#### MARION TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

### Thursday, September 12, 2024 7:30 pm

#### THIS MEETING WILL BE HELD IN PERSON WITH ONLINE PARTICIPATION OPTIONS

Call to Order

Pledge of Allegiance

Members Present/Members Absent

Call to the Public

- 1) Approval of the Agenda
- 2) Consent Agenda
  - a. August 22, 2024 Regular Meeting Minutes
  - b. August 21, 2024 MHOG Agenda/Minutes
  - c. August 21, 2024 HAFDA Agenda/Minutes
  - d. August 27, 2024 HAPRA Agenda/Minutes
  - e. August 2024 Sheriff's Report
  - f. Francis Road Invoice (\$127,000)
  - g. DPW Report
  - h. Financial Report
  - i. Zoning Report
- 3) High Meadows Maintenance SAD Public Hearing-Creating the District
- 4) SPR# 02-24 Tamarack Place Re-Approve Expired Site Plan
- 5) Set Date for Triangle Weed Special Assessment District
- 6) Winterwood Drive SAD Adjustment
- 7) County Farm/Sexton Road Speed Limit
- 8) City of Howell Water Discharge Request
- 9) Crystal Wood Trees
- 10) Enforcement Officer Job Description
- 11) Nuisance Ordinance/Penalty Ordinance
- 12) Township Maintenance Update
- 13) Cemetery Fence Repair-Quotes
- 14) August 12, 2024 ZBA Report

#### Correspondence and Updates

Call to the Public

Adjournment

Next Board Packet will be ready after 3 pm on Thursday, September 19, 2024.

#### MARION TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING AUGUST 22, 2024

**MEMBERS PRESENT:** 

Scott Lloyd, Greg Durbin, Bob Hanvey, Tammy Beal, Les Andersen,

Dan Lowe, and Sandy Donovan

**MEMBERS ABSENT:** 

None

OTHERS PRESENT:

Phil Westmoreland, Spicer (online)

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

Item #11—Sewer Pump Station Repairs was 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. Sandy Donovan seconded. Motion carried.

#### GALE SHOW CAUSE HEARING REVIEW/MILLER SHOW CAUSE HEARING REVIEW

Tammy Beal reported that she and Sandy Donovan drove by both sites. Progress has been made on the Miller property, although there is still more to be removed. The Gale property has made a little progress, but the RV has not been moved. Les Andersen said in losco Township, they worked with Corrigan to remove a similar vehicle. Sandy Donovan motioned to close both of these agenda items. Les Andersen seconded. **Motion carried**.

#### **HAPRA**

Tim Church, Executive Director of HAPRA, was present to ask for the board's support to keep the current agreement intact. The millage proposal will be on the November ballot.

Tammy Beal motioned to adopt a resolution to approve continuation of services with the Howell Area Park and Recreation Authority, as presented. Bob Hanvey seconded. Roll call vote: Andersen, Donovan, Beal, Durbin, Lloyd, Hanvey, Lowe—all yes. **Resolution passed 7-0**.

seconded. Roll call vote: Beal, Andersen, Donovan, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0**.

#### **CORRESPONDENCE & UPDATES**

Dan Lowe asked about the status of the Sexton Road situation; Bob Hanvey said the attorney has prepared the documents, but they haven't been filed yet. Dan asked if the property owner on High Meadows had been given the violation notice. Bob Hanvey said the post office has not returned the certified letter receipt or the proof of mailing. He talked with a company from Jackson that will serve the notice. Dan also asked if the property on Foxfire had been sent a violation notice.

#### **CALL TO THE PUBLIC**

Lisa Kirk, 2935 High Meadows, asked for clarification on the status of the High Meadows situation.

Kayla Trapp, 4055 W. Coon Lake Road, suggested some options for sending violation notices.

Pat Macaluso, 4875 Pinckney Road, also commented on difficulties with the post office.

#### **ADJOURNMENT**

Les Andersen motioned to adjourn at 8:43 pm. Scott Lloyd seconded. Motion carried.

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk. Date Robert W. Hanvey, Township Supervisor Date

## MARION HOG. NO Sener A Water Utilates E

#### **AGENDA**

## MHOG Sewer and Water Authority Regular Meeting August 21<sup>st</sup>, 2024 5:00 PM

- 1. Call to Order\*
- 2. Approval of Agenda
- 3. Approval of Minutes of July 17th, 2024 Meeting
- 4. Call to the Public\*
- 5. System Improvement, Operation, and Maintenance Report
  - a. Capital Improvement Transmission Mains
    - Attachment 5a Plan Sheet for Tank Fill By-Pass Piping as Part of Transmission
       Main Project
  - b. New Development
    - o Attachment 5b- New Development Summary for August 2024
    - Attachment 5c Pressure Gauge Reading from Entrance to Operating Engineers
  - c. Interior Storage Improvements
    - Attachment 5d –Progress Photographs
  - d. Interior Painting of Marion 2
    - o Attachment 5e- Pictures of Lime Build Up Inside Tank
    - o Attachment 5f Aerial Photograph Depicting Size of Marion 2 Tank
    - Attachment 5g Quote from Pipeline Management to Clean Interior of Marion 2
       Tank
    - Request Approval of Proposal from Pipeline Management for Cleaning of Marion 2
       Tank Prior to Painting not to exceed \$35,000.
  - e. Service Line Verification
    - Attachment 5h Service Line Verification Final Table Example
  - f. Utility and Chemical Cost Increases
    - Attachment 5i Cost and Graphs of Utility Cost Increases
- 6. Deputy Director Report
  - a. Attachment 6a MHOG Water Treatment Plant Monthly Production
  - b. Attachment 6b MHOG Summer Daily Production
  - c. Attachment 6c MHOG Monthly Production by Pressure District
  - d. Attachment 6di MHOG Summer Weather versus Production for 2023
  - e. Attachment 6dii MHOG Summer Weather versus Production for 2024
  - f. Attachment 6ei Memorandum of Agreement to Obtain Feasibility Study for a Michigan Regional Lime Calciner

## MARION TO Server & Water Undlies E

#### **AGENDA**

## MHOG Sewer and Water Authority Regular Meeting August 21<sup>st</sup>, 2024 5:00 PM

- g. Attachment 6eii Resolution Approving Memorandum of Agreement and Agreement to Financially Support to the cost of the study in an amount not to exceed \$1,237.00
  - Request Approval of Resolution Approving Memorandum of Agreement and Agreement to Financially Support to the cost of the study in an amount not to exceed \$1,237.00
- h. Attachment 6f- Proposal from UIS, Inc. to install a firewall and 3-year license for improvement of SCADA Security
  - Request Approval of Proposal from UIS for Installation of Firewall for a cost not to exceed \$10,875.00
- Attachment 6g Proposal from DeBottis to Seal Coat Drive and Parking Area at MHOG WTP
  - Request Approval of Proposal from DeBottis to Seal Coat MHOG Driveway and Parking Areas for a Cost not to exceed \$8,655.00
- j. Attachment 6h Hydrant Painting Progress Map
- k. Attachment 6i MISS DIG Monthly Utility Locating Report
- I. Attachment 6j- Non-Metered Water Loss Report for July 2024

#### 7. CPA Report

- a. Attachment 7a DPW Fund FY 2024 Audited Final Budget Report for Fiscal Ending March 2024
- b. Attachment 7b Calculated MHOG DPW Refund for FY 2024
- c. Attachment 7c Draft MHOG FY 2024 Amended Budget and Proposed FY 2025 Proposed Budget
  - Request Approval of FY 2024 Amended Budget
  - o Request Approval of FY 2025 Proposed Budget
  - Request Approval of Proposed Rate Adjustment of 2% on Metered, Flat, and Wholesale Accounts for FY2025
- 8. Treasurer's Report (Distributed at Meeting) \*
  - a. Checks for Disbursement
- 9. Correspondence \*
- 10. New Business \*
- 11. Old Business
  - a. Attachment 11a Map of Property Adjacent to MHOG Plant
    - o Request Closed Session to Solely Discuss Offer to Purchase Property
- 12. Board Member Updates\*
- 13. Adjournment



#### Minutes of the Regular Meeting July 17, 2024

The M.H.O.G. Sewer and Water Authority met at 5 pm in the Board Meeting Room of the Oceola Township Hall. Members present were Hanvey, Lowe, Coddington, Counts, Dunleavy, Henshaw, Rogers and Hunt. Also present were Greg Tatara and Alex Chimpouras.

Rogers moved to approve the agenda as presented. Second by Dunleavy, motion passes.

Hunt moved to approve the minutes from June 19, 2024 as presented. Second by Coddington, motion passes.

A call to the public was held, no response.

Counts moved to approve the modification of Article III, section 3.5 - Vehicle, Supply and Material Level as presented. Second by Dunleavy, motion passes.

<u>Dunleavy moved to approve the proposal and contract agreement</u> with Nelson Tank for \$11,140 for bidding and inspection of Marion 2 interior piping and repair. Second by Coddington, motion passes.

Counts moved to approve the quote from UIS for Endress and Houser Levelflex wave radar for \$6,998. Second by Hunt, motion passes.

Lowe moved to approve Operating Checks PR 946 through 9983 totaling \$491,497.72. Second by Coddington, motion passes.

Dunleavy moved to adjourn. Second by Counts, motion passes.

Robert J. Henshaw Secretary

## HOWELL AREA FIRE AUTHORITY AGENDA

AUGUST 21, 2024 - 6 PM

#### **BOARD MEMBERS**

Mike Coddington, Howell Twp., Chairman Sean Dunleavy, Oceola Twp., Vice Chairman Mark Fosdick, Cohoctah Twp., Secretary Robert Hanvey, Marion Twp., Treasurer Bob Ellis, City of Howell, Member Ron Hicks, Fire Chief Barbara Souchick, Admin Asst Kevin Gentry, Attorney

#### **WELCOME!**

Visitors are invited to attend all meetings of the Howell Area Fire Authority Board. If you wish to address the Board, you will be recognized by the Chairman.

Meeting called to order at 6:00 pm

Pledge of Allegiance

Approve the minutes of the regular meeting of July 17, 2024

Call to the public (items not on agenda)

Discussion/Approval: Livingston County Form L-4029 – 2024 Tax Rate Request

Discussion/Approval: Request to Purchase Turnout Gear from Phoenix Safety Outfitters

Discussion: Appoint members for Station 22 Improvement Committee

Discussion/Approval: Lindhout Architecture Firms Proposal for Station 22 Improvements

#### Chief's Comments:

- P/U Truck Donation
- Cohoctah Twp. EMS Base
- \$35,000 Turnout Gear Grant from Michigan Department of Labor and Economic Opportunity

8/21/2024 F.A. Agenda

Approve the payment of bills and payroll in the amount of \$274,393.34 for period ending July 12, 2024.

Approve the Payment of bills and payroll in the amount of \$259695.30 for period ending August 9, 2024.

**New Business** 

**Old Business** 

Adjourn

## HOWELL AREA FIRE AUTHORITY July 19, 2024 - 6:00 pm Oceola Township Hall — 1577 N. Latson Rd, Howell, Mi 48843

Board Members Present: Chairman Mike Coddington, Vice Chairman Sean Dunleavy, Treasurer Bob Hanvey, Secretary Mark Fosdick, Member Bob Ellis, Deputy Chief/Fire Marshal Jamil Czubenko, Admin. Asst Barbara Souchick
Absent: Fire Chief Ron Hicks, Attorney Kevin Gentry
Chairman Coddington called the meeting to order at 6:00 pm.
Approve the minutes of the regular meeting of June 19, 2024: MOTION by Mr. Ellis, SUPPORT by Mr. Fosdick to approve the minutes of the regular meeting of June 19, 2024. MOTION CARRIED UNANIMOUSLY.
Call to Public: No Response
Chief Comments: Annual Audit scheduled for September 3 <sup>rd</sup> through 6 <sup>th</sup> , 2024.
Discussion/Approval Payment of Bills and Payroll: MOTION by Mr. Ellis, SUPPORT by Mr. Dunleavy to table approval of the payment of bills and payroll until the regular meeting of the Board on August 21, 2024, to allow for consolidation of billing. MOTION CARRIED UNANIMOUSLY.
Adjourn: MOTION by Mr. Ellis, SUPPORT by Mr. Dunleavy to adjourn the meeting at 6:09 PM.
Respectfully Submitted:

Approved By:

#### Monthly Update to the Board

To: Howell Area Fire Authority Board of Directors

From: Jamil Czubenko, Deputy Chief/Fire Marshal

Subject: Monthly HAFD Report for July 2024

Date: August 14, 2024

During the month of July, the HAFD responded to a total of 139 calls for service. There were 179 calls in July of 2023. The total year-to-date runs for 2024 are 1,026. Last year's total at the end of July was 1,087.

Some of the more significant events for the month included:

On July 5, 2024, Howell Firefighters were dispatched to a reported vehicle or boat fire at the Public Boat Launch on Roosevelt St, in the City of Howell. Upon arrival, crews reported a fully involved vehicle fire. Crews extinguished the fire and found there to be no owner/occupant in the area. The fire was considered suspicious in nature and worked closely with Howell PD to further document available information.

On July 11, 2024, Howell Firefighters were dispatched to a reported structure fire at 1033 Sutton Dr in the City of Howell. Upon arrival, crews reported a smoke showing and a fire sprinkler activation. Crews made entry into the business and extinguished any fire remaining after the suppression system discharged and kept the fire damage to a minimum. The fire was caused by a power grounding issue.

On July 11, 2024, Howell Firefighters were dispatched to a personal injury accident with extrication on E Highland Rd East of Eager in Oceola Twp. Upon arrival, crews found the critically injured driver of the most impacted vehicle to be removed by an off-duty Paramedic and Deputy. Crews assisted with patient care and provided LCEMS with a driver to transport the critical patient to the U of M. HAFD further assisted with traffic control while a traffic investigation was completed.

On July 11, 2024, Howell Firefighters were dispatched again to another personal injury accident with extrication on E Highland Rd East of Eager in Oceola Twp. Upon arrival, crews found a single vehicle off onto the shoulder with an injured driver. No extrication was required. The driver may have experienced a medical emergency. Crews assisted with patient care and traffic control.

On July 27, 2024, Howell Firefighters were dispatched to an extrication from an industrial machine, in the 2100 block of Grand Commerce Dr in Howell Township. Upon arrival, crews found an employee still entrapped at their forearm by metal punch press machine. FD and LCEMS crews worked with maintenance to remove the patient's arm from the machine. Crews completed the extrication and LCEMS transported the patient to the U of M.

Training for the month of July was our annual drivers training course held at the old terminal building of the Livingston County Airport.

Next meeting of the Howell Area Fire Authority Board is scheduled for Wednesday September 18, 2024, at 6:00 pm.

# Incidents by Response Zone-copy



Howell Area Fire Department Address: 1211 W Grand River Rd, Howell, MI, 48843

RESPONSE ZONE	PSAP CALL DATE/TIME	INCIDENT NUMBER	ADDRESS	ACTUAL INCIDENT TYPE FOUND	DISPATCHED INCIDENT TYPE
соностан тwp.	2024-07-31 17:21:42	HAFD-24-1025	8999 OAK GROVE RD	6111	ELEVAT- ELEVATOR/ESCALATRO RESCUE
MARION TWP.	2024-07-02 13:14:38	HAFD-24-0890	159 GROVELAND DR	118 - Trash or rubbish fire, contained	OUTFIR-OUTDOOR FIRE
MARION TWP.	2024-07-05 17:35:47	HAFD-24-0901	141 SCHROEDER PARK DR	551 - Assist police or other governmental agency	DIFBRE-BREATHING PROBLEM
MARION TWP.	2024-07-05 18:07:02	HAFD-24-0902	2669 RUBBINS RD	311 - Medical assist, assist EMS crew	FALL-FALL
MARION TWP.	2024-07-09 10:09:37	HAFD-24-0915	931 DERBY LN	311 - Medical assist, assist EMS crew	FALL-FALL
MARION TWP.	2024-07-10 04:33:03	HAFD-24-0919	3540 NORTON RD	445 - Arcing, shorted electrical equipment	ELHAZ-ELECTRICAL HAZARD
MARION TWP.	2024-07-10 10:08:54	HAFD-24-0921	3499 PINGREE RD	622 - No incident found on arrival at dispatch address	ELHAZ-ELECTRICAL HAZARD
MARION TWP.	2024-07-10 19:47:31	HAFD-24-0925	1499 MASON RD	551 - Assist police or other governmental agency	PIA-PERSONAL INJURY ACCIDENT
MARION TWP.	2024-07-13 21:11:09	HAFD-24-0941	4140 CHESTNUT CROSSING DR	551 - Assist police or other governmental agency	UNCONSCIOUS/FAINTING
MARION TWP.	2024-07-15 08:07:02	HAFD-24-0948	999 PINGREE RD	311 - Medical assist, assist EMS crew	SEIZUR- CONVULSIONS/SEIZURES
MARION TWP.	2024-07-16 02:57:22	HAFD-24-0956	4259 SOUTHWOODS DR	444 - Power line down	ELHAZ-ELECTRICAL HAZARD
MARION TWP.	2024-07-16 03:00:14	HAFD-24-0957	5537 PINCKNEY RD	444 - Power line down	ELHAZ-ELECTRICAL HAZARD
MARION TWP.	2024-07-17 07:18:18	HAFD-24-0961	50 HARMON RD	551 - Assist police or other governmental agency	AAMBF-ASSIST AMBULANCE FIRE

Page: 8 of 11

# Incidents by Response Zone-copy



Howell Area Fire Department Address: 1211 W Grand River Rd, Howell, Ml, 48843

RESPONSE ZONE	PSAP CALL DATE/TIME	INCIDENT NUMBER	ADDRESS	ACTUAL INCIDENT TYPE FOUND	DISPATCHED INCIDENT TYPE
MARION TWP.	2024-07-18 22:07:01	HAFD-24-0967	3826 NORTON RD	600 - Good intent call, other	SMKOUT-SMOKE INVESTIGATION OUTSIDE
MARION TWP.	2024-07-20 05:59:59	HAFD-24-0971	3437 W COON LAKE RD	444 - Power line down	ELHAZ-ELECTRICAL HAZARD
MARION TWP.	2024-07-20 13:19:59	HAFD-24-0972	3140 PINGREE RD	745 - Alarm system activation, no fire - uninfentional	ALARMF-ALARM CALLS
MARION TWP.	2024-07-21 02:54:40	HAFD-24-0975	3564 BLACK EAGLE DR	440 - Electrical wiring/equipment problem, other	SFIRE-STRUCTURE FIRE
MARION TWP.	2024-07-24 02:40:31	HAFD-24-0984	2290 W SCHAFER RD	311 - Medical assist, assist EMS crew	FULARR- CARDIAC/RESPIRATORY ARREST
MARION TWP.	2024-07-24 15:26:23	HAFD-24-0992	3637 PINGREE RD	311 - Medical assist, assist EMS crew	FULARR- CARDIAC/RESPIRATORY ARREST
MARION TWP.	2024-07-26 15:14:57	HAFD-24-1000	1437 WEATHERSTONE LN	551 - Assist police or other governmental agency	UNCON- UNCONSCIOUS/FAINTING
MARION TWP.	2024-07-27 13:41:50	HAFD-24-1004	3872 CEDAR POINT RD	611 - Dispatched & canceled en route	AAMBF-ASSIST AMBULANCE FIRE
MARION TWP.	2024-07-30 18:06:22	HAFD-24-1020	4719 CEDAR LAKE RD	311 - Medical assist, assist EMS crew	DIFBRE-BREATHING PROBLEM
OCEOLA TWP.	2024-07-06 00:43:51	HAFD-24-0905	45 EAGER RD	743 - Smoke detector activation, no fire - unintentional	ALARMF-ALARM CALLS
OCEOLA TWP.	2024-07-06 11:59:27	HAFD-24-0906	689 CHICAGO DR	551 - Assist police or other governmental agency	UNCONSCIOUS/FAINTING
OCEOLA TWP.	2024-07-10 11:52:24	HAFD-24-0922	2470 PINECONE DR	311 - Medical assist, assist EMS crew	ELECTR-ELECTROCUTION
OCEOLA TWP.	2024-07-11 06:51:58	HAFD-24-0927	2699 HIGHLAND RD	322 - Motor vehicle accident with injuries	EXTRIC-EXTRICATION - MOTOR VEH ACC



Howell Area Parks & Recreation Authority
Regular Meeting
Oceola Community Center
Tuesday, August 27, 2024, 6:30 p.m.

Call to order

Pledge of Allegiance (all stand)

Call to the Public (for any items not on the agenda)

#### Approval- Consent Agenda

- 1. Regular Board Meeting Minutes dated Tuesday, July 16, 2024
- 2. Special Board Meeting Minutes dated Thursday, August 8, 2024
- 3. Check Register Report Ending July 31, 2024
- 4. Bank Statements Ending July 31, 2024
- 5. Financial Reports Ending July 31, 2024

#### Approval- Regular Agenda

- 1. Discussion/Approval Resolution 24-4 HAPRA FOIA POLICY
- 2. Discussion- November Millage
- 3. Old Business
- 4. New Business
- 5. Next Meeting: Regular Meeting September 17 ,2024 Oceola Community Center @6:30pm
- 6. Adjournment



#### **Howell Area Parks & Recreation Authority**

Oceola Community Center

Regular Board Meeting Minutes

July 16, 2024

#### Call to Order

Chair Diana Lowe called the meeting to order at 6:30 pm.

