ordinance at \$50 for the first offense, with \$100 increments for additional offenses within one year, up to \$500. Les Andersen seconded. Roll call vote: Tammy Beal, Les Andersen, Sandy Donovan, Greg Durbin, Dan Lowe, Bob Hanvey, Scott Lloyd—all yes. **Motion passed 7-0.** Mr. Gormley said he would provide the wording, and it will have to be published.

Les Andersen motioned to accept the law enforcement services agreement, as presented. Tammy Beal seconded. Roll call vote: Bob Hanvey, Dan Lowe, Greg Durbin, Tammy Beal, Scott Lloyd, Sandy Donovan, Les Andersen—all yes. **Motion carried 7-0.**

SEWER CONNECTION CONTRACTORS

The board members reviewed the list of contractors that Hamburg Township uses for sewer connection. Dan Lowe said there have been a lot of issues with breaking pipes, dirt in the pipes, etc. He also said the township needs to keep track of who's installing and where. Bob Hanvey said if Marion Township wants to implement a similar system, the contractors and training process needs to be identified. Rick Haslock, 5275 W. Coon Lake Road, said he has to post a bond every year with Hamburg Township. Les Andersen asked Phil Westmoreland if his firm could put together a training class; Mr. Westmoreland said yes. Mr. Haslock said he believes that it's not a connection problem, it's the cement people who are breaking them. Les Andersen asked how the township would notify contractors of the new system. Mr. Westmoreland said through the local paper and radio station.

Les Andersen motioned to create a committee to work on this issue to include Dave Hamann, Dan Lowe, Rick Haslock and Phil Westmoreland. Tammy Beal seconded. **Motion carried.**

TOWNSHIP PARKING LOT BID SPECS

Phil Westmoreland said he's still working on this.

2021-22 ROADS/CHLORIDE PROVIDER/ENGINE BRAKING SIGNS

Les Andersen reported that he attended the first in-person Livingston County Road Commission meeting today, and every bid was substantially higher. The estimate for Schafer Road was over \$400,000; Peavy and Mason Roads could cost \$500,000 easily. Dan Lowe said that all that needs to be done there is repave it and widen it a little.

Les Andersen motioned to accept the estimate from the Livingston County Road Commission for Burkhart Road from Norton to Mason for \$90,000 (50% cost share), as presented. Tammy Beal seconded. Roll call vote: Sandy Donovan, Tammy Beal, Les Andersen, Dan Lowe, Bob Hanvey, Scott Lloyd, Greg Durbin—all yes. **Motion carried 7-0.**

Les Andersen motioned to accept the estimate from the Livingston County Road Commission for Triangle Lake Road from Coon Lake Road to the end of the pavement for \$185,000 (30% cost share), as presented. Sandy

Donovan seconded. Roll call vote: Dan Lowe, Greg Durbin, Scott Lloyd, Sandy Donovan, Les Andersen, Tammy Beal, Bob Hanvey—all yes. **Motion carried 7-0.**

Les Andersen motioned to have the Livingston County Road Commission double chip seal and fix sections identified by Phil Westmoreland and Jodie Tedesco on Schafer Road. Scott Lloyd seconded. Roll call vote: Dan Lowe, Scott Lloyd, Tammy Beal, Bob Hanvey, Greg Durbin, Les Andersen, Sandy Donovan—all yes. **Motion carried 7-0.**

Les Andersen motioned to approve the quote from Chloride Solutions for 2021 dust control, as presented. Tammy Beal seconded. Roll call vote: Sandy Donovan, Greg Durbin, Bob Hanvey, Scott Lloyd, Tammy Beal, Les Andersen, Dan Lowe—all yes. **Motion carried 7-0.**

The engine braking signs will be placed based on the list provided in the packet, with the exception that the two signs on Schafer Road, 600 feet each and west of Tammy's driveway, will be replaced with EB Schafer at Bentley Lake and WB Schafer at D-19, and a sign placed on WB Mason at Foxfire.

CORRESPONDENCE & UPDATES

An email was received from Michael Finch regarding the situation on Harvest Drive/East Davis Road.

CALL TO THE PUBLIC

Larry Grunn, 3969 Loves Creek, asked if the engine braking ordinance is in effect for the entire township. Mr. Gormley said nuisance ordinances cover the entire township. Mr. Grunn also encouraged the board members to continue discussing Cedar Lake Road between Coon Lake and Jewell as it's heavily used.

Forrest Wyckoff, 3145 Cedar Lake Road, said the LCRC has been patching holes with limestone instead of 21AA. He also said the ditches need the berms cut off. Tammy Beal asked Phil Westmoreland to talk with the LCRC about use of the limestone.

Rick Haslock, 5275 W. Coon Lake Rd., asked about the Peavy Road bridge closing. Les Andersen said he thinks it's scheduled for repairs in 2023.

ADJOURNMENT

Les Andersen motioned to adjourn at 9:18 pm. Scott Lloyd seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date