

**MARION TOWNSHIP  
BOARD OF TRUSTEES  
REGULAR MEETING  
SEPTEMBER 12, 2024**

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, Spicer; Attorney John Gormley

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**CALL TO ORDER**

Bob Harvey 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**

Item #15—Marion Township Sewer System and additional items under #7—County Farm/Sexton Road Speed Limit. were added to the agenda. Les Andersen motioned to approve the agenda as amended. Tammy Beal seconded. **Motion carried.**

**CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Scott Lloyd seconded. Roll call vote: Andersen, Donovan, Beal, Durbin, Lloyd, Harvey, Lowe—all yes. **Motion carried.**

**HIGH MEADOWS MAINTENANCE SAD PUBLIC HEARING FOR CREATING THE DISTRICT**

Bob Harvey explained the process for creating a special assessment district to the property owners. The public hearing was opened at 7:36 pm.

The following property owners stated they support creation of the SAD: Mark Trotter, 2771 High Meadows; Janet Boomer, 2631 High Meadows; Mike Tyler, 5029 Bentley Lake Road (owns four lots on High Meadows); and Michael Beitler, 2743 High Meadows. Property owner Frank Kemmer sent a letter in support of the SAD.

Catherine Dyer, 2715 High Meadows, does not support creation of the SAD.

Five property owners opposed the SAD and turned in forms to the clerk, which exceeded 20% of the frontage, so the process stops. The five property owners are:

Glenn & Nancy Johnson, Tax ID #4710-34-100-012  
Catherine & Mike Dyer, Tax ID#4710-34-100-017  
Tom & Crystal Bowling, Tax ID #4710-34-100-021

Katie Holt, Tax ID #4710-34-100-020  
Kenneth Estes, Tax ID #4710-34100-010

Bob Hanvey explained that the property owners in support need a petition signed by owners with at least 50% of the frontage, with signatures verified by the township clerk, to continue the process. The public hearing was closed at 7:50 pm.

### **SPR #02-24—TAMARACK PLACE REAPPROVAL OF EXPIRED SITE PLAN**

Mike West from Westview Capital was present for this agenda item. He explained that the project had been paused. In the meantime, the Livingston County Drain Commission made some changes to regulations. This request for reapproval was reviewed by the Planning Commission and on August 27, they recommended approval. The board members discussed the water table and detention pond. Dan Lowe said it should be 8" of gravel and 4" of asphalt, not 7" and 3". Phil Westmoreland confirmed there is room to the west to expand the basin; he will discuss with Ken Recker.

Scott Lloyd motioned to approve the revised site plan for Tamarack Place contingent on the drainage issue being resolved and the detention pond as approved by the township engineer, and to change roads to 8" gravel and 4" asphalt. Les Andersen seconded.

Discussion: Dan Lowe asked about the intersection of Peavy and Alstott; the developer will provide the township with \$150,000 when the first land use permit is issued.

**Motion carried.**

### **SET DATE FOR TRIANGLE LAKE WEED SPECIAL ASSESSMENT DISTRICT**

Les Andersen motioned to adopt a resolution to schedule a public hearing for the Triangle Lake Aquatic Weed Control Special Assessment District Creation for Thursday, September 26, 7:30 pm, as presented. Sandy Donovan seconded. Roll call vote: Durbin, Donovan, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

### **WINTERWOOD DRIVE SAD ADJUSTMENT**

The township doesn't have all of the numbers yet; this will be discussed at the September 26 Board meeting.

### **COUNTY FARM/SEXTON ROAD SPEED LIMIT/OTHER ROAD ISSUES**

A complaint was received about the speed limit on County Farm/Sexton Roads. John Gormley will look at the statute for changing a speed limit and bring to the next meeting.

Les Andersen said a resident had concerns about D-19 turning on to I-96 West and feels there should be a left-turn signal. The board decided to postpone discussion on this due to the proposed racetrack.

Les Andersen said the township should look at the five-year plan for roads.

Tammy Beal said that the foreman said the township should start looking at gravel road projects, and he suggested Cedar Lake Road.