#### **Attendance**

**Board Members:** Chair Diana Lowe, Oceola Township Alternate Sean Dunleavy, Secretary Nikolas Hertrich, Treasurer Tammy Beal

**Board Members Absent:** Trustee Sue Daus

HAPRA Staff: Director Tim Church, Jen Savage, Kyle Tokan, Andrew Wittbrodt, and Kevin Troshak

Public: Jacob Schlittler and Terry Croft

#### Call to the Public

None

#### **Approval of Consent Agenda**

Oceola Township Alternate Sean Dunleavy made a motion to approve the consent agenda, supported by Treasurer Tammy Beal. **Motion carried 5 – 0.** 

#### **Approval of Regular Agenda**

Treasurer Tammy Beal made a motion to approve the Regular Agenda with an amendment. Proposed amendment would change Regular Agenda Item #12, Next Meeting: August 16, 2024 @ 6:30 pm Oceola Community Center to Next Meeting: August 27, 2024 @ 6:30 pm Oceola Community Center. Motion supported by Secretary Nikolas Hertrich. **Motion carried 5 – 0.** 

HAPRA Regular Meeting July 16, 2024

#### Discussion/Approval - 2Q Budget Amendments

Director Church provided a brief overview of the  $2^{nd}$  Quarter Budget Amendments. Although some departments are harder to project than others overall the budget looks good. The current status of the budget is allowing staff to take on projects that they had not been able to work on previously. A motion to approve the  $2^{nd}$  Quarter Budget Amendments was made by Treasurer Tammy Beal and supported by Secretary Nikolas Hertrich. **Motion carried 5 – 0.** 

#### Discussion - Millage Update

Director Church shared with the Board an update on the upcoming millage. Millage informational postcards have been mailed out and resulted in questions being asked by the public. Staff is answering questions they feel comfortable responding to with others being directed to the Director. Comments on social media have been focused on park and boat passes, Director Church is drafting a response to these postings. Other calls have been related to APPA funds or county level issues and not related to HAPRA.

#### **Staff Reports**

- a. Upcoming Events & Programs:
  - i. Golf Outing and Melon Ball:
     Planning and registration for the Golf Outing and Melon Ball are both going well.
  - ii. Melon Fest: Staff is ready for the Melon Fest. Registration for the Melon Run is on par with last year's event. As of today 60 participants have registered for all three 5Ks, the Melon Run, Veterans Run, and Headless Horseman.
  - iii. Sports Update:

Andrew Wittbrodt provided an update on sports programs. Pickleball will now be available on Mondays from 6:00 pm to 8:00 pm and Sundays from 10 am to 1:30 pm. Volleyball camp will held Monday July 22<sup>nd</sup> through Wednesday July 26<sup>th</sup> and open volleyball courts will be available in mid-August. Fall soccer currently has 638 participants registered. August 12<sup>th</sup> is the first week of soccer practice with the first games on August 24<sup>th</sup>. Soccer camp currently has 15 campers signed up and is scheduled for Monday, August 5<sup>th</sup> through Wednesday, August 7<sup>th</sup>. Between Monday July 15<sup>th</sup> and Friday July 19<sup>th</sup> is a children's tennis clinic, 25 individuals have registered; an adult tennis clinic is scheduled for the middle of August. Will be looking to have additional popup soccer and basketball clinics. Future goals for the programs will be to focus on balancing youth activities with opportunities for seniors.

- b. Sponsorship & marketing updates: No updates to provide
- c. Maintenance:

Upgrades at the dog park went well and the access control was installed today (July 16, 2024). The gym floor at the Oceola Center will be worked on during the week of Melon Fest.

#### **Directors Report**

a. Staff Outing:

This Friday (July 19<sup>th</sup>) is the Sixth Annual National Park and Recreation Professionals Day. Staff will be celebrating at Tap-Ins between 5:00 pm and 8:00 pm. Board Members are invite to attend.

#### **Board Member Reports**

Secretary Nikolas Hertrich shared with the Board agenda items from the June 24<sup>th</sup>, 2024, July 8<sup>th</sup>, 2024, and July 15<sup>th</sup>, 2024 Howell City Council Meetings which included approval of various civic events, approval of multiple ordinances, approval for the purchase of multiple pieces of equipment, and notice that the City of Howell would continue its support of HAPRA through at least the November general election if the millage failed during the August primary.

Oceola Township Alternate Sean Dunleavy informed the Board that the township is finishing its build out of the Oceola Township complex, adding a recreation shed near the soccer field and will be looking to expand the fire department.

Treasurer Tammy Beal shared with the Board that the completion of the walking path has been delayed because of inclement weather but that the disc golf course has been reconfigured to not disturb the path when finished.

Chair Diana Lowe shared that Genoa Township had received two quotes for the soccer field repairs, one was very high and one was very low. Staff is reviewing the quotes with the understanding that repairs cannot be made until late fall or early spring.

#### **Old Business**

Treasurer Nikolas Hertrich inquired if we had received the Recreation Proclamation yet, Director Church responded that we have not.

#### **New Business**

The Board was informed that the new banner will be received soon

#### **Next Meeting**

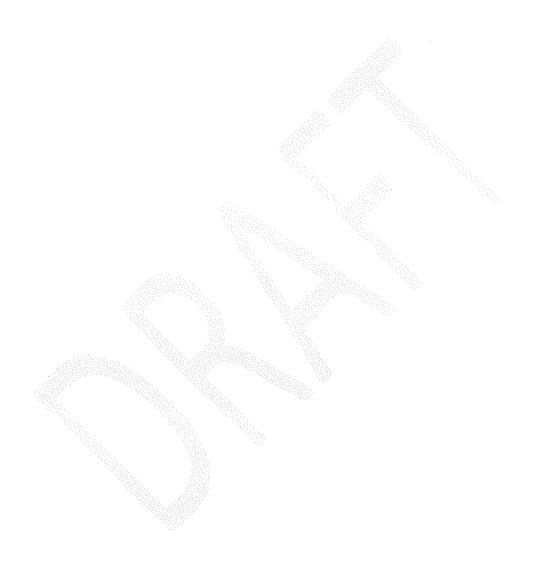
Regularly Scheduled HAPRA Meeting - Tuesday, August 27, 2024, at 6:30 pm at Oceola Community Center.

#### Adjournment:

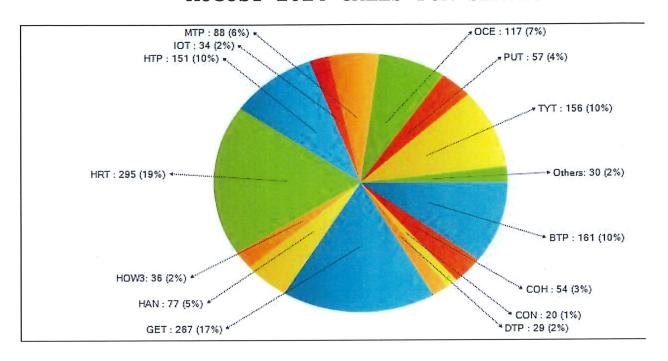
A motion to adjourn the meeting was made by Treasurer Tammy Beal and supported by Oceola Township Alternate Sean Dunleavy at 7:08 pm. **Motion carried 5-0** 

Approved	Date

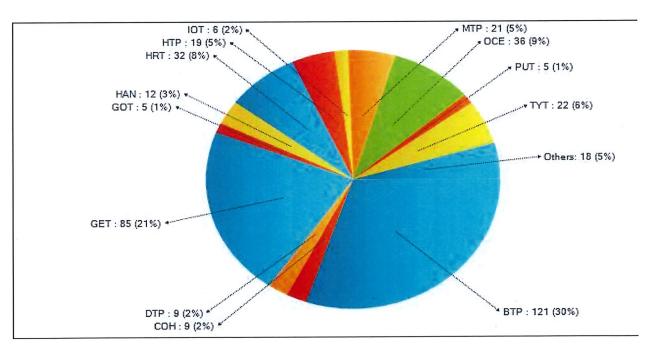
Respectfully Submitted by: Nikolas Hertrich, Secretary



### LIVINGSTON COUNTY SHERIFF'S OFFICE AUGUST 2024 CALLS FOR SERVICE



#### MICHIGAN STATE POLICE AUGUST 2024 CALLS FOR SERVICE



#### MARION TOWNSHIP

<u>MONTH</u>	CALLS FOR SERVICE	TICKETS WRITTEN	ARRESTS
		_	0
JANUARY	76	7	2
FEBRUARY	59	10	1
MARCH	84	6	4
APRIL	62	2	0
MAY	76	8	0
JUNE	79	13	4
JULY	73	9	3
AUGUST	88	14	4
SEPTEMBER			
OCTOBER			
NOVEMBER			
DECEMBER			
YTD TOTALS:	597	69	18

## LIVINGSTON COUNTY SHERIFF'S OFFICE MARION TOWNSHIP AUGUST 2024

Nature	# Events
ABANDONED VEHICLE	2
ALARM	4
ANIMAL COMPLAINT	5
ASSIST OTHER AGENCY	2
BUILDING/PROPERTY/VACATION CHK	1
CARDIAC/RESPIRATORY ARREST	1
CITIZEN ASSIST	6
DISTURBANCE/TROUBLE	2
DOMESTIC VERBAL	3
FRAUD	3
GENERAL NON CRIMINAL	1
HAZARD	2
HIT AND RUN ACCIDENT	2
INTIMIDATION THREATS HARASSMEN	5
LARCENY	1
LOST/FOUND PROPERTY	1
MDOP	3
MENTAL/CMH/PSYCH	1
MISSING PERSON/RUN-A-WAY	2
MOTORIST ASSIST	1
OVERDOSE/INGESTION	1
PDA	8
PERSONAL INJURY ACCIDENT	1
PIREF (REFUSE EMS)	2
PPO VIOLATION	1
SHOTS FIRED	1
SUICIDAL SUBJECT	3
SUSPICIOUS PERSON	6
SUSPICIOUS SITUATION	2
SUSPICIOUS VEHICLE	1
TREE HAZARD	1
VEH UDAA REPORT	1
WAR ATT/SEARCH	1 11
WELFARE CHECK	11

TOTAL:

88

		TOTAL	161	54	20	29	267	77	295	151	34	88	117	57	155
RESPONSE TIME	NON CONTRACT TIME	11:00PM - 3:00PM	36:17	42:43	43:10	40:49	31:51	40:47	33:49	41:11	39:22	46:26	27:25	1:08:21	43:41
NUMBER OF	CALLS	11:00PM - 3:00PM	82	28	6	15	152	44	180	81	20	53	61	26	28
RESPONSE TIME	CONTRACT TIME	3:00PM - 11:00PM	51:26	1:01:02	45:40	1:18:26	32:59	28:58	30:51	40:01	31:23	48:16	31:46	28:24	30:57
NUMBER OF	CALLS	3:00PM - 11:00PM	79	26	11	14	115	33	115	70	14	35	56	31	26
AUGUST	2024	TOWNSHIP	BRIGHTON	СОНОСТАН	CONWAY	DEERFIELD	GENOA	HANDY	HARTLAND	HOWELL	105C0	MARION	OCEOLA	PUTNAM	TYRONE

#### \*\*\* INVOICE \*\*\*

#### LIVINGSTON COUNTY ROAD COMMISSION 3535 Grand Oaks Drive Howell, MI 48843-0000

Phone: 517-546-4250

0012

MARION TOWNSHIP ATTN:CLERK 2877 W. COON LAKE RD HOWELL, MI 48843 Invoice Number Invoice Date 7365 08/30/2024 5163BV

Work Order Number

201 GENERAL FUND

FRANCIS RD D19 TO FISK RD

LIMITED DRAINAGE AND GRAVEL RESURFACING

489.12.5163BV FRANCIS LCRC PORTION \$140,302.20 (\$13,302.20)

\$127,000.00

DPW Reports 2024

	TOTAL		EXISTING	NEW	SEWER	EXISTING	NEW	IRRIGATION	REPLACEMENT	EXISTING	NEW	WATER	
	0			0			0	2	TN		0		JAN
		_				 							
	11			3			ω				5		FEB
	40			17			6				17		MAR
	12			4			4				4		APRIL
	6			2			2				2		MAY
	16			6			4				6		JUNE
	13			5			ω				5		AJUL
	27			11			5				11		AUG
													SEPT
													ОСТ
													NOV
													DEC
	125			48			27				50		TOTAL

#### #101 General Fund Transactions by Account As of August 31, 2024

Date	As Num	of August 31, 2024 Name	Amount
001-001 · CASH - GENERA	A STATE OF THE STA		
08/05/2024	13016	SHELBY DWYER	-659.25
08/06/2024	13017	GORMLEY LAW OFFICE PLC	-1,681.24
08/06/2024	13017	QUALITY ZONING / ZACHARY MICH	-665.00
08/08/2024	13019	ALERUS PAYMENT SOLUTIONS	-4,984.02
08/08/2024	13020	VOYA Institutional Trust	-300.00
08/08/2024	13020	Marion Township Flex Fund	-1,754.00
08/08/2024	13021	AMAZON CAPITAL SERVICES	-186.17
08/08/2024	13020	VOID	0.00
08/08/2024	13022	VOID	0.00
08/08/2024	13023	VOID	0.00
08/08/2024	13024	VOID	0.00
	13023	DAVID HAMANN	-123.28
08/08/2024		PNC Bank	-1,484.31
08/08/2024	13028	DTE ENERGY	-971.04
08/08/2024	13029	VERIZON WIRELESS	-99.12
08/08/2024	13030	CITI CARDS	-582.25
08/08/2024	13031	THE GARBAGE MAN	-60.34
08/08/2024	13032	DANIEL DOUGLAS JR.	-150.00
08/08/2024	13033	SUZANNE L. MILLER	-150.00
08/08/2024	13034	NETWORK SERVICES GROUP, LLC	-560.00
08/08/2024	13035	LESLIE D. ANDERSEN	-343.99
08/08/2024	0028237	JAMES L. ANDERSON JR.	-111.89
08/08/2024	0028238		-29.56
08/08/2024	0028239	BARB FILLINGER	-164.66
08/08/2024	0028240	SCOTT R. LLOYD	-146.83
08/08/2024	0028241	CHERYL A. RANGE	-4,174.86
08/08/2024	E187630	TAMMY L. BEAL	-3,806.77
08/08/2024	E187631	GAIL A. BURLINGAME	-4,453.57
08/08/2024	E187632	MATTHEW J. DEDES	-4,433.37 -4,388.77
08/08/2024	E187633	SANDY DONOVAN	-4,386.77
08/08/2024	E187634	GREGORY L. DURBIN	-168.27
08/08/2024	E187635	LAWRENCE W. GRUNN	-3,704.35
08/08/2024	E187636	DAVE HAMANN	-5,093.39
08/08/2024	E187637	ROBERT W. HANVEY	-524.51
08/08/2024	E187638	RICHARD HASLOCK	-4,219.14
08/08/2024	E187640	LOREEN B. JUDSON	•
08/08/2024	E187641	SANDRA J. LONGSTREET	-3,339.18 -564.48
08/08/2024	E187642	DANIEL F. LOWE	-3,500.60
08/08/2024	E187644	KITSEY A. RENNELLS	-3,456.32
08/08/2024	E187646	JESSICA S. TIMBERLAKE	-13,192.28
08/13/2024	13036	Chloride Solutions	-819.34
08/13/2024	E187792	DIANE BOCKHAUSEN	-619.34
08/13/2024	E187793	Gail Ann Burlingame	-107.82

## #101 General Fund Transactions by Account

Δc	Ωf	Διι	teun	31.	2024	
MO	VI.	nu	uusi	<b>U</b> 1,	~~~	

Date	Num	Name	Amount
08/13/2024	E187794	Larry Grunn	-368.25
08/13/2024	E187795	SANDRA LONGSTREET	-78.96
08/13/2024	0028242	KATHERINE L. ALWARD	-281.03
08/13/2024	0020242	Diane Evelyn Avedisian	-447.77
08/13/2024	0028244	Gary Beal	-514.50
08/13/2024	0028245	DONNA BORTON	-343.15
08/13/2024	0028246	PHILLIP CAMPBELL	-309.67
08/13/2024	0020240	Garry Cathey	-403.57
08/13/2024	0028248	Sheila Cathey	-193.01
08/13/2024	0028249	KIM DUCHARME	-251.09
08/13/2024	0028250	Vickie Edgington	-483.85
08/13/2024	0028251	TERRY EISELE	-251.09
08/13/2024	0028252	THOMAS EMERY	-612.71
08/13/2024	0028253	BARBARA FILLINGER	-770.88
08/13/2024	0028254	LARRY FILLINGER	-772.05
08/13/2024	0028255	Jean Graham	-1,918.81
08/13/2024	0028256	Susan Grover	-159.02
08/13/2024	0028257	RITA HANSEN	-522.51
08/13/2024	0028258	Holly Hatter	-451.95
08/13/2024	0028259	Candy Hedgcock	-305.48
08/13/2024	0028260	JIM HEDGCOCK	-234.34
08/13/2024	0028261	Debra Holmes	-973.52
08/13/2024	0028262	SHERRY HOWARD	-50.22
08/13/2024	0028263	ROBERT P. KEOUGH	-334.78
08/13/2024	0028264	TERRIE A. KEOUGH	-326.41
08/13/2024	0028265	EUGENE KIHN	-313.85
08/13/2024	0028266	Victoria Kihn	-50.22
08/13/2024	0028267	PATRICIA KING	-460.31
08/13/2024	0028268	Jane Longeway	-502.59
08/13/2024	0028269	Diana Lowe	-562.07
08/13/2024	0028270	Sandra L Luce	-301.30
08/13/2024	0028271	DEANNE OSWALD-DEBOTTIS	-301.30
08/13/2024	0028272	Judith Peddie	-456.14
08/13/2024	0028273	Bruce Powelson	-315.84
08/13/2024	0028274	Kim Preston	-447.77
08/13/2024	0028275	Wayne Preston	-451.95
08/13/2024	0028276	TRACIE RICHARDSON	-192.49
08/13/2024	0028277	Thomas Rozek	-234.34
08/13/2024	0028278	FREDERICK SANDERS	-690.03
08/13/2024	0028279	Lucille Sanders	-58.14
08/13/2024	0028280	ROBERT SPAULDING	0.00
08/13/2024	0028281	Patricia Stachowiak	-358.57
08/13/2024	0028282	CHRIS STOKES	-301.30

## #101 General Fund Transactions by Account As of August 31, 2024

Date	Num	As of August 31, 2024 Name	Amount
08/13/2024	0028283	DAVID THARP	-387.64
08/13/2024	0028284	DANA WOODS	-443.23
08/13/2024	0028333	ROBERT SPAULDING	-50.22
08/14/2024	13037	QUADIENT FINANCE USA, INC pos	-500.00
08/14/2024	13038	FOWLERVILLE NEWS & VIEWS	-282.50
08/14/2024	13039	Charter Communications	-177.87
08/14/2024	13040	SPECTRUM PRINTING INC.	-512.74
08/14/2024	13041	B&L Services	-600.00
08/15/2024	13043	Jill Baruzzini	-150.00
08/15/2024	13042	VOID	0.00
08/20/2024	13044	ROBERT SPAULDING	-15.00
08/20/2024	13045	MTA	-171.00
08/20/2024	13046	Colonial Life	-647.56
08/20/2024	13047	Chloride Solutions	-10,807.44
08/22/2024	13048	ABSOLUTE PEST CONTROL	-95.00
08/26/2024	13049	CONSUMERS ENERGY	-33.32
08/26/2024	13050	Blue Cross Blue Shield of Michigan	-17,707.41
08/28/2024	13052	Chloride Solutions	-453.42
08/28/2024	13053	CCS Presentation System	-1,521.43

GENERAL FUND CHEC	KING		
	Previous Balance	\$	1,918,748.07
	Receipts	\$	51,251.72
	Interest	\$	-
		\$	1,969,999.79
	Expenditures	\$	126,707.04
	Balance	\$	1,843,292.75
CEMETERY FUND			
	Previous Balance	\$	101,891.56
	Receipts	\$	1,000.00
	Interest	\$	129.64
		\$	103,021.20
	Expenditures	\$	2,163.00
	Balance	\$	100,858.20
PARKS & RECREATIO	N FUND		
FARRO & REOREATIO	Previous Balance	\$	13,953.64
	Receipts	*	,
	Interest	\$	9.44
		\$	13,963.08
	Expenditures	\$	2,306.06
	Balance	\$	11,657.02
WATER - NEW USER			
Wall from the Land of the Land	Previous Balance	\$	365,608.21
	Receipts	\$	42,537.00
	Interest	\$	391.37
		\$	408,536.58
	Expenditures	\$	24,500.00
	Balance	\$	384,036.58

	FINANCIAL REPORT	Page 2	Aug-24
SEWER OPERATING	& MANAGEMT		
OLIVER OF ERAFINO	Previous Balance	\$	338,416.21
	Receipts	\$	50,204.12
	Interest	\$	312.15
		\$	388,932.48
	Expenditures	\$	72,309.41
	Balance	\$	316,623.07
SEWER - NEW USER			
	Previous Balance	\$	1,680,327.23
	Receipts	\$	101,750.00
	Interest	\$	2,335.97
		\$	1,784,413.20
	Expenditures	\$	A
	Balance	\$	1,784,413.20
SPEC ASSESS. FUN			
	Previous Balance	\$	259,505.39
	Receipts	\$	836.83
	Interest	\$	274.76
		\$	260,616.98
	Expenditures	\$	9,438.00
	Balance	\$	251,178.98
ESCROW FUND			
	Previous Balance	\$	73,150.86
	Receipts	\$	8,000.00
	Interest	\$	57.07
		\$	81,207.93
	Expenditures		
	Balance	\$	81,207.93

**SUMMARY TOTALS** 

General Fund	\$ 1,843,292.75
Cemetery Fund	\$ 100,858.20
Parks & Rec Capital Chk	\$ 11,657.02
Water - New User	\$ 384,036.58
Sewer Operating & Mana	\$ 316,623.07
Sewer - New User	\$ 1,784,413.20
Special Assess. Fund	\$ 251,178.98
Escrow Fund	\$ 81,207.93
TOTAL	\$ 4,773,267.73

