

**MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
AUGUST 8, 2024**

**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

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**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**

Dennis and Rachel Ross were present regarding a vacant piece of property they own on the corner of Hidden Valley and County Farm. They purchased the land at a tax sale; it's 2.6 acres with a pond. The parcel is unbuildable as it won't perc. The neighbors aren't interested in purchasing it. They are willing to sell it to the township for what they paid, and it could perhaps be used as a park. Bob Hanvey asked if they had any objections to the board members walking the property; Mr. Ross said no. This item will be added to the next agenda and the packet will include the field sheet, aerial photo and topographical map.

**APPROVAL OF AGENDA**

Item #9—Winterwood Drive was added to the agenda. Les Andersen motioned to approve the agenda as amended. Scott Lloyd seconded. **Motion carried.**

**CONSENT AGENDA**

Scott Lloyd motioned to approve the consent agenda. Tammy Beal seconded. **Motion carried.**

**PARKER DRIVE MAINTENANCE SAD PUBLIC HEARING TO CREATE DISTRICT**

Bob Hanvey opened the public hearing to create the Parker Drive Maintenance SAD district. Harry Valdes, 4615 Parker, said there is a Facebook group that supports the SAD. The public hearing was closed at 7:44 pm.

**PARKER DRIVE MAINTENANCE SAD PUBLIC HEARING TO APPROVE ROLL**

Bob Hanvey opened the public hearing to approve the roll for the SAD. A resident asked if dust control could be added; Mr. Hanvey said as long as the amount is within the \$8,000, it could be. The public hearing was closed at 7:46 pm.

Les Andersen motioned to adopt a resolution to approve the creation of the Parker Drive Maintenance SAD, as presented. Tammy Beal seconded. Roll call vote: Andersen, Donovan, Beal, Durbin, Lloyd, Harvey, Lowe—all yes. **Resolution passed 7-0.**

Scott Lloyd motioned to adopt a resolution to approve the roll for the Parker Drive Maintenance SAD, as presented. Sandy Donovan seconded. Roll call vote: Durbin, Donovan, Harvey, Lloyd, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

### **SET DATE FOR HIGH MEADOWS SAD**

Tammy Beal motioned to adopt a resolution to schedule a public hearing for the creation of the High Meadows Road Maintenance SAD for September 12, 2024 at 7:30 pm. Scott Lloyd seconded. Roll call vote: Beal, Andersen, Donovan, Durbin, Lowe, Harvey, Lloyd—all yes. **Resolution passed 7-0.**

### **CRYSTAL WOOD TREES**

Cathy Hulett was present for this agenda item. She had emailed the board members a list of the trees that the residents would like. Dan Lowe recommended a Green Giant arborvitae so the deer won't eat them. He asked about the twenty trees to be planted per the court order. The residents don't want them, but he believes the court order requires it. The township attorney will review the order with Dan Lowe.

Sandy Donovan motioned to plant the trees requested in September and the township will get a price from Mayhew's for the trees and installation. The trees requested are one ornamental cherry tree and two Japanese lilac trees in the cul-de-sac; two Okame ornamental cherry trees on the Wood Court/Crystal Crossing boulevard; and two Green Giant arborvitae on Crystal Wood Circle (side yard of the condos.) Les Anderson seconded. **Motion carried.**

### **NUISANCE ORDINANCE**

John Gormley reviewed each section of the ordinance with the board members. This is a general ordinance, not a zoning ordinance, so no public hearing is required and it can be amended at any time. General ordinances are not enforced by the zoning administrator.

He also provided the board members with Municipal Civil Infraction Ordinance. It was suggested that it should be referred to as the Penalty Ordinance rather than Municipal Civil Infraction; the attorney agreed. The amount for penalties needs to be decided and also which general ordinance this will apply to.

One of the meeting attendees said that noise and nuisance can be subjective.

The recommended ordinances to include and the penalty amounts will be added to the documents and will be on the September 12, 2024 agenda.

### **TOWNSHIP MAINTENANCE UPDATE**

Tammy Beal said the area for the playset has been leveled and assembly should start Monday. There are two apple trees that are half-dead that need to be cut down. Dan Lowe said there's a box elder hanging over the walking path that needs to come down; he will mark it. Tammy Beal will contact Four Seasons.

Les Andersen said the fence at Lakeside needs to be replaced rather than repaired. He will get the linear feet needed for fences at Lakeside and Green and give them to the clerk.

### **WINTERWOOD DRIVE**

Phil Westmoreland from Spicer was present for this agenda item. He said Highway Maintenance submitted a bid for \$39,450 for double chip seal; DeBottis Development & Asphalt Maintenance submitted

a bid for the patch work for \$10,000. There are some items that weren't included in the patchwork bid. As the original estimate was for \$100,000, there is room for the cost of the additional items.

Les Andersen motioned to approve the two contractors presented by the engineer for Winterwood Drive. Scott Lloyd seconded. Roll call vote: Hanvey, Lowe, Durbin, Beal, Lloyd, Donovan, Andersen—all yes. **Motion carried 7-0.**

Bob Hanvey said because the first installment of the SAD was withheld for a year, the SAD will be four installments instead of five. The attorney suggested that the board amend the roll to reduce the amount and the number of years. This will be on the next agenda.

**CORRESPONDENCE & UPDATES**

Tammy Beal provided the board members with unofficial results from the August 6 primary.

Dan Lowe asked about the Baldwin case and how the violation notices were sent. Two letters were sent: one by certified mail, signature required, and the other with a certificate of mailing; neither have been received back from the post office.

Dan Lowe motioned to have a process server deliver the notice. Les Andersen seconded. Discussion: Bob Hanvey will contact the sheriff's office. **Motion carried.**

**CALL TO THE PUBLIC**

No response.

**ADJOURNMENT**

Sandy Donovan motioned to adjourn at 9:01 pm. Les Andersen seconded. **Motion carried.**

Submitted by: S. Longstreet

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Tammy L. Beal, Township Clerk      Date

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Robert W. Hanvey, Township Supervisor      Date