### **CITY OF HOWELL WATER DISCHARGE REQUEST**

Mike Spitler from the City of Howell contacted the township about Marion Township permitting groundwater discharge from their contractor for Phase 1 of the Lucy Road construction. Les Andersen motioned to have Phil Westmoreland work with the City of Howell on the testing requirements. Dan Lowe seconded. **Motion carried.**

### **CRYSTAL WOOD TREES**

Cathy Hulett, HOA President, said her understanding was that the trees were going to be planted this week; Bob Hanvey said she misunderstood. Dan Lowe said the trees that were quoted from Mayhew's are too small; the court order requires 2 ½"-3" caliper trees. John Gormley said if the number of trees planted or location varies from the

court order, the order needs to be amended. He will prepare an amendment to the consent judgment for the next meeting. Dan Lowe will talk with the owner of Lot 4 to determine if and/or where they want the trees. He will also take care of the cost of the water problem and removing the dead trees on the lot.

Les Andersen motioned to extend the meeting beyond 9:30 pm. Greg Durbin seconded. **Motion carried.**

### **ENFORCEMENT OFFICER JOB DESCRIPTION**

Scott Lloyd motioned to postpone this item until after the November election. Sandy Donovan seconded. **Motion carried.**

### **NUISANCE ORDINANCE/PENALTY ORDINANCE**

Tammy Beal motioned to adopt the penalty ordinance with spelling corrections and ordinance number included, as presented. Les Andersen seconded. Roll call vote: Beal—yes; Andersen—yes; Donovan—no, Durbin—yes; Lowe—yes; Hanvey—yes; Lloyd—yes. **Motion carried 6-1.**

Les Andersen motioned to adopt the nuisance ordinance with spelling corrections and ordinance number included, as presented. Scott Lloyd seconded. Roll call vote: Hanvey—yes; Lowe—yes; Durbin—yes; Beal—yes; Lloyd—yes; Donovan—no; Andersen—yes. **Motion carried 6-1.**

Tammy Beal motioned to postpone action on the Show Cause Hearing procedure. Scott Lloyd seconded. **Motion carried.**

### **TOWNSHIP MAINTENANCE UPDATES**

Tammy Beal reported that the apples trees have been removed, and the walking path signs have been installed. Scott Lloyd said he will check again on someone to install the plexiglass at the counter.

Tammy Beal said that HAPRA would like to purchase a new buck pole at a cost of up to \$5,000. Scott Lloyd said he would like the buck pole to be made of steel. The board members would like to see the design of the new buck pole before authorizing funds.

Tammy Beal motioned to purchase another bench for the playground at a cost of \$2,464.62, as presented. Sandy Donovan seconded. Roll call vote: Donovan, Beal, Andersen, Lowe, Hanvey, Lloyd, Durbin—all yes. **Motion carried 7-0.**

### **CEMETERY FENCE REPAIR QUOTES**

Les Andersen motioned to accept the estimate from Handy Fence for \$2,300, as presented. Tammy Beal seconded. Roll call vote: Lowe, Durbin, Lloyd, Donovan, Andersen, Beal, Hanvey—all yes. **Motion carried 7-0.**

### **AUGUST 12, 2024 ZBA REPORT**

Dan Lowe reported that the ZBA met on August 12 for a variance request for an accessory building in the front yard, which was denied.

### **MARION TOWNSHIP SEWER SYSTEM**

Dan Lowe motioned to spend up to \$15,000 on SMS equipment for the Norton Road and Alstott lift stations and others as needed. Les Andersen seconded. Roll call vote: Andersen, Donovan, Beal, Durbin, Lloyd, Hanvey, Lowe—all yes. **Motion carried 7-0.**

### **CORRESPONDENCE & UPDATES**

Tammy Beal reported seeing a pink school bus and a car on a flat-bed truck, possibly from High Meadows.

The county conducted an audit of the township's August election results and no mistakes were found.

Tammy Beal passed out a letter from Foster Swift, who would like to schedule a closed session; Tammy will try to schedule it for Tuesday, September 17 during the day.

**CALL TO THE PUBLIC**

Cathi LeBlanc, 2798 Pingree, asked about who follows-up on whether a silt fence is required; the response was the Livingston County Drain Commission. The land balancing is done on the Pingree house and they've put down sod; the township had previously given them until the end of summer.

**ADJOURNMENT**

Greg Durbin motioned to adjourn at 10:30 pm. Scott Lloyd 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