## 2024 ZONING REPORT

Sewer Inspections	Pre-Planning Meetings	Site Plans	Finals	Waivers	TOTAL LAND USES	Other	Land Balancing	Additions	Pools	Decks	Accessory Bldgs.	Condo Units	Homes	
	ngs				<b>.</b>									
			Ċī	2	2	_								JAN
တ			10	œ	თ						2		ω	FEB
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ω			4	ω	15			_		4	ω		7	APRIL
ω			4	7	13					თ	2		4	MAY
ω			9	თ	21	2		2	ယ	ე	2	ω	4	JUNE
ω			16	7	⇉							ω	თ	JULY
2			22	10	20					ω	4	œ	ഗ	AUG
					0									SEPT
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					0									VOV
			,		0									DEC
26	0	0	77	46	111	თ	, O	ယ	4	21	18	29	<b>3</b> 1	TOTAL

## A Rooted Control

#### MARION TOWNSHIP

mariontownship.com

#### RESOLUTION ON HIGH MEADOWS DRIVE ROAD MAINTENANCE SPECIAL ASSESSMENT DISTRICT

WHEREAS, the township board of Marion Township acting in the interest the users of High Meadows Drive and of the proposed special assessment district described hereinafter, determined to proceed under the provisions of PA 188 of 1954, as amended, to provide road maintenance service, together with a proposed special assessment district for assessing the costs of the proposed service, and to schedule a public hearing upon the Assessment Roll, and

WHEREAS, the estimated cost and proposed special assessment district were filed with the Township Clerk for public examination and notice of the hearing upon same was published and mailed in accordance with the law and statute provided as shown by affidavits pertaining thereto on file with the Township Clerk, and

WHEREAS, in accordance with the aforesaid notices, a hearing was held on September 12, 2024 commencing at 7:30 PM and all persons given the opportunity to be heard in the matter, and

WHEREAS, the following written objections were received and filed:

Parcel Number

% Ownership

Owner Name

WHEREAS, the written objections constitute less than twenty percent of the ownership,

WHEREAS, as a result of the foregoing, the township board believes the project to be in the best interests of the township and of the district proposed to be established therefore;

NOW THEREFORE BE IT HEREBY RESOLVED as follows:

- 1. That this township board does hereby approve the provision of road maintenance and total cost estimate not to exceed \$10,000.00 per year.
- 2. That this township board does hereby create, determine and define as a special assessment district to be known as High Meadows Drive Road Maintenance Special Assessment District within which the costs of such improvements shall be assessed according to the benefits, the following described area within said township:



#### Parcel Numbers

4710-34-100-010	4710-34-100-012	4710-34-100-014	4710-34-100-015	4710-34-100-017
4710-34-100-018	4710-34-100-020	4710-34-100-021	4710-34-100-024	4710-34-100-025
4710-34-100-026	4710-34-100-027	4710-34-100-029	4710-34-100-030	4710-34-100-031
4710-34-100-032	4710-34-100-036	4710-34-100-039	4710-34-100-040	4710-34-100-043
4710-34-100-044	4710-34-100-045	4710-34-100-046		

3. That on the basis of the foregoing, this township board does hereby direct the Supervisor and Assessing Officer to make a special assessment roll in which shall be entered all the parcels of land to be assessed together with the names of the respective owners thereof, and an estimated total amount to be assessed against each parcel of land which amount shall be the relative proportion of the whole sum levied against the parcels of land in the special assessment district as the benefit to the parcel of land bears to the total benefit to all the parcels of land in the special assessment district. When the same has been completed, the Supervisor shall affix thereto his certificate

stating that it was made pursuant to this resolution and that in making such assessment roll he has, according to his best judgment, conformed in all respects to the directions contained in this resolution and the applicable state statutes.

- 4. That the actual amount of the assessment will be annually redetermined based on actual costs and assessed without further notice. Invoices for services must be received at the township by November 15 to be included in the summer tax bill. Invoices received after November 15, 2029 will not be paid by the township.
- 5. That all resolutions and parts of resolutions insofar as the conflict with the provisions of the within resolutions be and the same are hereby rescinded.
- 6. That the Township Clerk shall schedule a hearing on the Assessment Roll for October 10, 2024 at 7:30 P.M., and provide notice as required by PA 188 of 1954.

Upon roll call vote, the following voted "Aye":

The following voted "Nay"

The Supervisor declared the motion carried and the resolution duly adopted.

I, the undersigned, the duly qualified and acting clerk for the Township of Marion, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Board of Trustees at a meeting held on the 12<sup>th</sup> day of September 2024, and further certify that the above Resolution was adopted at said meeting.

Tammy L. Beal, Marion Township Clerk

**MARION TOWNSHIP** 2877 W. COON LAKE ROAD **HOWELL, MI 48843** Phone 517-546-1588 Fax 517-546-6622

TRANSMITTAL		
TO: Board of Trustees	DATE	September 12,2024
	PROJECT	SPR#02-24 Final Site Plan review Tamarack Place
	VIA	Hand Delivery
WE ARE SENDING: X Herewith	Under Sepa	rate Cover
THE FOLLOWING:  o Final Site Plan Dated 8/9/202 o Planning Commission Minute o Zach Michels review Dated 7 o Spicer Review Dated 7/31/202 o LCDC email dated 7/10/2024  FOR YOUR:  approval/ deni other	es dated 8/27/ 1/30/2024 024 1	as requested review & comment
REMARKS:		THIS IS A DEDO FOR EVDIDED SITE DI AN
The attached material is for FINAL Site Plan	n review and a	approval. THIS IS A REDO FOR EXPIRED SITE PLAN
FROM: Dave Hamann, Zoning Administrato	or	
Copy: file		

#### **MARION TOWNSHIP**

#### APPLICATION FOR SITE PLAN REVIEW

10-02-300-007

Date: July 18, 2024

Parcel I.D. Number:

Prope	rty Owner(s) Name (Print or Type):	Applicant(s) Name (Print or Type):				
Blu	e South Sunridge LLC	Westview Capital LLC				
Mailin	g Address (Print or Type):	Mailing Address (Print or Type):				
324	00 Telegraph Road, Suite 200A	2186 East Centre Avenue				
City, S	State, ZIP (Print or Type):	City, State, ZIP (Print or Type):				
Bir	ngham Farms, MI 48025	Portage, Michigan 49002				
Phone	e (Print or Type):	Phone (Print or Type):				
(24	8) 642-4700	(269) 365-8548 Mike West				
		mwest@allenedwin.com				
	Name of Proposed Development:  Tamarack Place Site Condominium Subdivision  Phase 3 of Sunridge PUD  Location of Proposed Development (address):					
	NESW Side of Peavy					
	Alstott Drive Tracilee Drive Roads					
L	<ul> <li>The property owner(s) must sign this application. In lieu of the owner(s) signature on this application, the owner may provide a letter authorizing the applicant to act on his / her behalf. This application will not be processed until authorized by the property owner and/or the authorized applicant.</li> </ul>					
	Brief Description of the Proposed Development at	nd/ or Project (Land Use):				
	144 Unit Site Condominium	Subdivision plus one land				
	division parcel (Parcel	A). Final Site Plan re-approval				
	I hereby grant permission for members of the Plandesignee to enter the above-described property for application.	nning Commission, Zoning Administrator or their appointed or the purpose of gathering information related to this				
	Owner(s) of Record Signature:	the state of the s				
	Applicant(s) Signature (if other than owner):					

Date:\_

#### DO NOT WRITE BELOW THIS LINE - TOWNSHIP USE ONLY

Date Received:	Received By:	Application Fee:				
	PRELIMINARY SITE P	LAN REVIEW				
AGENCY REVIEWS AND COMMENTS FROM:						
County Road	l Commission: YesNo Cour	ity Health Department: YesNo				
County Drain Commission	ner: YesNo Fire Departmer	it: YesNo Other Agencies: YesNo				
		sNo Township Planner: YesNo				
APPROVED	APPROVED WITH CONDITIONS	DENIED				
Date:	Date:	Date:				
Date Received:	Received By:	Application Fee:				
	FINAL SITE PLAN	N REVIEW				
	AGENCY REVIEWS AND CO	DMMENTS FROM:				
County Road Commission: YesNo County Health Department: YesNo						
County Drain Commissioner: YesNo Fire Department: YesNo Other Agencies: YesNo						
Township Attorney: YesNo Township Engineer: YesNo Township Planner: YesNo						
APPROVED	APPROVED WITH CONDITIONS	DENIED				
Date:	Date:	Date:				
,						
Date Received:	Received By:	Application Fee:				
	CONSTRUCTION P	_AN REVIEW				
	Township Engineer: Ye	sNo				
Other reviewers:						
	Pre-Construction Meeting					
APPROVED Date:						
AS BUILTS Submitted for To	wnship File Date:	Reviewed by:				

### Westview Capital, LLC 2186 East Centre Avenue Portage, MI 49002

August 29, 2024

Mr. Dave Hamann, Zoning Administration Marion Township 2877 W. Coon Lake Road Howell, Michigan 48843

Re: <u>Tamarack Place (Phase 3 of Sunridge PUD)</u>, <u>93 Acres, Final Site Plan reapproval – Planning Commission Recommended Conditions of Approval</u>

Dear Dave,

As a follow-up to the August 27, 2024 Planning Commission meeting and their recommendation to the Township Board to reapprove the Final Site Plan for Tamarack Place, this letter is to acknowledge the recommended conditions of approval. In addition to the comments and responses summarized in the August 13, 2024 letter from Desine, Inc. (see attached), we confirm acceptance of the following:

- 1) Construction traffic to limited to the Alstott Drive access only with appropriate soil erosion control measures maintained during construction (e.g. aggregate/stone entrance mat, routine street sweeping, etc).
- 2) The addition of a pedestrian crosswalk (across Lockes Street) between Units 30/31 and Units 10/11.
- 3) Street light fixtures will be LED with a color temperature of 2700k.

We look forward to Township Board review/reapproval of this Final Site Plan at the September 12, 2024 meeting.

Thank you for your ongoing assistance with this project. If you have any questions or require additional information, please contact me at your earliest convenience.

Sincerely,

Michael West, AICP

Land Planning Manager

Westview Capital, LLC

2186 East Centre Avenue

Portage, Michigan 49002

(269) 365-8548

mwest@allenedwin.com

Attachment: August 13, 2024 response letter from Desine, Inc.

CIVIL ENGINEERS LAND SURVEYORS

2183 PLESS DRIVE, BRIGHTON, MICHIGAN 48114-9463 (810) 227-9533 FAX (810) 227-9460

EMAIL: desine@desineinc.com



Mr. Dave Hamann Zoning Administrator Marion Township 2877 West Coon Lake Road Howell, Michigan 48843

Re: TAMARACK PLACE
Final Site Plan resubmittal

Dear Mr. Hamann:

We have revised the final site plan for Tamarack Place in Marion Township to address review comments provided by the Township and permitting agencies. The following revisions have been incorporated into the plans:

- Tax ID numbers for each unit have been depicted on sheet AE.
- Zoning district designation has been corrected on sheet DP
- Demolition has been updated to reflect current conditions on sheet EX
- Tree protection fencing has been depicted on sheet EX
- Proposed Ash and Austrian Pine tree species have been replaced with Silver Linden an Concolor Fir tree species
- Proposed street light cut sheet and detail have been revised to LED on sheet LS2
- The ultimate drainage outlet has been identified on sheet WS
- Notes identifying road and drainage system ownership, and speed limit has been added to the Cover sheet
- Minor corrections to detention basin calculations have been completed in accordance with comments provided in the approval letter prepared by LCDC dated July 10, 2024

The following additional information is provided to assist in consideration of the revised plans.

The proposed pavement cross-section provided on sheet DT1 conforms to the Marion Township private road pavement standards. No changes to the pavement cross-section are proposed.

Detention Basin N has been revised to conform with the current Livingston County Procedures and Design Criteria for Stormwater Management Systems as required by the Drain Commissioner. The groundwater elevation at SB-1, as depicted on the boring log, is at an elevation of 899.2. SB-1 is located approximately 400 feet upgradient from the detention basin, and approximately 520 feet from the county drain. The groundwater gradient through the existing sandy soils will be generally consistent between SB-1 and the existing drain, resulting in a groundwater elevation in the vicinity of the detention basin below the low water elevation of the proposed basin. The stormwater management system has been approved by the Livingston County Drain Commissioner.

Dave Hamann August 13, 2024 Page 2

The site plan was previously approved with pedestrian crossings as depicted on the plans. Pathways and trails intersect with the sidewalk system and are not intended to need additional pedestrian crossings over the private roads. Additional pedestrian crossings at the remaining legs of intersections will interfere with driveway locations.

The proposed entrance sign will be detailed on the plan provided with the sign permit application.

Landscaping is proposed along the Easterly side of the development, between the existing and proposed single-family residential lots. Screening is not required between similar residential uses.

Insufficient space is available to provide street trees along Wolfburn Street, within the existing 66 foot wide right-of-way, following construction of the water main and proposed sidewalk.

Enclosed is the revised site plan for review and approval. Should you have questions pertaining to the project, or if additional information is required, please contact me at your convenience.

Respectfully, **DESINE INC.** 

Wayne M. Perry, P.É.

Encl: Tamarack Place Site Plan - 08-09-2024

cc: Mike West, Allen Edwin Homes

203925\Township - Site Plan resubmittal LTR 08-13-2024

### Westview Capital, LLC 2186 East Centre Avenue Portage, MI 49002

Mr. Dave Hamann, Zoning Administration Marion Township 2877 W. Coon Lake Road Howell, Michigan 48843 July 18, 2024

Re: Tamarack Place (Phase 3 of Sunridge PUD), 93 Acres - Final Site Plan reapproval

Dear Dave.

As you are aware, the Final Site Plan for Tamarack Place (Phases 1-4) received approval from the Marion Township Planning Commission and Township Board back in 2021. While site clearance occurred shortly thereafter, construction of Phase 1 did not commence within the required one (1) year period and this approval expired.

Pursuant to Article XVIII of the Zoning Ordinance, the Final Site Plan is being submitted for re-approval. It is important to note that the only minor changes to the storm water management system to meet current Livingston County Drain Commissioner requirements, along with adjustments to proposed phasing boundaries for Phases 2, 3 and 4, are proposed with the Final Site Plan re-submittal. No changes to the previously approved roadway layout, number of condominium units, locations/amounts of open space areas, etc. are proposed with this re-approval request.

Attached please find the Final Site Plan reapproval package for the Tamarack Place Site Condominium project (Phase 3 of Sunridge PUD) which includes the following documents:

- Signed Site Plan Review Application dated July 18, 2024
- Final Site Plan Review Fee Check (\$500) and Escrow Review Fee Check (\$1,000)
- Summary Letter from Desine, Inc. (Wayne Perry) dated July 18, 2024
- Livingston County Drain Commissioner Approval Letter dated July 10, 2024
- Final Site Plan Set for Tamarack Place dated June 27, 2024 (electronic copy provided via email; hard copies pending administrative review)

We look forward to constructing this residential community within the next year and request the Final Site Plan reapproval be scheduled for the August 27, 2024 Marion Township Planning Commission meeting.

Thank you for your ongoing assistance with this project. If you have any questions or require additional information, please contact me at your earliest convenience.

Sincerely,

Michael West, AICP Land Planning Manager Westview Capital, LLC 2186 East Centre Avenue Portage, Michigan 49002

(269) 365-8548

mwest@allenedwin.com

### CIVIL ENGINEERS LAND SURVEYORS

2183 PLESS DRIVE, BRIGHTON, MICHIGAN 48114-9463 (810) 227-9533 FAX (810) 227-9460

EMAIL: desine@desineinc.com



Mr. Dave Hamann Zoning Administrator Marion Township 2877 West Coon Lake Road Howell, Michigan 48843

Re: TAMARACK PLACE

Final Site Plan review submittal

Dear Mr. Hamann:

We have updated the final site plan for Tamarack Place in Marion Township. Construction plans for the development were previously approved and permitted for construction in 2022. Plans have been modified to incorporate changes required by permitting agencies.

The four stormwater detention basins within the development have been revised to conform with the current Livingston County design criteria for stormwater management systems. Detention basin volume calculations, basin configuration and forebay outlet control structures have been modified on sheets GR1.2, GR1.3, GR3.2 and GR4.2.

MHOG will be constructing the 20" diameter water transmission pipe within their existing easement along the Southerly development boundary, from Pinckney Road to the Westerly boundary of Tamarack Place. This allows water main along Wolfburn Street, the Southerly portion of Lockes Street and the Southerly portion of Dalmore Street, to be revised to 8" diameter pipe. The modified water main is depicted on utility plan sheets UT3 and UT4.

Enclosed is the updated site plan for review and approval. Should you have questions pertaining to the project, or if additional information is required, please contact me at your convenience.

Respectfully, **DESINE INC.** 

Wayne M. Perry, P.E.

Encl: Tamarack Place Site Plan - 06-27-2024

cc: Mike West, Allen Edwin Homes

203925\Township - Site Plan submittal LTR 07-18-2024



July 31, 2024

Dave Hamann, Zoning Administrator Marion Township 2877 W. Coon Lake Road Howell, MI 48843

RE:

Tamarack Place – Phase 3 Updated Final Site Plan Review

Dear Mr. Hamann,

We have received and reviewed the final site plan for the development of Tamarack Place Phase 3, located on Peavy Rd, just north of Tracilee Dr. The plans were prepared by Desine Inc on behalf of Blue South Sunridge, LLC and are dated June 27, 2024. Based on our review, we offer the following comments:

General

The existing site is currently zoned as Suburban (SR) and is an undeveloped parcel with a Livingston County owned open drain, private open drain, and wetlands. The existing topography of the site generally slopes from south to north, or towards the open drains in the middle of the site.

A location map is shown on the cover page at a scale of 1-inch equals 2,000 feet, with the necessary information. A development plan is also included in the plans, showing the proposed development phases.

The site is 93.31 acres, the legal description is provided, and the legal description closes within acceptable tolerances.

Parcel A was removed from the site condominium and is now a proposed land division. The parcel split has a front yard setback of 35 feet, side yard setback of 15 feet, and rear yard setback of 25 feet.

Roads & Paving

Sidewalks are 5 feet wide and are generally 4 inches in thickness but are 6 inches in thickness in driveway areas. The sidewalk will use a 4-inch thick sand base. Sidewalks are located on both sides of the roads within the site, but the shaded areas of the sidewalk shall be constructed by the contractor. The unshaded areas of the sidewalk shall be constructed as part of the house construction on each unit. The site also uses a mowed path and hard surface path within the open space area. The hard surface path starts on the north side of the cul-de-sac on Dalmore St and loops around Basin L on the south side. Then the hard surface transitions into a mowed path, east of Basin L. The mowed path then connects to the concrete sidewalk, south of Lot 51. The hard surface path, located south of Scapa St along the wet land within Phase 4, connects the cul-de-sac on Scapa St to the area south of Lot 51. There is another hard surface path southwest of Basin M. This connects the cul-de-sac on Linkwood Ct to the area south of Lot 51.

The private road consists of a 1.5-inch thick MDOT 1100T-20AA top course, 1.5-inch thick MDOT 1100L-20AA leveling course, 7-inch thick compacted 22A aggregate base, and 6-inch minimum thick compacted Class II sand base. The materials are acceptable and conforms to Livingston County Road Commissions' standards and regulations, but Marion Township's requirement is 4 inches of HMA on 8 inches of gravel. An alternative pavement section can be considered if a geotechnical analysis and

July 31, 2024 Page 2 of 4

pavement design is submitted during the construction plan review. An edge drain is provided and is shown in the Typical Private Road Cross Section detail.

The proposed cul-de-sac radius at the outside edge of the pavement is 50 feet and the ROW radius is 75 feet. The cul-de-sac also has a fillet radius of 50 feet. There are three proposed cul-de-sacs, one on Scapa Street, one on Dalmore Street, and one on Linkwood Court.

There are two entrances to the site, one on Alstott Dr and one on Peavy Rd. A sight distance review was performed by Livingston County Road Commission and approved the approaches. The clear vision area on Alstott Dr will need to be addressed during the permitting process. During Phase 1 of construction, a 12-foot wide right-turn deceleration taper will be constructed at the intersection of Peavy Rd. The right-turn deceleration taper is 100 feet long and the 12-foot wide deceleration lane is 50 feet long. The intersection of Alstott Dr and Lockes St does not show any tapering. We defer to Livingston County Road Commissioner for further comment and approval.

A speed limit is not shown within the plans, but it should be 25 miles per hour, with a design speed of 35 miles per hour.

### **Grading & Drainage**

The site uses a stormwater conveyance system to route the water into four different detention basins. The pipes used will be RCP and range in diameter between 12 inches and 30 inches. The collected water will discharge into a forebay(s) within the proposed detention basins and then released into the existing drain. The slope of the detention basin and forebay is 1:5 and the slope of the forebay spillway is 1:3.

Calculations for the stormwater conveyance system was provided in the plans. The system was designed for a 10-year storm event and assumed a time of concentration of 20 minutes. Full flow velocities ranged within 2.5 ft/sec to 10 ft/sec and volumetric flow did not exceed the pipe capacity.

Basin K, Basin L, Basin M, and Basin N had a proposed storage volume of 76,115 ft<sup>3</sup>, 148,285 ft<sup>3</sup>, 141,352 ft<sup>3</sup>, and 21,345 ft<sup>3</sup>, respectively. At minimum, the volume of the forebay at the spillway elevation should equal the required forebay volume.

Finished floor elevations were added into the plans, which shows that there is at least a 1-foot minimum freeboard from the storage elevation of the basin to the finished floor elevation. This 1-foot minimum freeboard rule also extends to the top of the catch basins and to the top of roads. The catch basins and roads were spot checked for the 1-foot minimum freeboard.

The bottom elevation of Basin M was increased from 900 to 902, which is now higher than the groundwater elevation. Basin N on the other hand, was lowered from 900 to 899. According to TB-01, which is located near Basin N, the groundwater elevation is around 901. Basin N should be designed to ensure the groundwater does not affect the storage of the basins.

A note should be added somewhere in the plans indicating the ultimate outlet for stormwater runoff.

July 31, 2024 Page 3 of 4

**Sanitary Sewer** 

The utility plan shows the location, slope, and type of pipe for water, stormwater, and sanitary utilities. The sanitary sewer will use a 8-inch PVC SDR-26 at a minimum slope of 0.4%, which meets the township's requirements. A sanitary sewer design table was added into the plans, showing the sanitary main information and lead information. All leads are 6 inches in diameter running at a 1% slope.

The proposed 8-inch diameter sanitary system connects to an existing 8-inch diameter sanitary system located on Alstott Dr, just north of the site. The sewage will then travel to the pump station located west of Peavy Estates. The pump station has a capacity of 550 GPM, while the daily flow provides 50,750 GPD and a peak flow of 187 GPM. The new peak flow for the pump station should be lower than the capacity of the pump station. Then the sewage will travel north of the pump station and connects to the sanitary line that runs along Marion and Genoa drain. The sewage then travels towards Peavy Rd and connects to a 15-inch diameter sanitary line. Finally, the sewage travels to another pump station on Peavy Rd and finally reaches Howell WWTP.

The Trench Detail shows pipes under or within the influence of the roadway, pipe bedding, and pipes not under the influence of the road. These details are acceptable and conforms with LCRC standards. There are some areas where the sanitary system runs underneath the roadway, but these runs a fairly short and have upstream manholes located in the greenbelt.

Watermain

The proposed watermain is an 8" CL54 DIWM. Although the plans do not specifically call out a depth for the watermain, the notes point out that the watermain will meet all specifications of MHOG Sewer and Water Authority. This indicates that the water main will have a cover ranging between 5.5 to 8.5 feet. A water main basis of design table was added into the plans showing design factors, head loss, flow velocity, and resultant pressure.

Multiple hydrants are proposed on the site, with a maximum separation of 405 feet. The location of the hydrants must be reviewed by MHOG.

According to MHOG Sewer and Water Authority, Section 1.02c Water Main Layout, dead-end mains may not exceed 600 feet in a single-family, residential neighborhood. The dead-end mains on Scapa St and Dalmore St do not meet this requirement. There is another dead-end water main on Linkwood Ct, but it does not exceed 600 feet. We defer to MHOG for further comment and approval.

Landscaping and Lighting

The Landscaping Plan shows architectural renderings of structures and landscaping improvements. There are proposed light poles throughout the site but does not go into detail. Typical detail and illumination pattern for the proposed exterior lighting is required. We defer to the Township Planner for further comment on the landscaping and lighting plan.

July 31, 2024 Page 4 of 4

### Recommendation

We recommend the Township withhold approval, pending the following items and our subsequent review:

- 1. Plans should be reviewed and approved by:
  - a. Fire Marshal
  - b. Township Planner
  - c. Livingston County Drain Commissioner
  - d. Livingston County Road Commission
- 2. Basin N should be designed so that the groundwater does not affect the storage of the basins.
- 3. A note should be added somewhere in the plans indicating the ultimate outlet for stormwater runoff.
- 4. Typical detail and illumination pattern for the proposed exterior lighting is required.

If you have any questions or need anything further, please feel free to contact our office.

Sincerely,

Eric Schulte, EIT

Design Engineer I

Phone: (248) 767-7876

Eric Schulte

Mailto: Eric.schulte@spicergroup.com

Philip A. Westmoreland, P.E.

Mailto: Philaw@spicergroup.com

Php Witt

Senior Project Manager

Phone: (517) 375-9449

SPICER GROUP, INC.

1595 W Lake Lansing Road, Suite 200

East Lansing, MI 48823

### Final Site Plan Review for Marion Township Planning Commission

### INTRODUCTION

Petition Number

Tamarack Place

**Applicant** 

Michael West, on behalf of Westview Capital/Blue South Sunridge

Request

Final site plan review for single-family residential site condominium

1493 Alstott

Location

Western side of Peavy, south of Alstott

### **PETITION SUMMARY**

The applicant is requesting final site plan reapproval for a residential site condominium with 144 dwelling units. The site plan was previously approved and is part of the Sunridge planned unit development.

The proposed site plan is generally consistent with what was previously approved, except for some minor changes during engineering reviews.

The proposed project will preserve roughly 46 acres as open space, including wetlands, woodlands, and walking paths. The planned unit development approval included modifications for reduced lot area, reduced lot width, and reduced setbacks.

### PROPERTY/SITE INFORMATION

Address 1493 Alstott

Location Western side of Peavy, south of Alstott

Parcel Numbers 10-02-302-145, 10-02-302-001//144

Lot Area 93.3 acres (gross, includes right-of-way)

~650 feet (Alstott)

Frontage ~125 feet (*Peavy*)

Current Zoning Suburban Residential (SR) and planned unit development

Existing Uses Vacant/undeveloped, woodland, wetlands

Existing oses - vacanty and eveloped a modulary modulars

Future Land Use

Map

Suburban Residential Sewered

### Surrounding Properties

	Zoning	Use	Future Land Use			
North	ERS1 Existing Residential Subdivision	Single-family residential	Suburban Residential Sewered			
East	ERS1 Existing Residential Subdivision	Single-family residential	Suburban Residential Sewered			
South	ERS1 Existing Residential Subdivision	Single-family residential	Suburban Residential Sewered			
West	SR Suburban Residential	Single-family residential, Undeveloped woodlands	Sewered High Density Residential			

Items to be Addressed: It appears that the site has already be divided into separate units/parcels. The parcel id numbers should be updated as necessary.

Current zoning should be updated from "Suburb" to "Suburban Residential (SR)."

The demolition shows "Buildings to be removed." It appears that those buildings have already been removed. Notations should be corrected as necessary.

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The site is undulating with significant slopes near the southeastern corner of the site.
Wetland areas are located throughout the site. A wetland area of roughly 0.48 acres, within Parcel A will not be preserved. The wetland delineation was conducted in September 2020.
There are significant woodlands throughout the site. A number of tree and woodland areas will be removed. Details showing protective fencing around trees to remain are not shown.
There are many soils present on the site. A majority of the area to developed has some variety of loamy sands, which are appropriate for development. Portions of the site include varieties of mucks, which are not appropriate for development.
There are two small ponds in the southwestern corner of the site, which will be preserved. There are two water courses running east/west across the site, including a Livingston County drain with a 40-foot-wide easement.

Items to be Addressed: Confirmation by the Township Engineer that the previous wetland delineation from 2020 remains adequate.

Applicant to secure necessary approvals from the County and EGLE.

Site plan revised to show location and details of protective fencing for trees to remain.

### DEVELOPMENTAL STANDARDS

General developmental standards for SR Suburban Residential districts are defined in §8.02(F) Site Development Requirements. Some developmental standards have been modified as part of the original planned unit development approval.

•	Required	Proposed	Complies
Lot Area	20,000 square feet	9,000 square feet	Yes (PUD)
Frontage	85 feet	70 feet	Yes (PUD)
Front-yard Setback	35 feet	30 feet (internal front yards)	Yes (PUD)
Side-yard Setback	15 feet	10 feet	Yes (PUD)
Rear-yard Setback	25 feet	25 feet	Yes
Lot Coverage	35 percent	Unknown	Likely
Height	35 feet	Unknown	Likely

Items to be Addressed: Lot coverage and height are reviewed at time of zoning permit review.

### AGGESS AND CIRCULATION

The development will be accessed from Alstott to the north and Peavy to the east, which are both public roads under the jurisdiction of the Livingston County Road Commission.

All dwelling units will have access from the proposed private roads. The cul-de-sacs are shown as being completely paved. If possible, it is preferable to provide a landscaping island to reduce stormwater runoff and reduce heating impacts.

It is our understanding that the applicant has previously committed to making some offsite improvements to mitigate potential traffic impacts of the development.

Sidewalks are provided along the streets and walking trails are provided throughout the preserved open spaces. Pedestrian crossings should be provided across all legs of intersections and where trails intersect the roads.

Items to be Addressed: Access approval by the Livingston County Road Commission. Construction traffic prohibited form Alstott.

Tamarack Place Residential Site Condominium July 30, 2024

Additional pedestrian crossings provided at all legs of intersections and where trails intersect internal.

### SIGNAGE

Details for an entrance sign are shown on the Landscape Plan. The proposed sign appears to meet the developmental standards for a residential development entrance sign.

The exact location of the proposed entrance sign is not shown. Additional information should be added to the site plan or as part of sign permit review to ensure the proposed sign meets required setbacks and is outside of clear-vision zones.

Details and locations for traffic regulatory signs are included.

Items to be Addressed: Proposed entrance sign location be added to the site plan or detailed location information provided for sign permit review.

### LANDSCAPING

The landscaping plan proposed planting a variety of coniferous and deciduous trees in common areas, such as around basins and in as screening to the east of the site. The landscaping plan also proposed planting 1 street tree on each lot.

Although significant plantings are proposed along the eastern boundary of the site, it may take a long time before the proposed plantings provide full screening. Additional plantings may be necessary in this area to improve immediate screening.

Street trees are not proposed along Wolfburn. Planting street trees would reduce the impact of traffic on the adjacent single-family dwellings and provide a transition into the residential environment.

It appears possible and desirable on corner lots to plant one street tree on each street frontage.

Some of the proposed tree species are not recommended or desirable in Michigan in 2024. Ash trees are still susceptible to emerald ash borer. Austrian pines are highly susceptible to needle blight. These species should be replaced with more appropriate species.

Items to be Addressed: Additional screening added along eastern side of the site.

Street trees added along Wolfburn and on second frontage of corner lots.

Tree species to be updated.

### LIGHTING

Details for proposed pole lights are included on the landscaping plans.

The proposed pole lights will have a height of 12 feet. It does not appear that they will be full cutoff; it appears they will broadcast light horizontally.

The proposed fixtures would use light emitting diodes. The Zoning Ordinance,  $\S14.014(E)(2)$  requires high-pressure sodium, which has a color temperature of 1900K to 2000K. The Planning Commission may approve alternate luminaires that use "warm white or natural lamp colors," but the color temperature should be 3000K or less.

Items to be Addressed: Commission guidance on whether it would consider an alternate light source in place of high-pressure sodium.

Color temperature 3000K or less.

### DECISION CONSIDERATIONS

The site plan process is outlined in Article XVIII Site Plan Requirements.

Site plan approval is required for the proposed use and improvements.

Except for minor revisions required during engineering reviews, the site plan is consistent with what was previously approved by the Township. It appears to remain in compliance with the site plan decision criteria, with a couple of modifications or conditions noted in this report.

The Planning Commission makes a recommendation for approval, approval with conditions, or denial to the Township Board, who makes the final decision. Construction must begin within 1 year of the approval date or the approval expires.

### PETITION TIMELINE

Final site plan originally approved in 2021.

The application was submitted on July 18, 2024.

The application will go before the Planning Commission at its August 27, 2024, meeting.

### SUMMARY

The application for the final site plan of Tamarack Place is generally complete. This report notes some recommendations for minor modifications or conditions.

We look forward to helping facilitate this process at the meeting.

Zach Michels

Quality Zoning

Dexter, MI



### **Brian Jonckheere**

Livingston County Drain Commissioner 2300 E. Grand River Ave., Ste. 105 Howell, MI 48843-7581

Phone: 517-546-0040 FAX: 517-545-9658
Website: <a href="www.livgov.com/drain">www.livgov.com/drain</a> Email: <a href="mailto:drain@livgov.com/drain">drain@livgov.com/drain</a>

July 10, 2024

Mr. Wayne Perry Desine Inc 2183 Pless Dr. Brighton, MI 48114

Re: Tamarack Place

Updated Construction Plans Resubmittal Southwest 1/4 of Section 2, Marion Township

Dear Mr. Perry:

I received revised Construction Plans for the above referenced development on July 2, 2024. The submitted information has been reviewed for conformance with our office's review letter dated June 10, 2024. The following items require additional attention on the plans:

- 1.) The Basin M forebay outlet elevation should be lowered to 901.50 to eliminate the currently proposed partial submergence of its storm sewer inlet pipes.
- 2.) The Basin N Forebay Volume Provided (and the Combined Volume Provided) should be calculated above its outlet elevation of 898.92.
- 3.) The Basin L Combined Volume Provided should be calculated using the forebay storage volume above its outlet elevation of 900.34.
- 4.) The Basin K Extended Detention 1.5" diameter orifice centerline elevation should be 893.76, based on the outlet pipe invert elevation of 893.70.

I am granting approval of the updated Construction Plans for Tamarack Place, contingent on completion of the above-mentioned items in revised plans submitted with erosion control permit application materials.

Very truly yours,

Kenneth E. Recker, II, P.E.

Chief Deputy Drain Commissioner

C: Paul Lewsley, Spaulding DeDecker
Ryan Leary, Allen Edwin
Bob Hanvey, Marion Township Supervisor
Kim Hiller, LCRC
Phil Westmoreland, Spicer Group



### **Brian Jonckheere**

Livingston County Drain Commissioner 2300 E. Grand River Ave., Ste. 105 Howell, MI 48843-7581

Phone: 517-546-0040 FAX: 517-545-9658 Website: <a href="https://www.livgov.com/drain">www.livgov.com/drain</a> Email: <a href="mailto:drain@livgov.com">drain@livgov.com</a>

July 10, 2024

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Re: Tamarack Place

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Very truly yours,

Dleft=

Kenneth E. Recker, II, P.E.

Chief Deputy Drain Commissioner

C: Paul Lewsley, Spaulding DeDecker
Ryan Leary, Allen Edwin
Bob Hanvey, Marion Township Supervisor
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### **Brian Jonckheere**

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Phone: 517-546-0040 FAX: 517-545-9658 Website: <a href="https://www.livgov.com/drain">www.livgov.com/drain</a> Email: <a href="mailto:drain@livgov.com">drain@livgov.com</a>

June 10, 2024

Mr. Wayne Perry Desine Inc 2183 Pless Dr. Brighton, MI 48114

Re: Tamarack Place

Updated Construction Plans Southwest 1/4 of Section 2

Marion Township

Dear Mr. Perry:

I received updated Construction Plans for the above referenced development on May 13, 2024. Construction Plans for this project were reviewed and approved by our office in January of 2022 based on the previous L.C.D.C. Design Criteria. However, construction was never started. The transmittal letter accompanying the plans indicates that the design of the proposed stormwater management systems has been revised to conform with the current L.C.D.C. Design Criteria where possible, without regard to its infiltration components.

Our calculations confirm that the required Water Quality, Channel Protection, Extended Detention and 100 Year Storm storage volumes have been correctly computed for Detention Basins K, L, M and N based on their respective tributary areas, average runoff coefficients and a maximum discharge rate of 0.10 cfs/acre. However, the following stormwater detention related items should be addressed on the plans:

1.) The proposed forebay outlet pipes of Basins L, M and N should be raised to their detention basin's outlet elevation to eliminate their currently proposed permanent partial submergence.

2.) The required Water Quality Control volumes should be stored in the forebays above their proposed outlet

elevation.

- 3.) The proposed forebay outlet structure rim elevations should be set at or above the required Water Quality Control storage elevations, the forebay overflow spillway crest elevations should be set at least 6" above the outlet structure rim elevations and the top of the forebay/detention basin separation berms should be set at least 6" above the forebay overflow spillway crest elevations.
- 4.) The proposed combined forebay and detention basin volumes should be calculated above the proposed detention basin outlet elevations.
- 5.) The Detention Basin K forebay volume provided at El. 894.00 calculation should be based on the 0.27 foot depth interval.
- 6.) The Detention Basin N volume provided at El. 899.00 calculation should be based on the outlet elevation of 898.70 and the corresponding 0.30 foot depth interval.
- 7.) The currently proposed orifice designs of all four basins will result in excessive 100 Year Storm discharges. It appears that the head value of the 100 Year Storm orifices has been used in calculating what will be passed through the Extended Detention orifices during the 100 Year Storm causing excessively large proposed 100 Year Storm orifice areas.

I am withholding approval of the updated Construction Plans for Tamarack Place until the above mentioned items have been addressed.

Very truly yours,

Ke Skele =

Kenneth E. Recker, II, P.E.

Chief Deputy Drain Commissioner

C: Paul Lewsley, Spaulding DeDecker
Ryan Leary, Allen Edwin
Bob Hanvey, Marion Township Supervisor
Kim Hiller, LCRC
Phil Westmoreland, Spicer Group

### **DRAFT**



MARION TOWNSHIP PLANNING COMMISSION AUGUST 27, 2024 / 7:30PM

PC MEMBERS PRESENT:

LARRY GRUNN - CHAIRPERSON

CHERYL RANGE - SECRETARY

**BOB HANVEY** 

**BRUCE POWELSON** 

PC MEMBERS ABSENT:

JIM ANDERSON - VICE-CHAIRPERSON

OTHERS PRESENT:

**DAVID HAMANN – MARION TWP. ZONING ADMINISTRATOR** 

**ZACH MICHELS** – TOWNSHIP PLANNER

### CALL TO ORDER

Larry Grunn called the meeting to order at 7:30 pm.

### APPROVAL OF AGENDA

Bruce Powelson made a motion to approve August 27, 2024 agenda as presented. Cheryl Range seconded. **4-0 MOTION CARRIED** 

### **APPROVAL OF MINUTES**

Bob Hanvey made a motion to approve the July 23, 2024 Planning Commission minutes as amended. Cheryl Range seconded. **4-0 MOTION CARRIED** 

### CALL TO PUBLIC FOR COMMENT

No comment.

### **NEW BUSINESS**

### SPR# 02-24 TAMARACK PLACE RE-APPROVE EXPIRED SITE PLAN

Mike West works for West View Capital and is requesting re-approval of their expired site plan for Tamarack. Back in July of 2021 Capital decided to put a hold on all existing permits for Tamarack and hold off on construction. Since then they have made some modifications to the drains due to the Livingston County Drain Commission's standards changing. The current plan is to start construction in the Sprint of 2025.

Bruce Powelson recommends adding some lighting for the entrance sign.

Zach Michels recommended that the following items be updated:

- Remove the buildings that are no longer in existence.
- Update the zoning to "Suburban Residential".
- Include screening and buffering where needed. (Mike West plans to plant about 270 trees.)
- Indicate the location of the entrance sign and LED 2700k lighting.
- Show the new crosswalk between units 30-31 and 10-11.

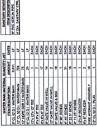
Cheryl Range made a motion to recommend re-approval of the SPR# 02-24 Tamarack Place site plan to the Marion Township Board of Trustees with the above conditions. Bruce Powelson seconded. **4-0 MOTION CARRIED** 

PARTIAL MINUTES TAKEN BY: Jessica S. Timberlake



# LEGAL DESCRIPTION

- 3.3.1 ACRE PARCEL BEONNO, or the Southwest Come of Intelled Section 2, few 2 country of the Control of Southwest Come of Intelled Section 2, few 2 country of the Control of Southwest Come of the Sou



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### OWNER

BLUE SOUTH SUNRIDGE L.L.C. 32400 TELEGRAPH ROAD, SUITE 200A BINGHAM FARMS MICHIGAN 45025

## DEVELOPER

WESTVIEW CAPITAL, LLC 795 CLYDE COURT SW BYRON CENTER, MICHIGAN 49315 269-365-8548



TAMARACK PLACE

# LOCATION MAP

PLAN SHEET INDEX

MARION TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

BEING PART OF THE SW 1/4 OF SECTION 2,

A PLANNED UNIT DEVELOPMENT (PHASE 3 OF SUNRIDGE P.U.D.) FINAL SITE PLAN

PEAYY RD.

- AGE

  STEE ARRIVAL PHOTOGRAPH

  EX EXISTENC CONDITIONS AND DEMOLITION PLAN

  BY
  HORIZON CONTROL PROPERTY

  SPECIAL PLANS

  STEE THAN INE

  SPECIAL PLANS

  STEE PLAN INE

  SPECIAL PLANS

  STEE PLAN INE

  SPECIAL PLANS

  STEE PLAN INE

  CONTROL CHARLITY PLAN

  UTILITY PLANS

  UTILITY PLANS

NOTES:

\*\*SORDS WITHIN THE DEVELOPMENT ARE PRIVATE

\*\*SPEED JUHT - 25 M.P.H.

\*\*SORDS LOTH TAFATE SHALL BE RECHIBITED FROM ALSTOTT DRIVE

\*\*PROPOSED STORM WAITE MANAGEMENT SYSTEM SHALL BE OWNED

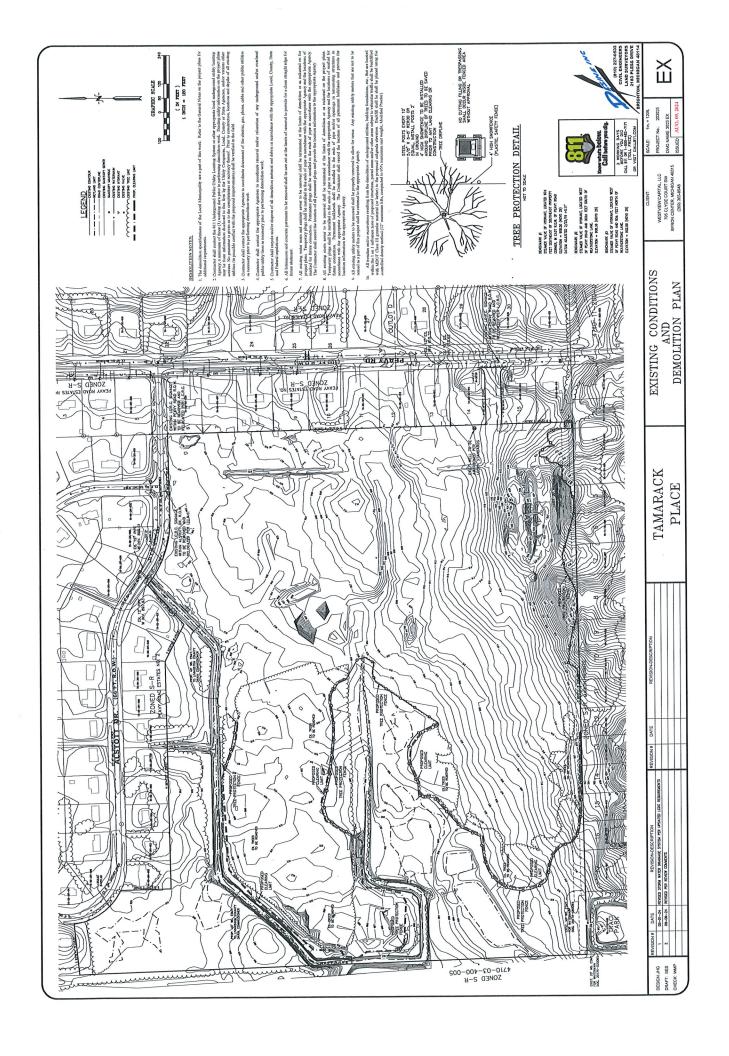
AND PROPERLY MAINTAINED BY THE CONDOMINIUM ASSOCIATION

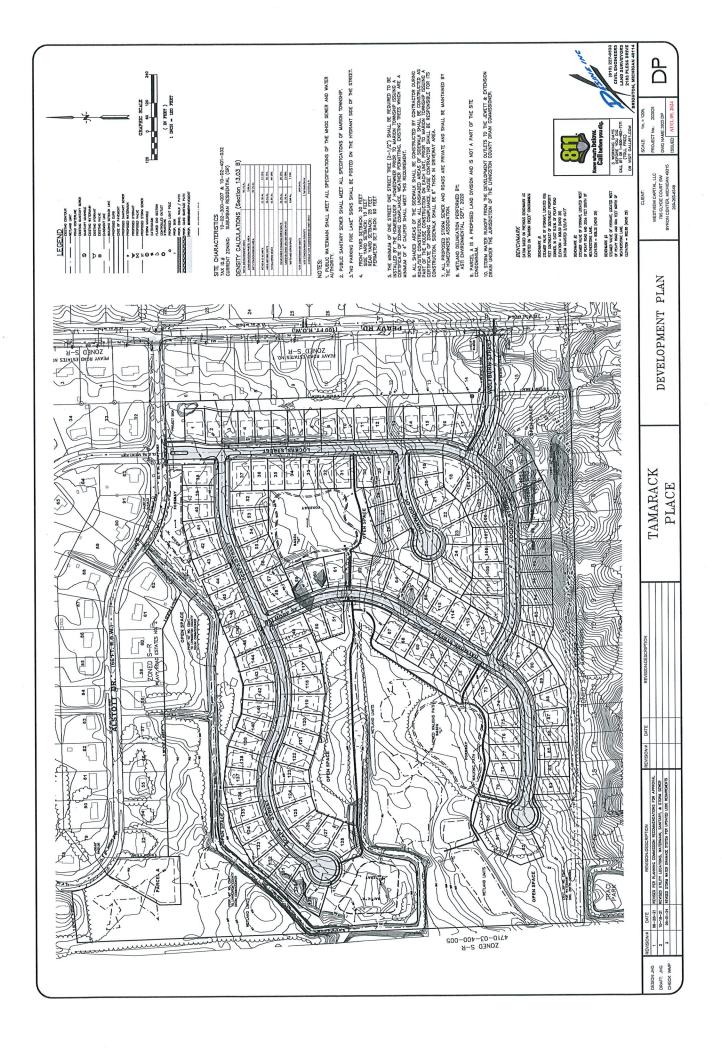


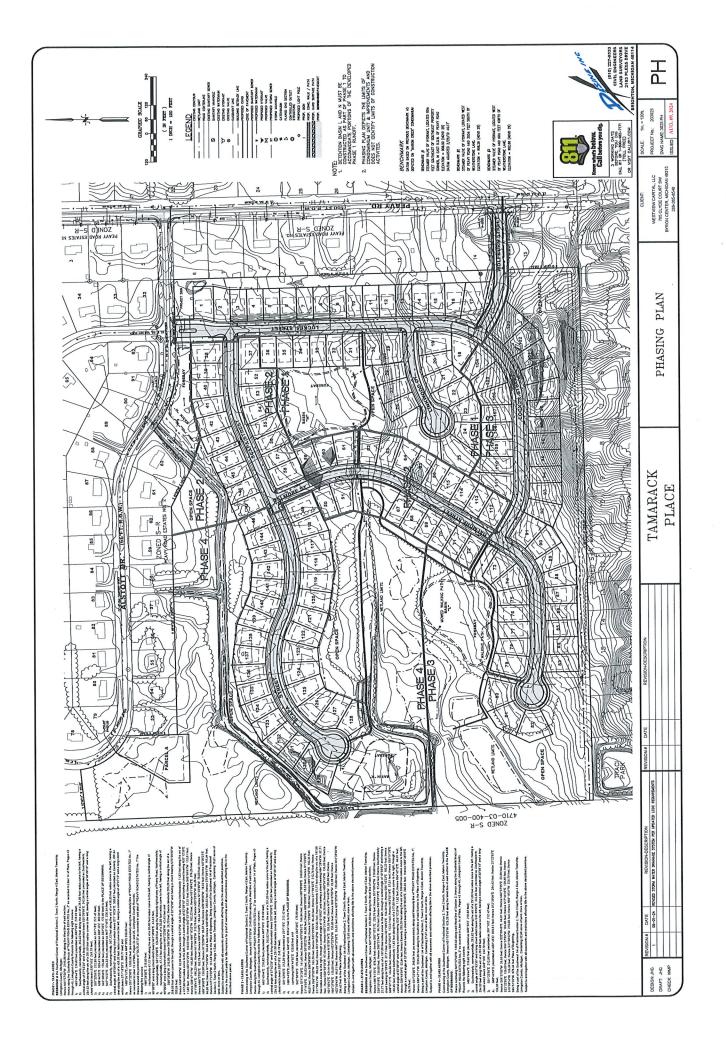


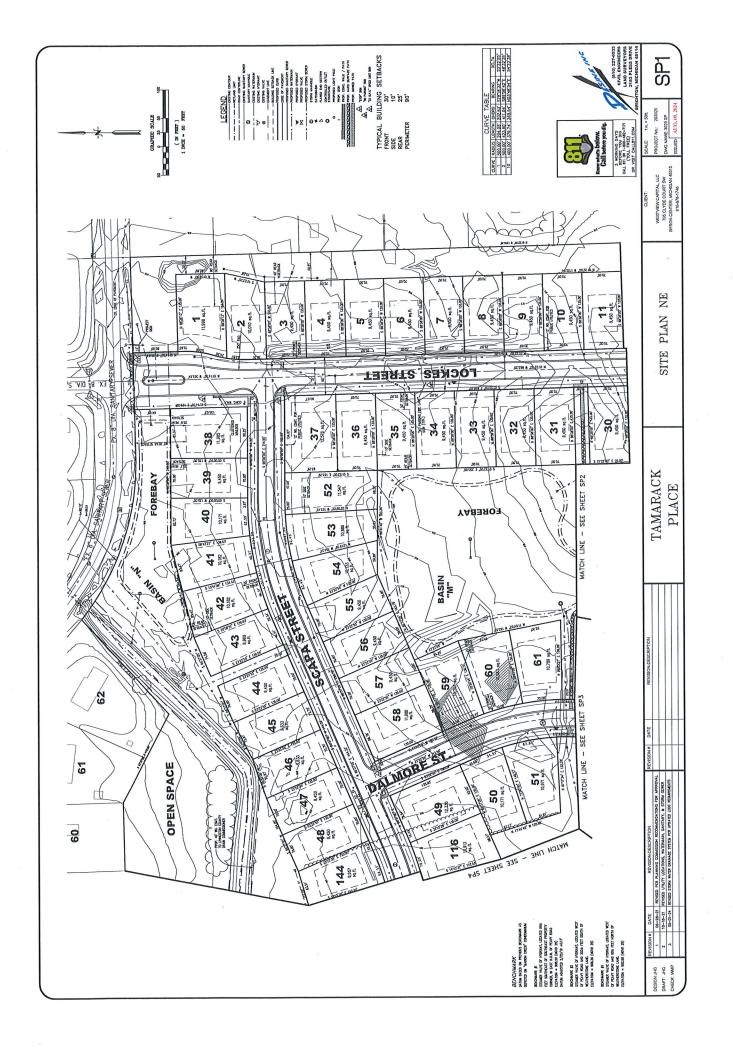


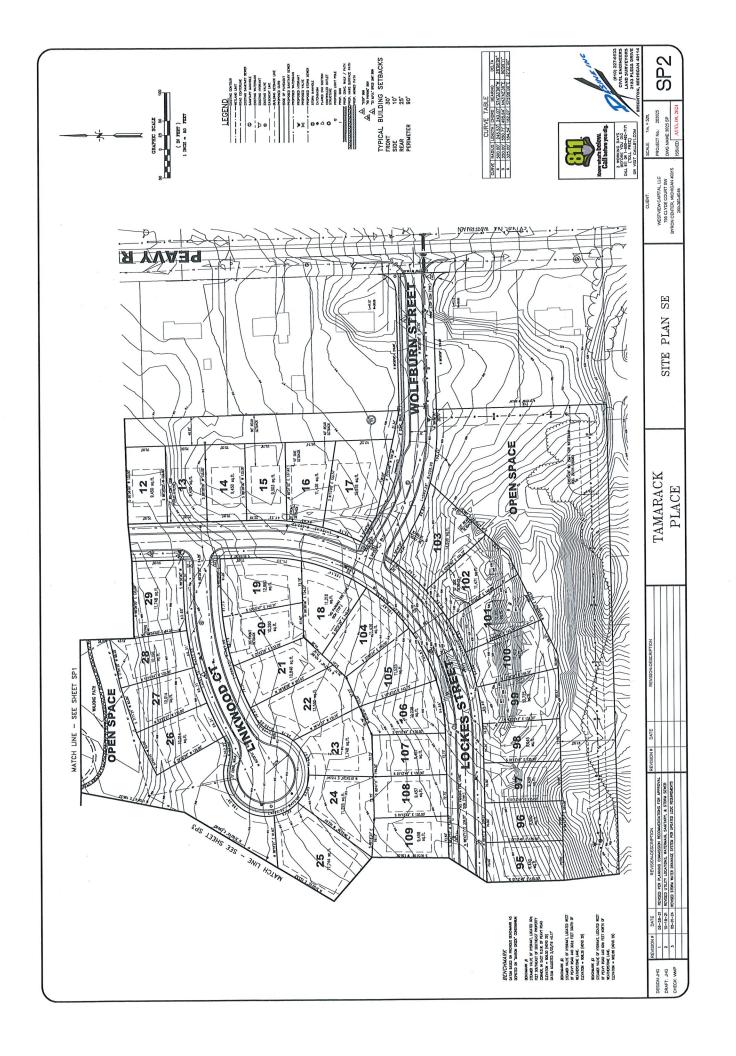


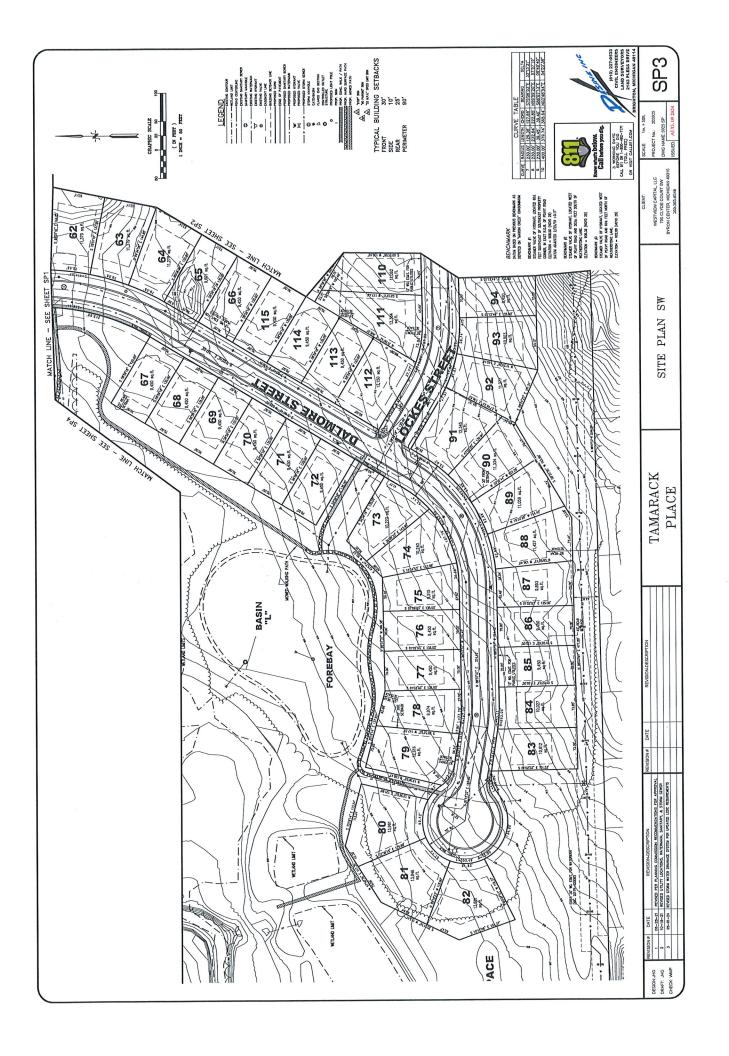


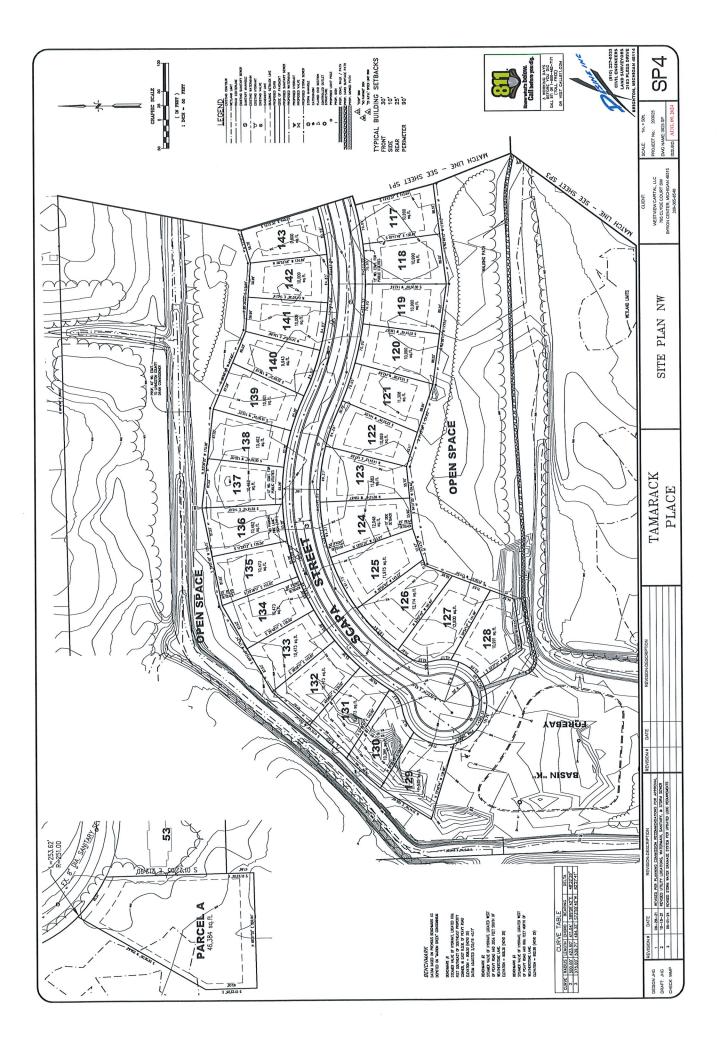


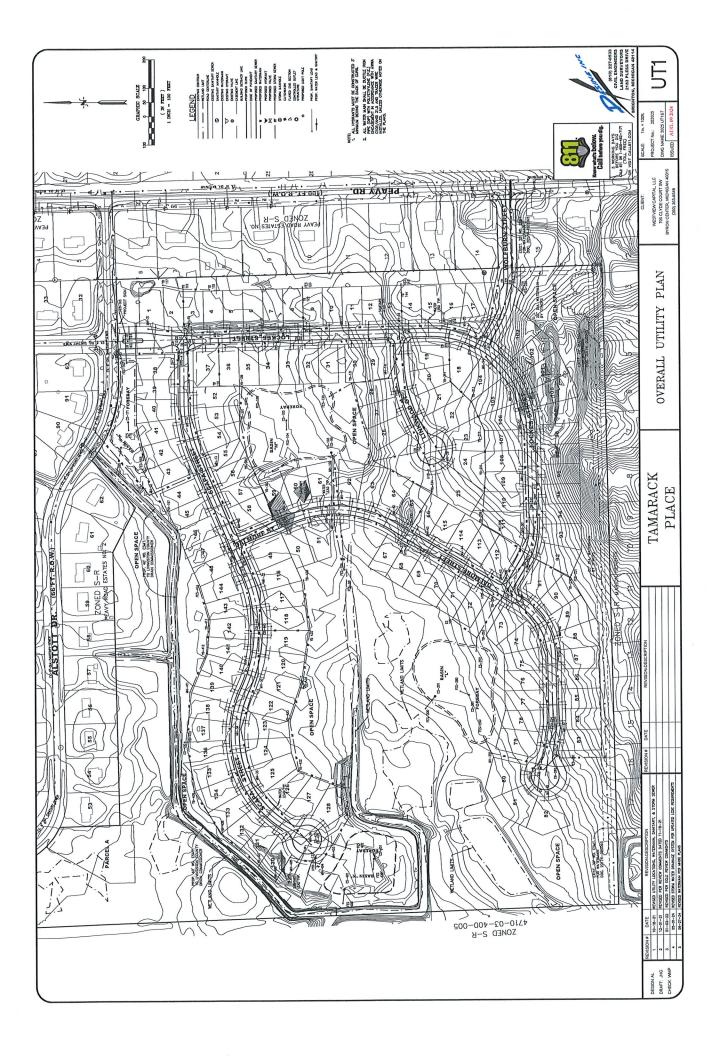


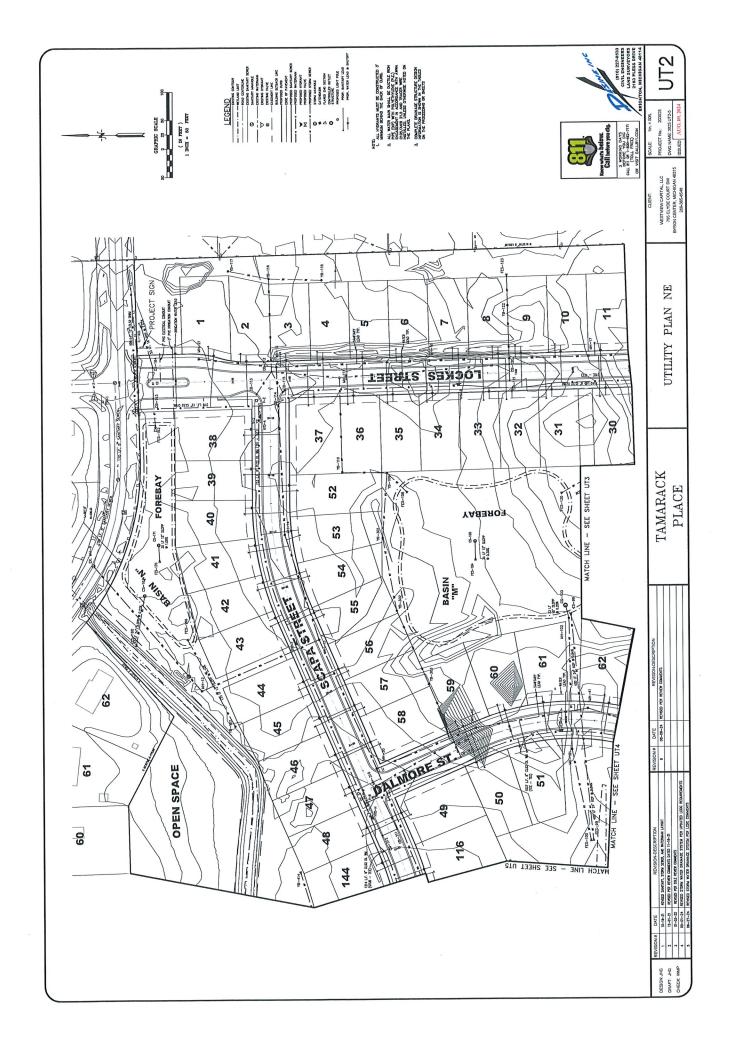


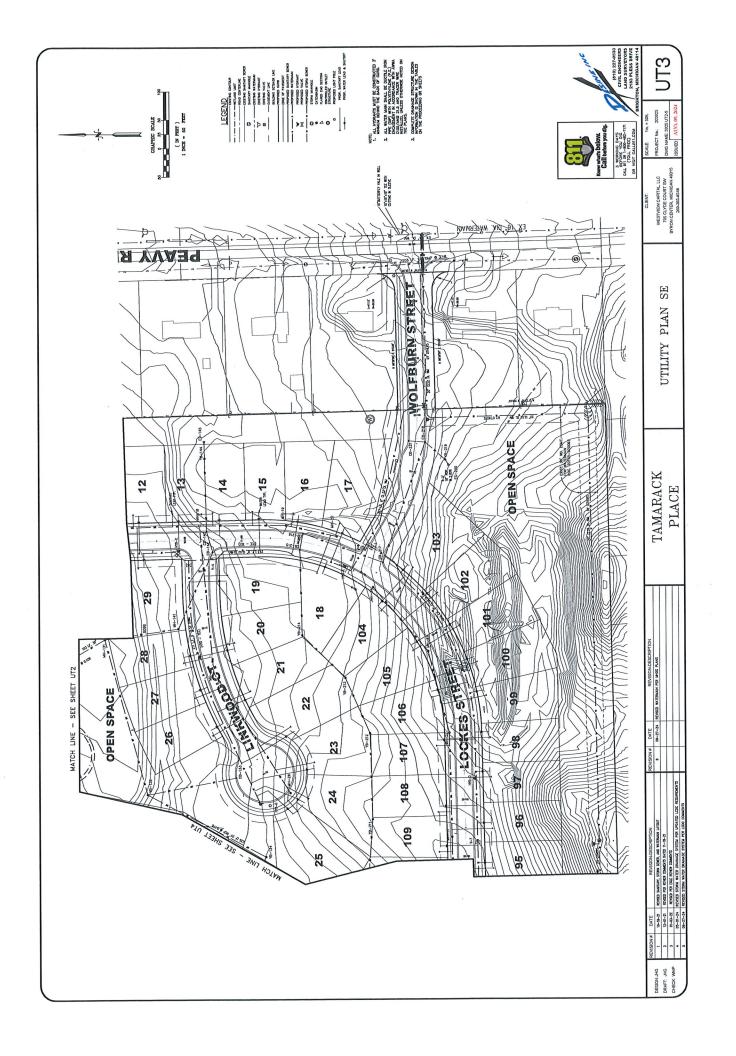


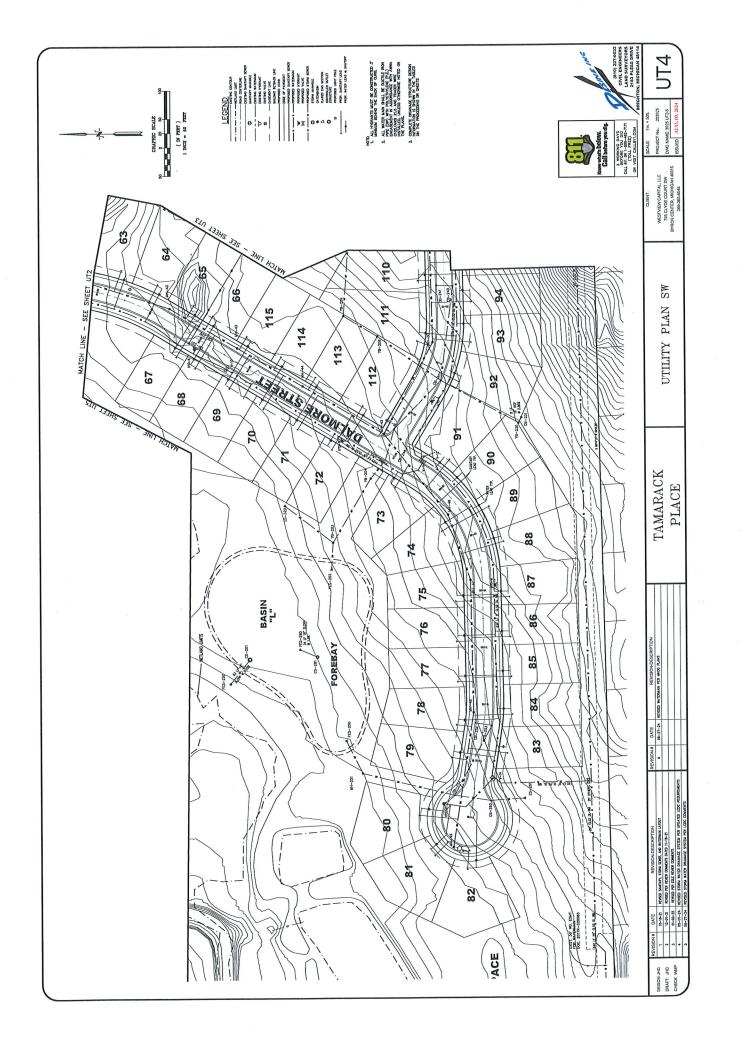


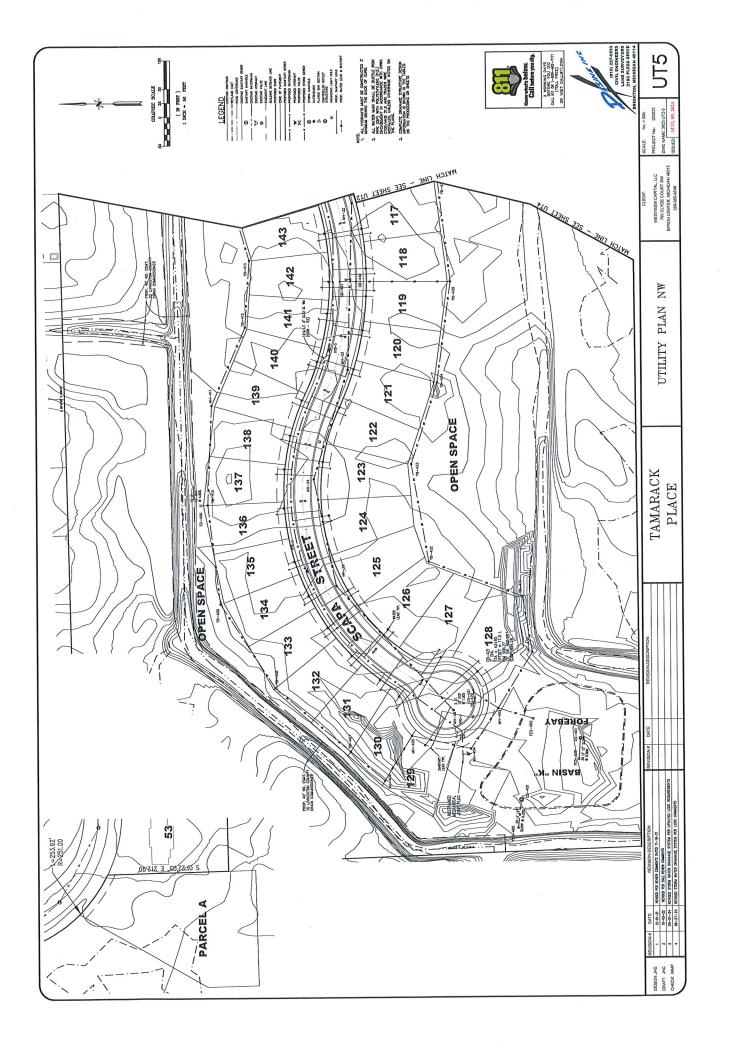


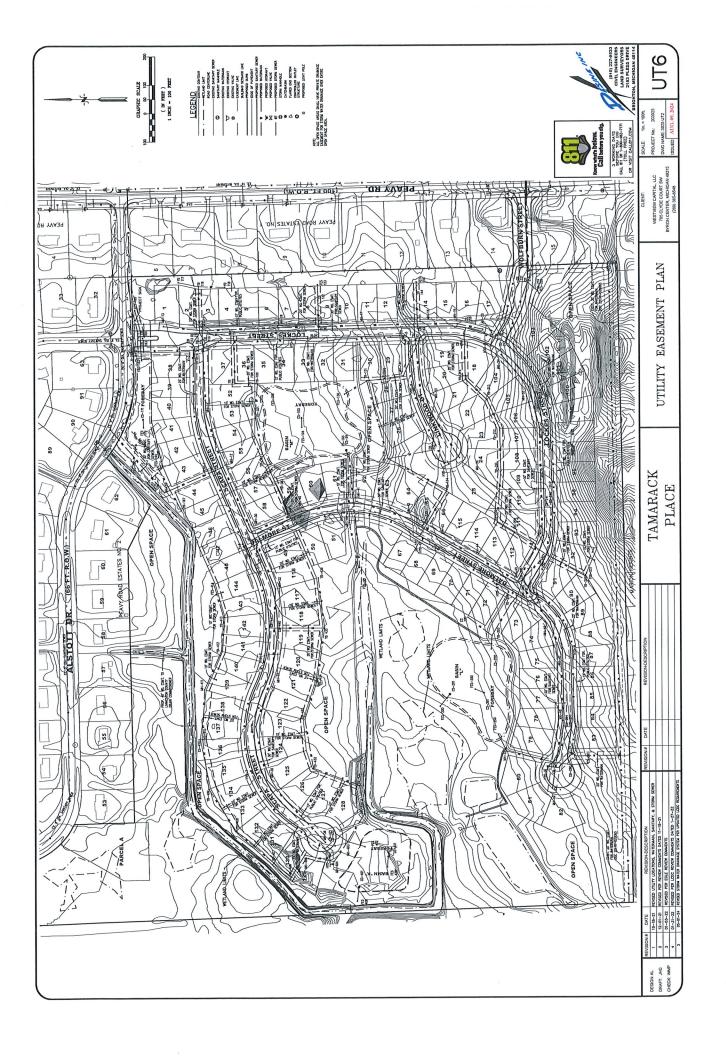




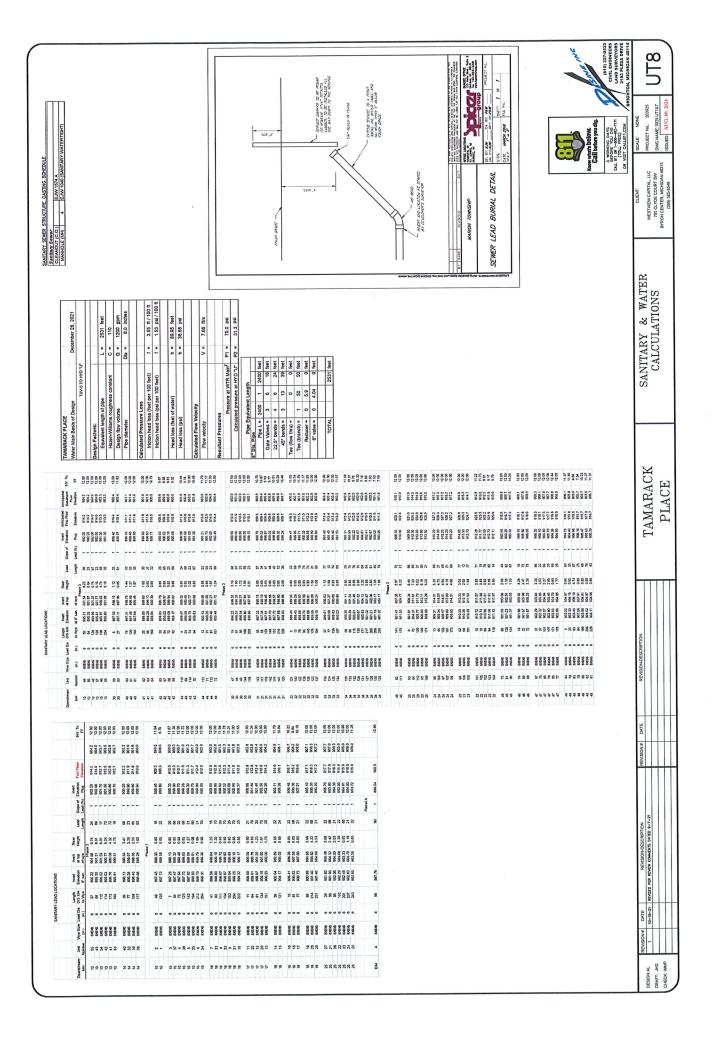


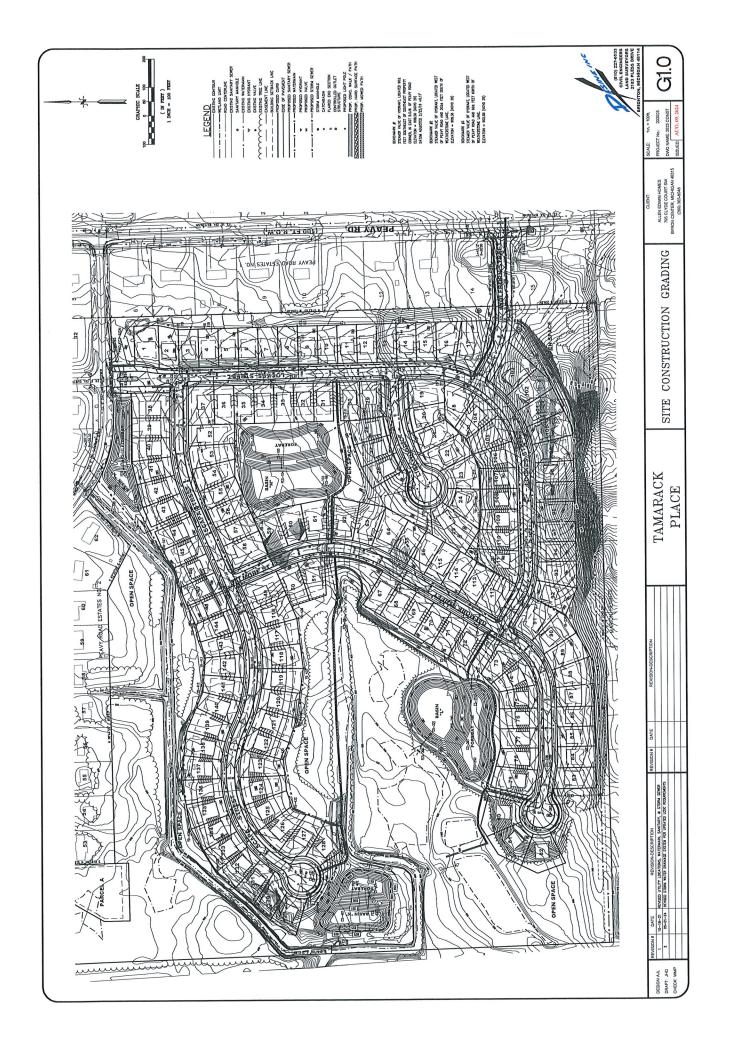


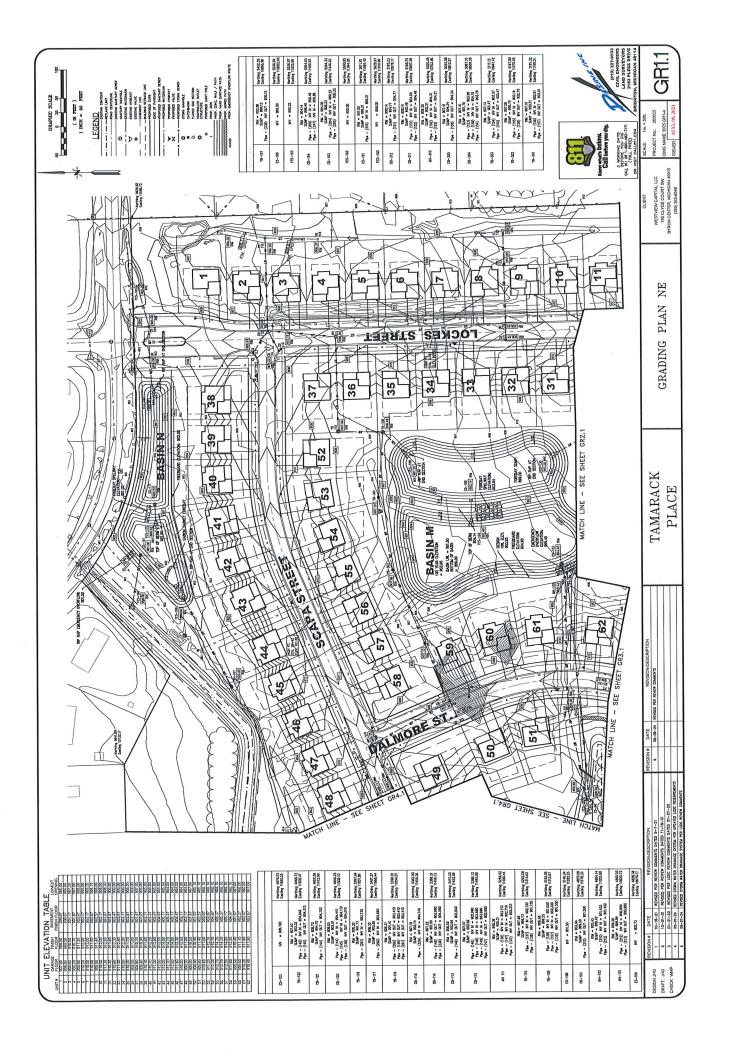


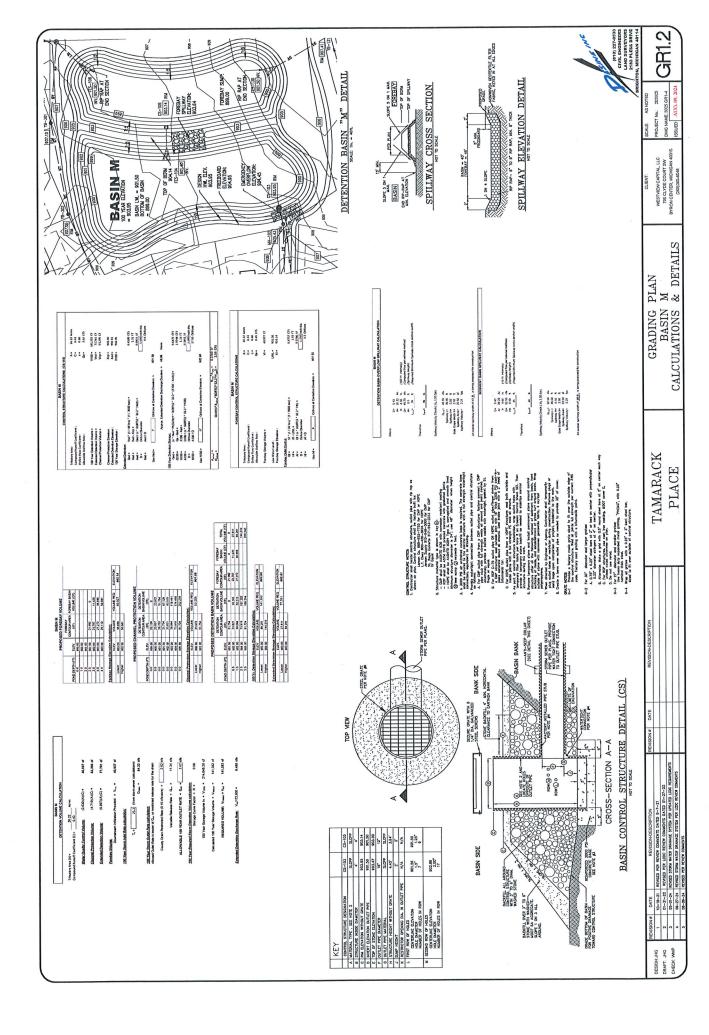


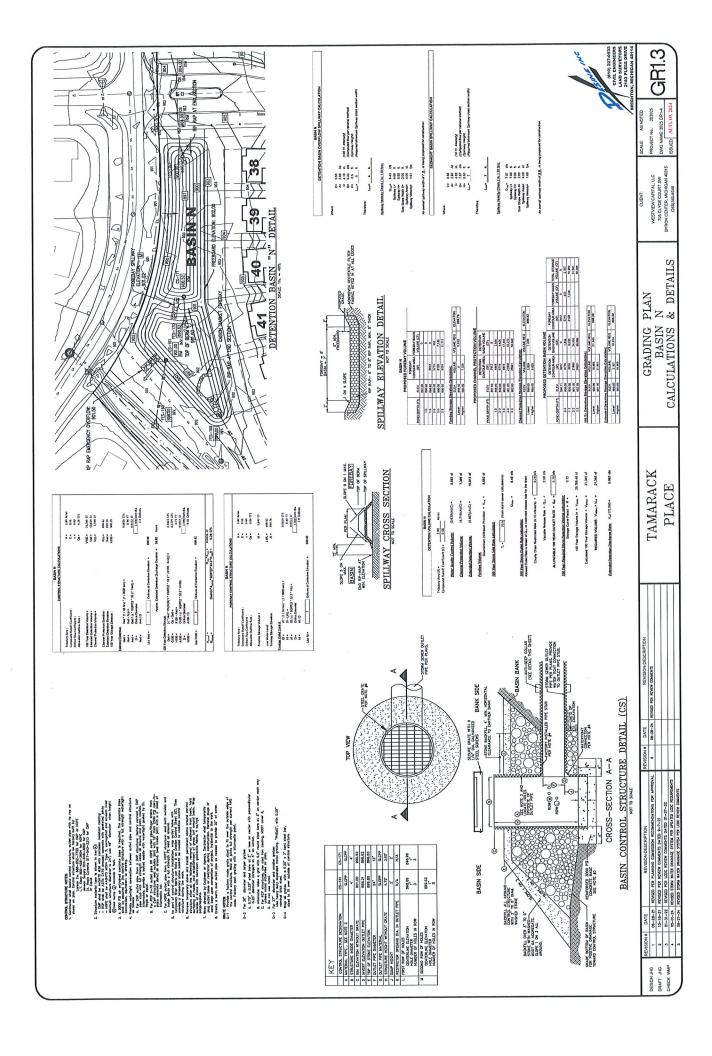
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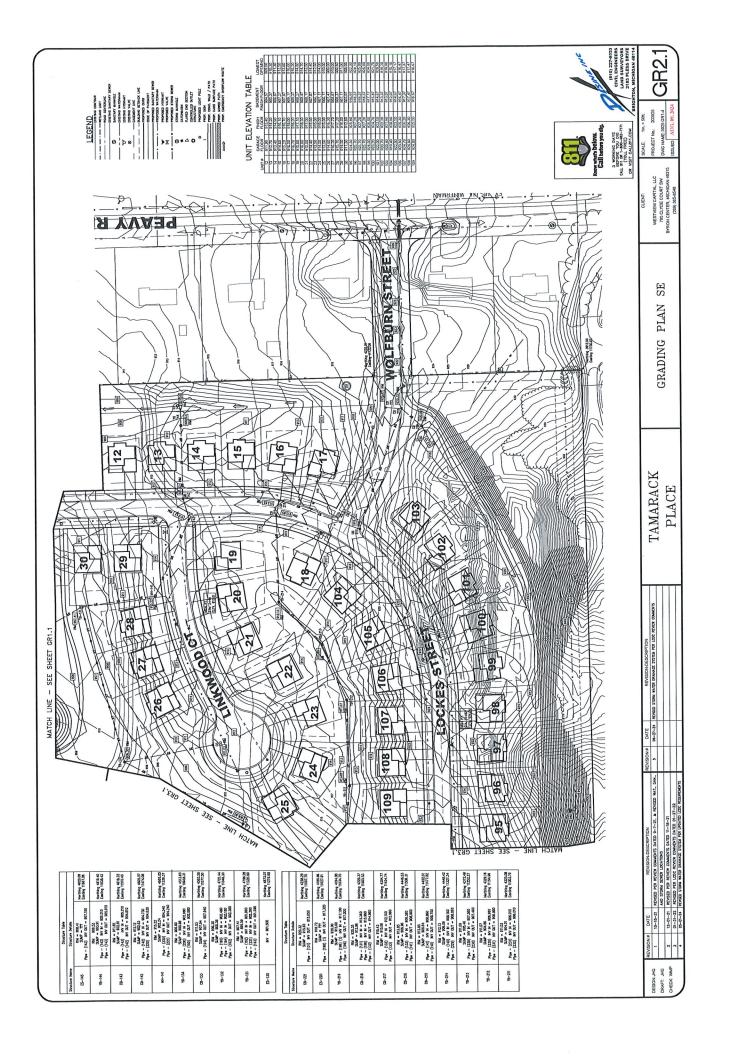


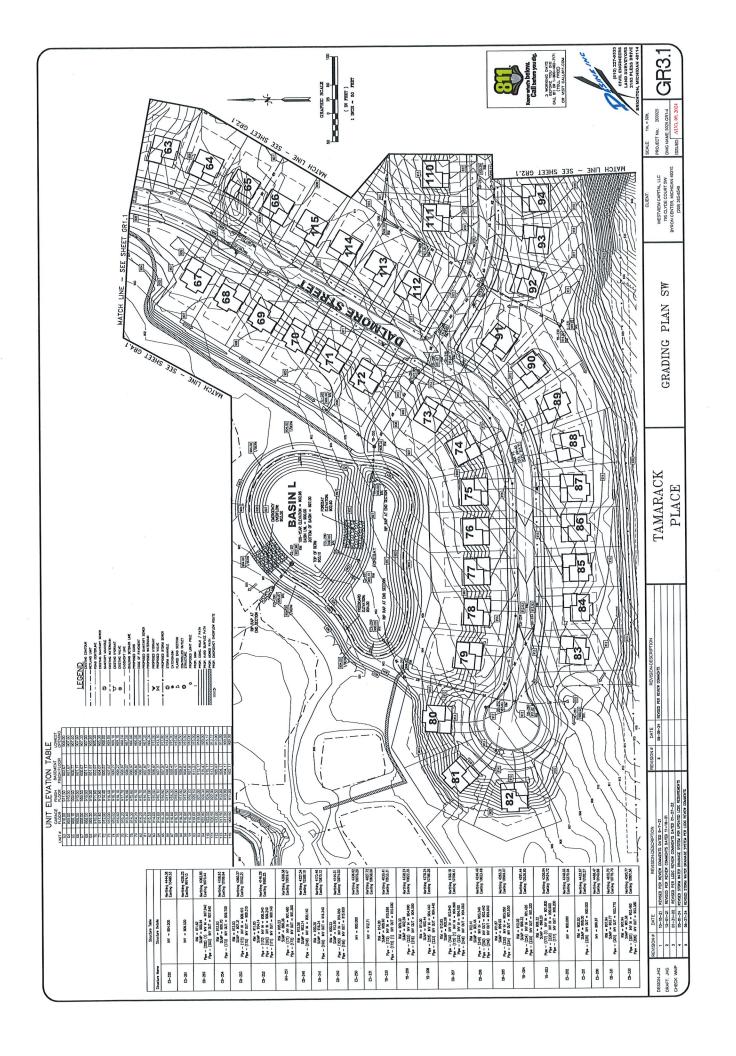


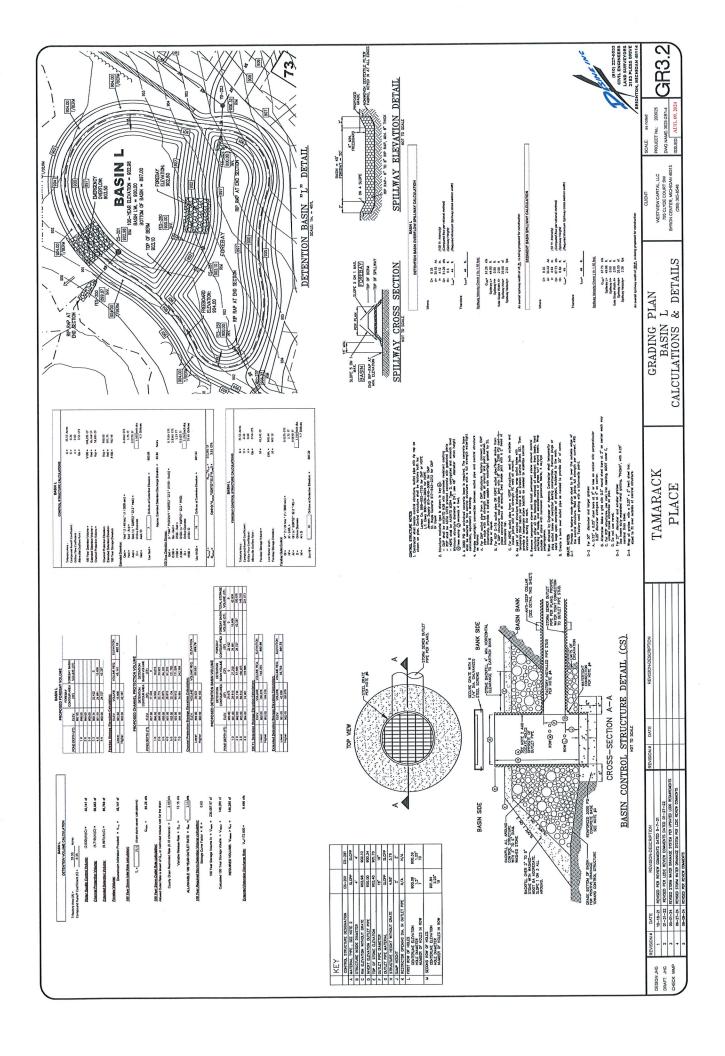


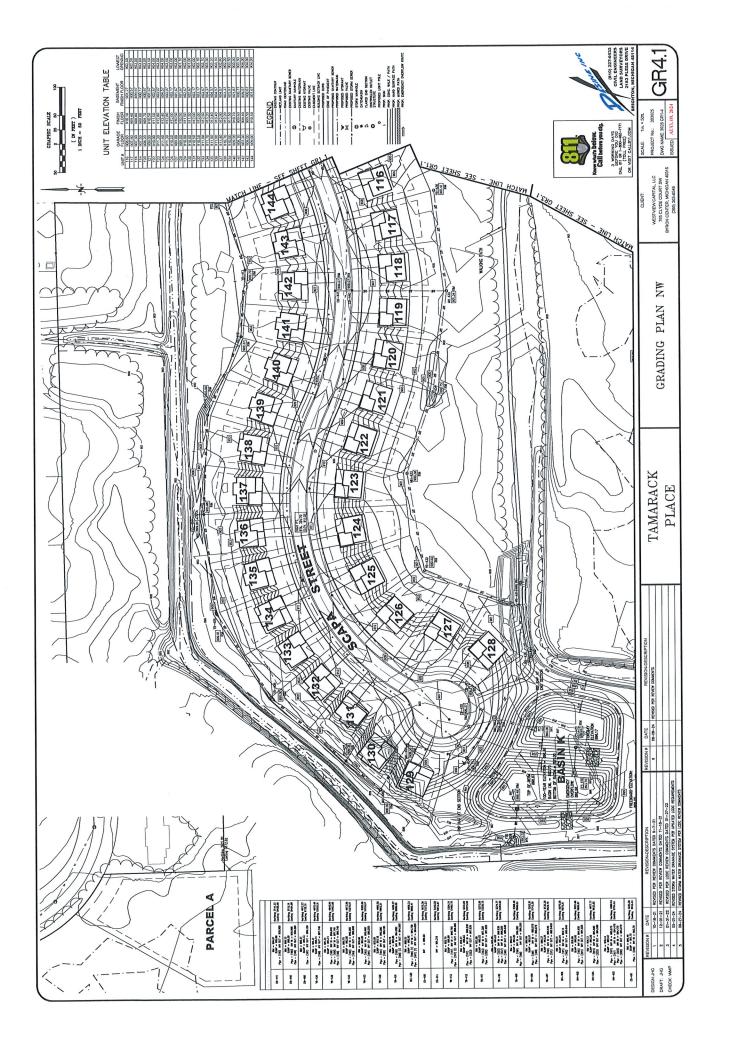


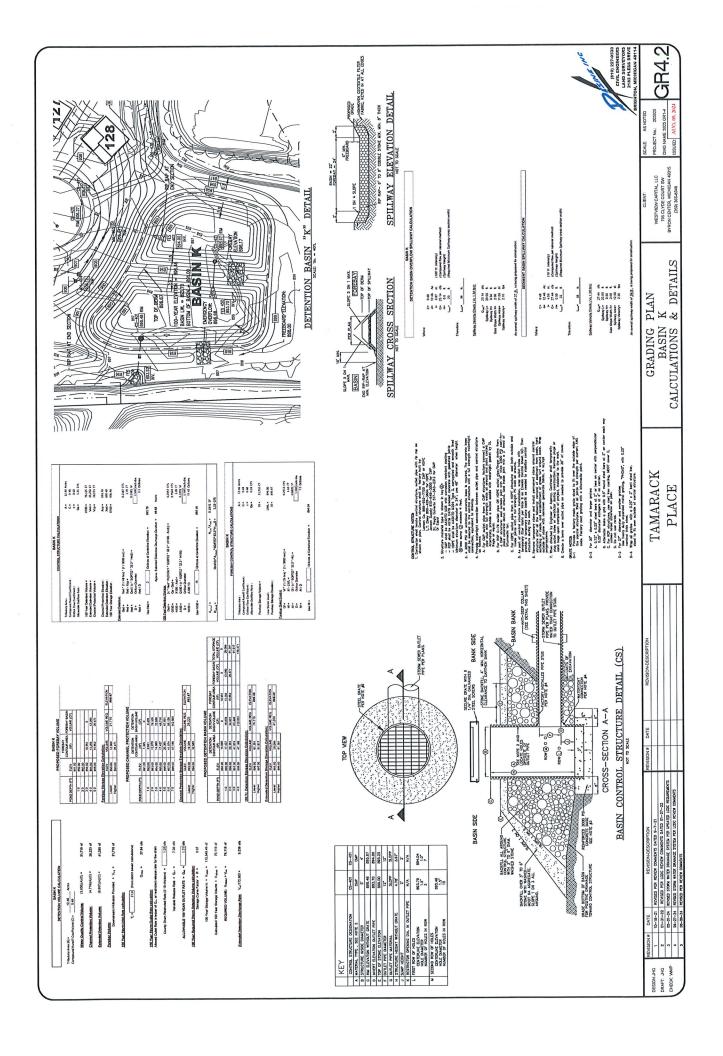


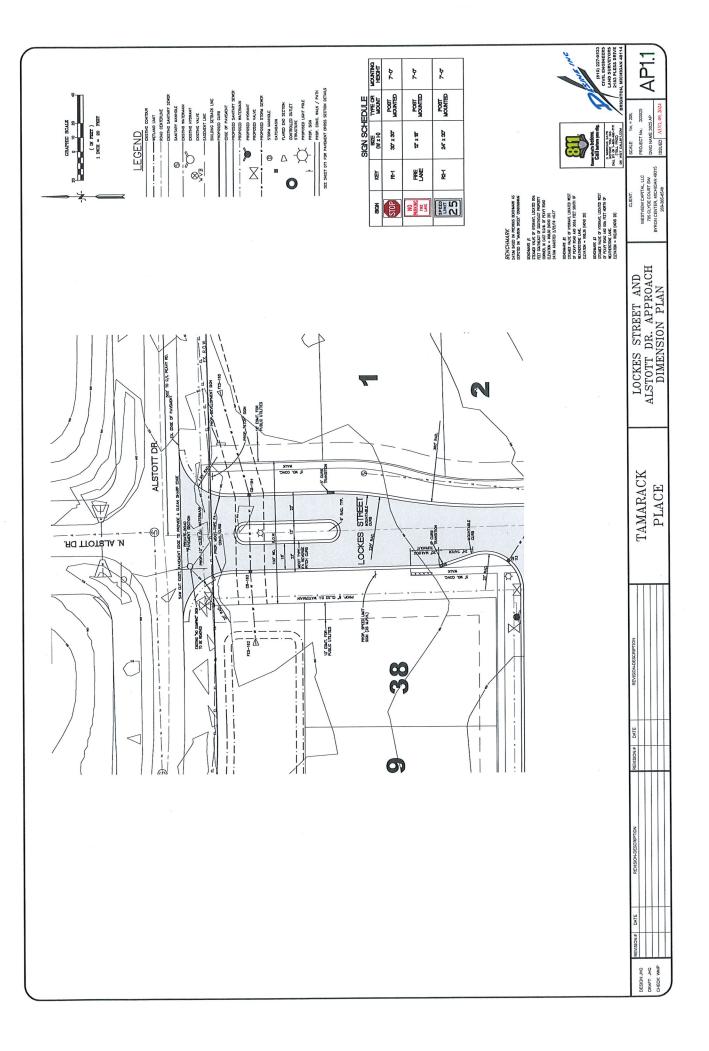


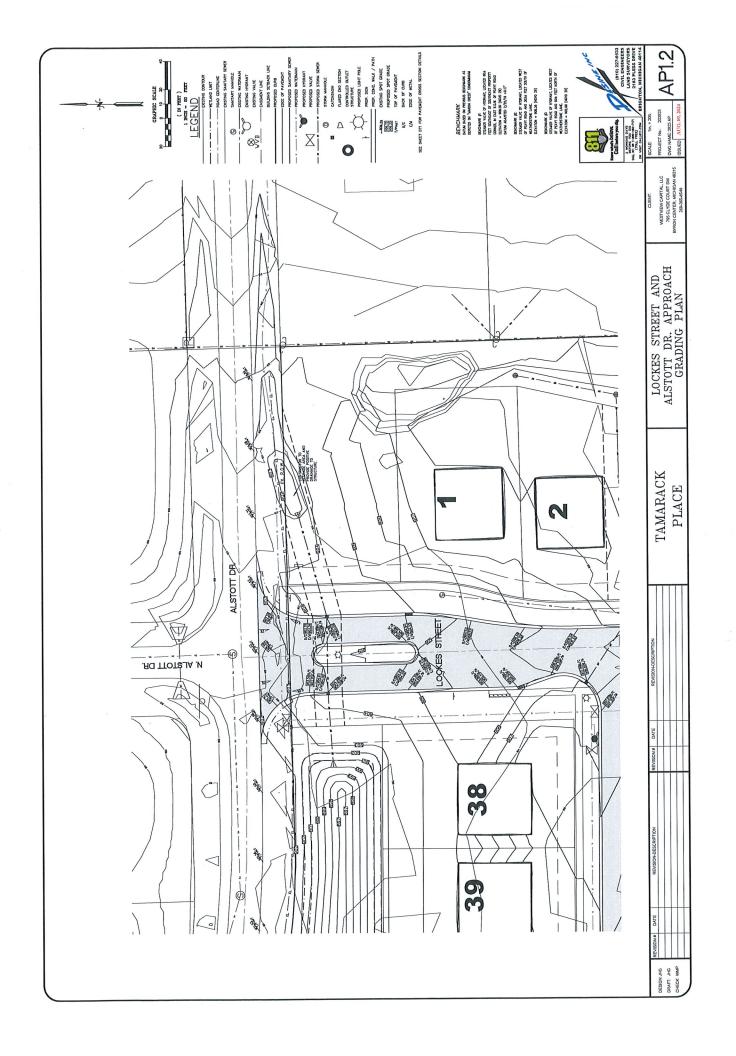


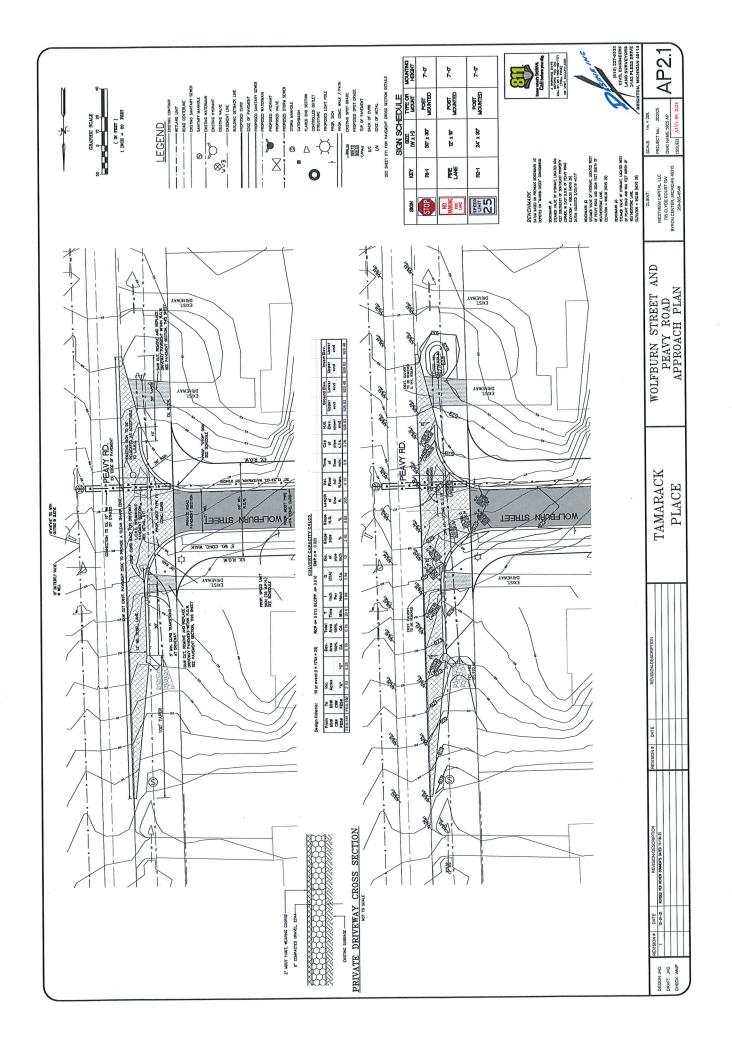


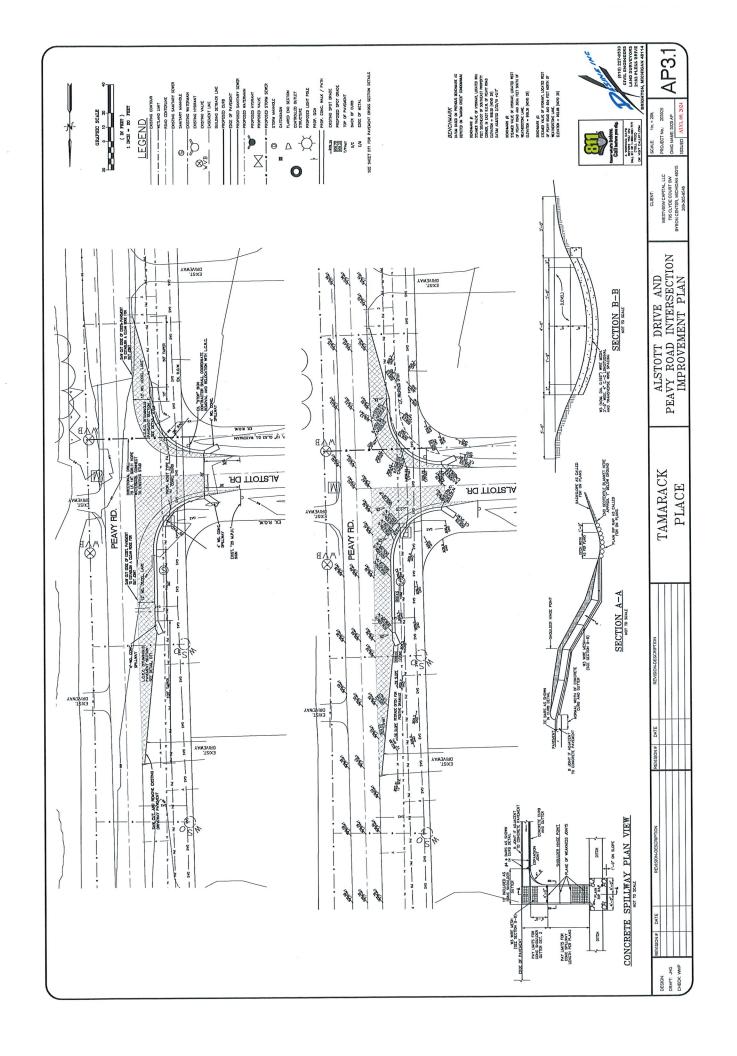


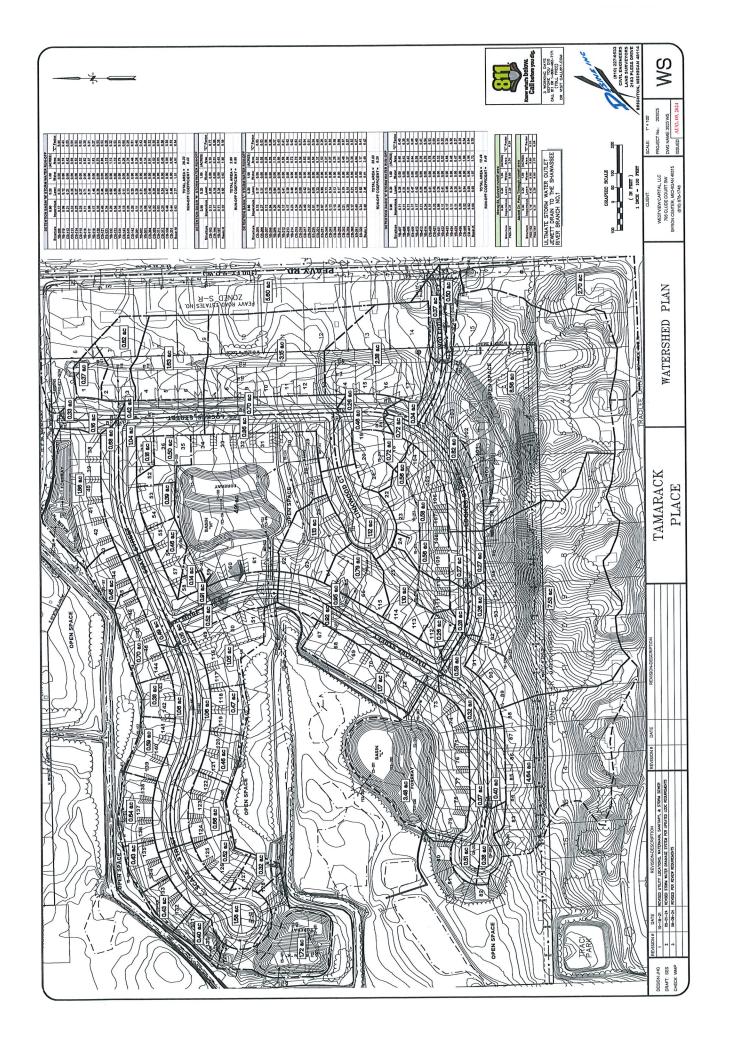


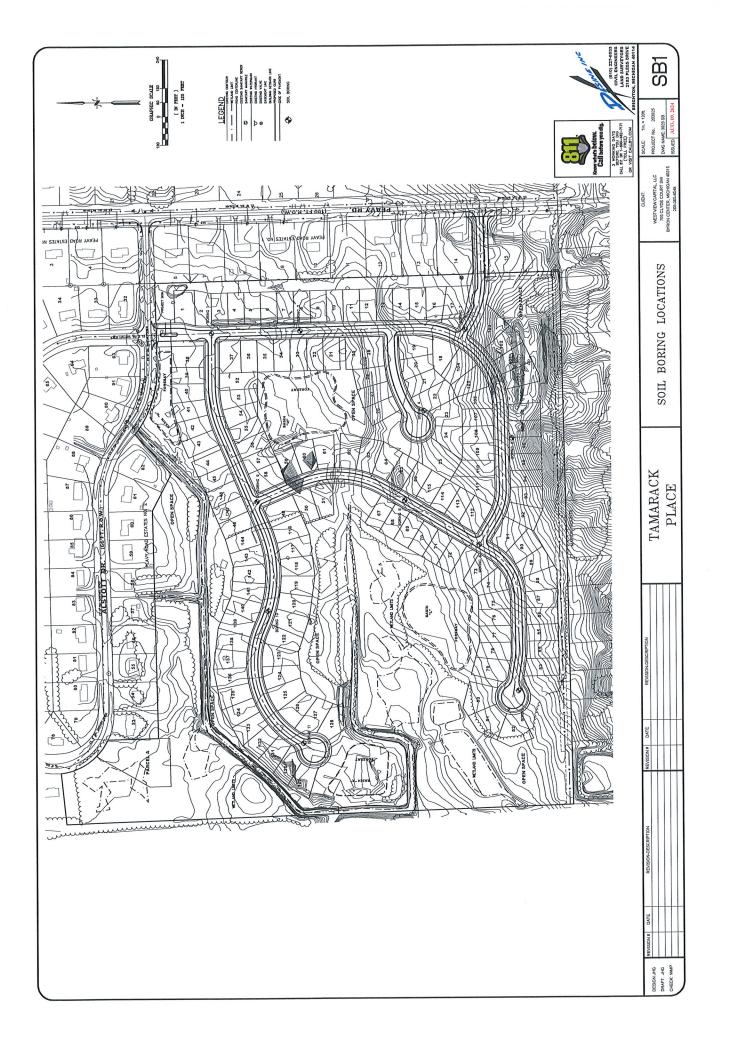


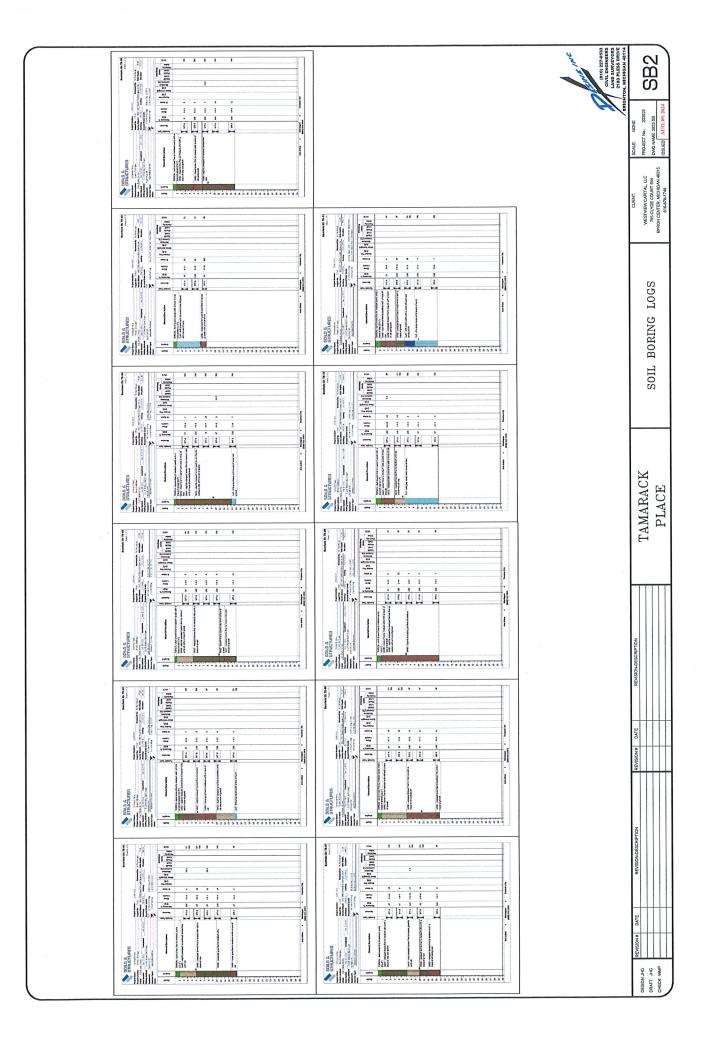




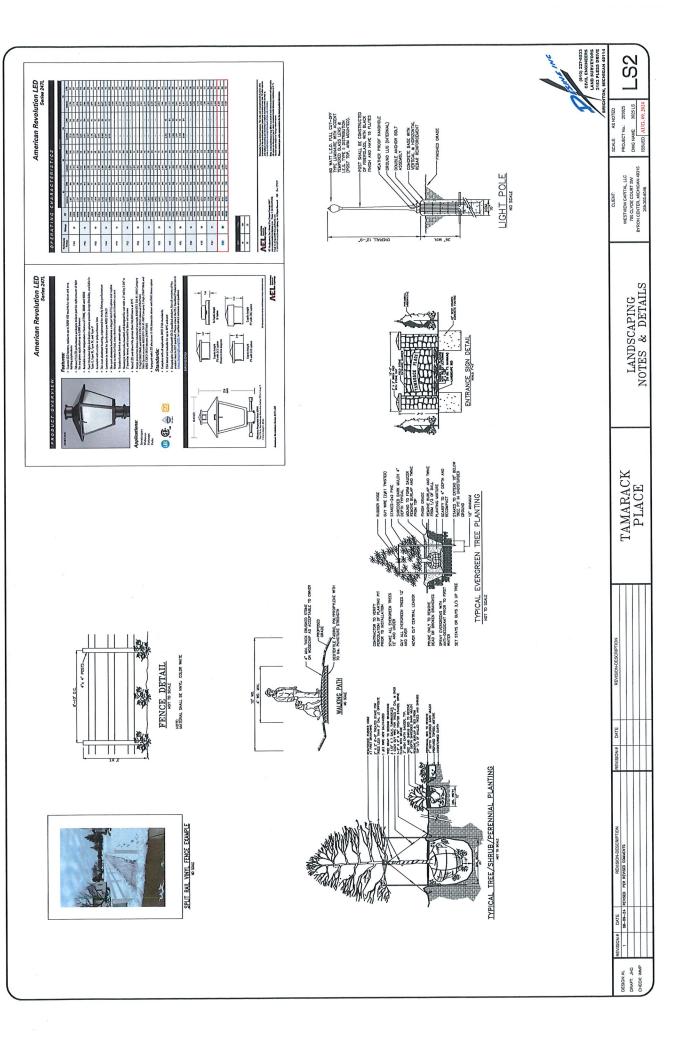


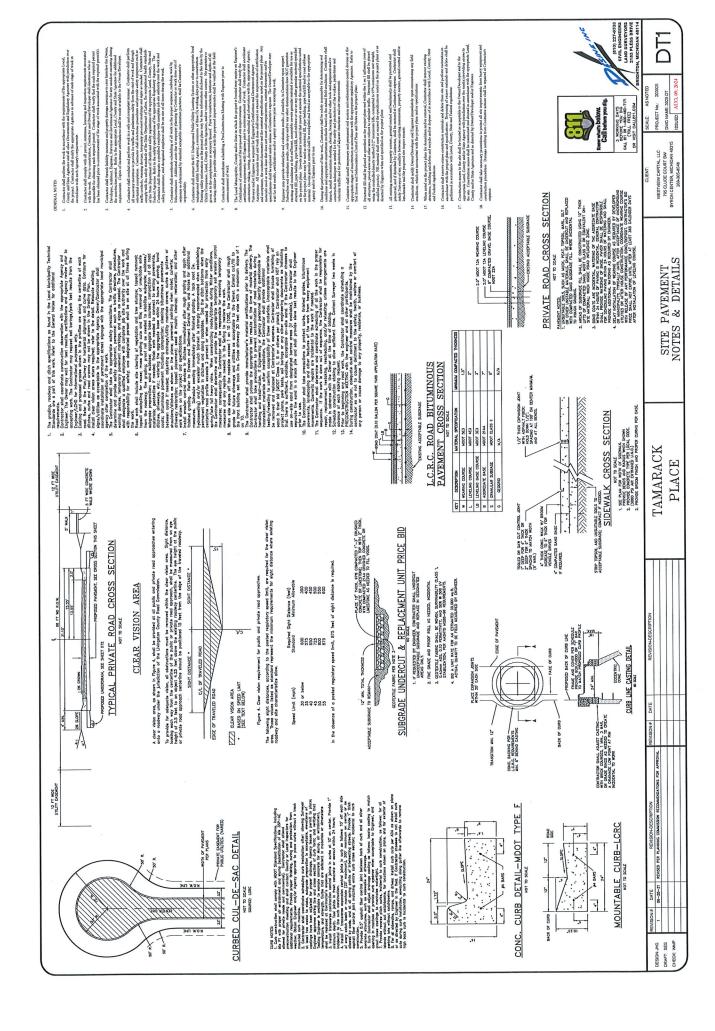


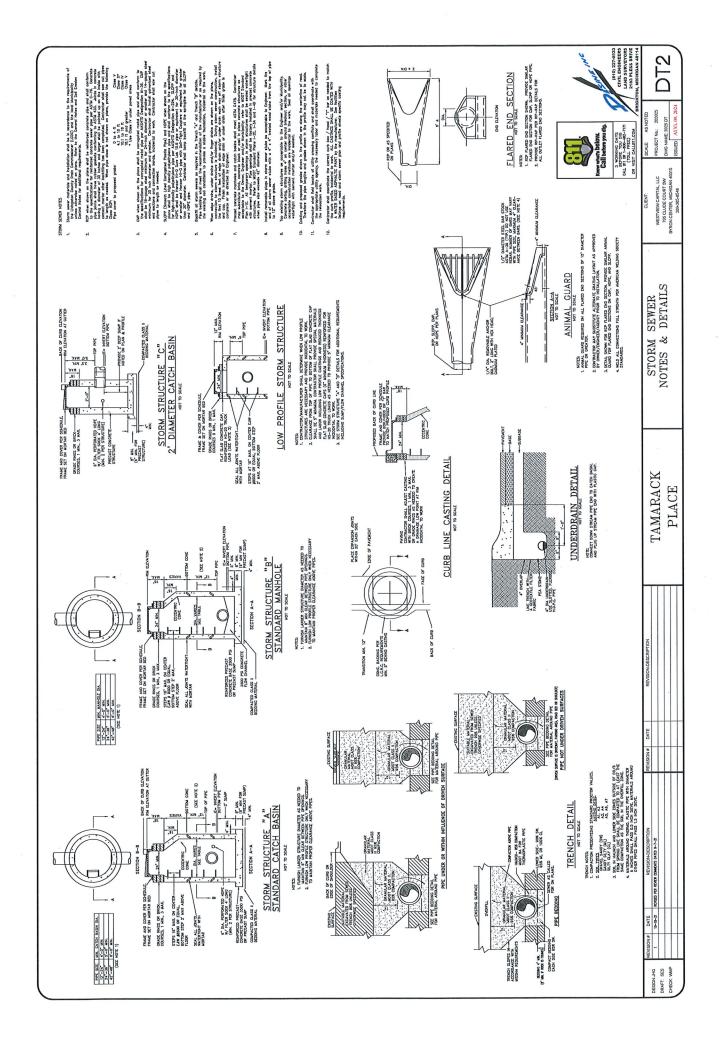












# MARION TOWNSHIP RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR THE TRIANGLE LAKE AQUATIC WEED CONTROL SPECIAL ASSESSMENT DISTRICT CREATION

Resolution # 2024-x September 12, 2024

At a meeting of the Board of Trustees for the Township of Marion, Livingston County, Michigan, held at 2877 W. Coon Lake Road, Howell, Michigan 48843, on the 12<sup>th</sup> day of September 2024, at 7:30 p.m. Eastern Standard Time. PRESENT:

ABSENT:	
The Resolution was offered by and supported by	•
WHEREAS, the Township of Marion has received a request to create a Special Assessment District for aquatic weed control for Triangle Lake, a Livingst County Private Lake, and	ton
WHEREAS, Michigan Public Act 188 of 1954 requires a public hearing pr to creating a Special Assessment District, therefore	ior
RESOLVED, to schedule a public hearing for the proposed creation of a Special Assessment District for aquatic weed control and goose control for Triang Lake for September 26, 2024 at 7:30 pm.	;le
Upon roll call vote the following voted "Aye":	
No:	
RESOLUTION DECLARED STATE OF MICHIGAN, COUNTY OF LIVINGSTON	
I, the undersigned, the duly qualified and acting clerk for the Township of	

Marion, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing

is a true and complete copy of certain proceedings taken by the Board of Trustees at a meeting held on the 12<sup>th</sup> day of September 2024, and further certify that the above Resolution was adopted at said meeting.

Tammy L. Beal, Marion Township Clerk

From: Mike Spitler < mspitler@cityofhowell.org > Sent: Wednesday, September 4, 2024 2:02 PM

To: <a href="mailto:supervisor@mariontownship.com">supervisor@mariontownship.com</a>
Subject: Lucy Rd Paving and Utility Project

Hi Bob,

I am reaching out to see if Marion will permit groundwater discharge from the contractor on Lucy Road onto their property. As you may know, the city is starting construction on Phase 1 of Lucy Rd, including paving and some utility work up to roughly 200' south of the tracks. The contractor will set up dewatering equipment at the end of this week and the beginning of next week. The contractor is asking for permission to discharge clean groundwater into a couple of different locations. One of those locations is to the north of the tracks into Marion Townships' property. The groundwater will be tested to verify no contaminates before discharge. Dewatering will continue as needed to install the underground utilities.

Please don't hesitate to contact me if you have any questions.

Thanks,
Mike Spitler
Deputy Director of Public Services
City of Howell
O: (517) 546-7510
Mspitler@cityofhowell.org

# tammybeal@mariontownship.com

From:

Mike Spitler <mspitler@cityofhowell.org>

Sent:

Thursday, September 5, 2024 1:20 PM

To:

**Bob Hanvey** 

Cc:

Sandy Donovan; Tammy Beal

Subject:

RE: Lucy Rd Paving and Utility Project

**Attachments:** 

Dewatering Map Lucy Road.pdf

See answers in red below.

From: Bob Hanvey <supervisor@mariontownship.com>

**Sent:** Wednesday, September 4, 2024 6:14 PM **To:** Mike Spitler <mspitler@cityofhowell.org>

Cc: Sandy Donovan <treasurer@mariontownship.com>; Tammy Beal <tammybeal@mariontownship.com>

Subject: RE: Lucy Rd Paving and Utility Project

CAUTION: This email originated from outside the City Of Howell. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mike:

I can add this request to the agenda for our September 12, 2024 Board meeting.

Please provide before noon today:

Estimated volume, 600GPM

Location on property, See attached map, page 3.

How many days it will run,

Roughly 4 weeks. There will be an initial draw down and dewatering will continue until utilities are installed.

Protection from erosion at discharge points.

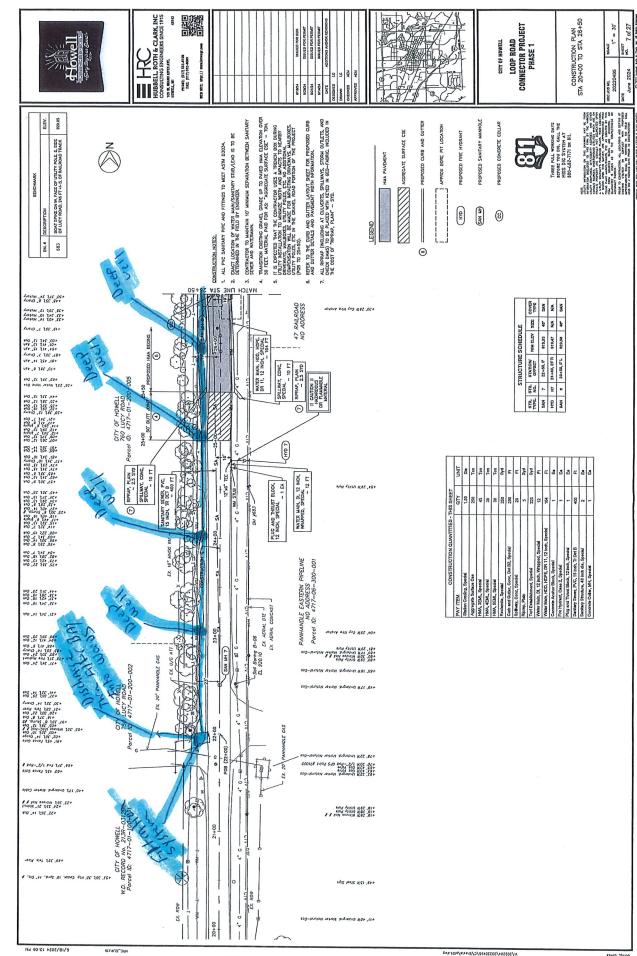
A filter bag will be in place at the end of the discharge pipe.

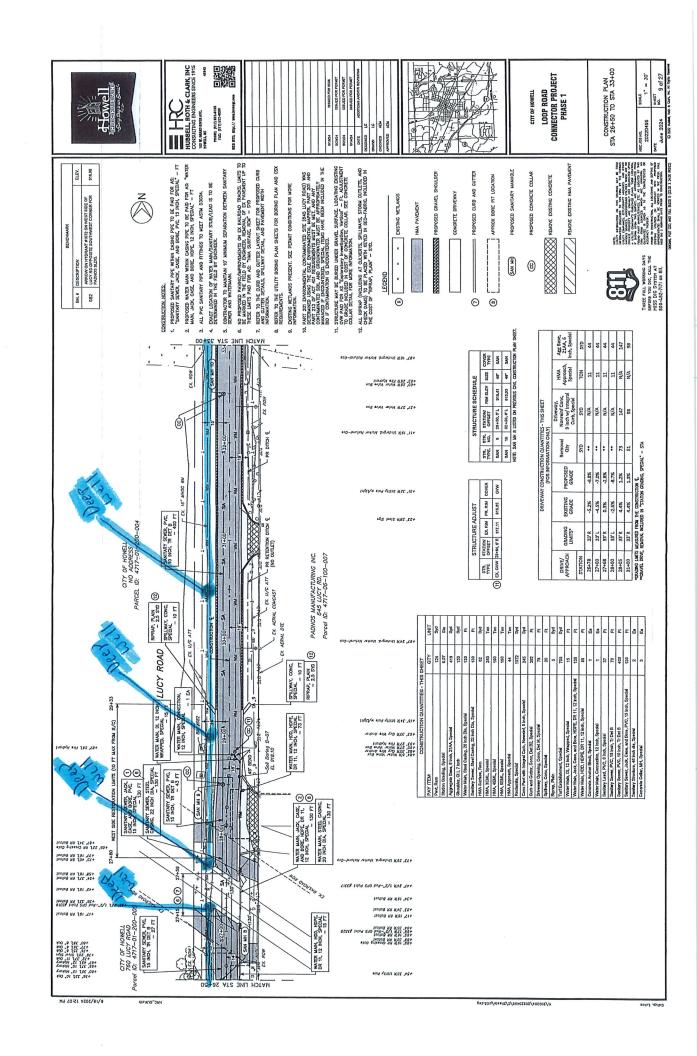
Other relevant information.

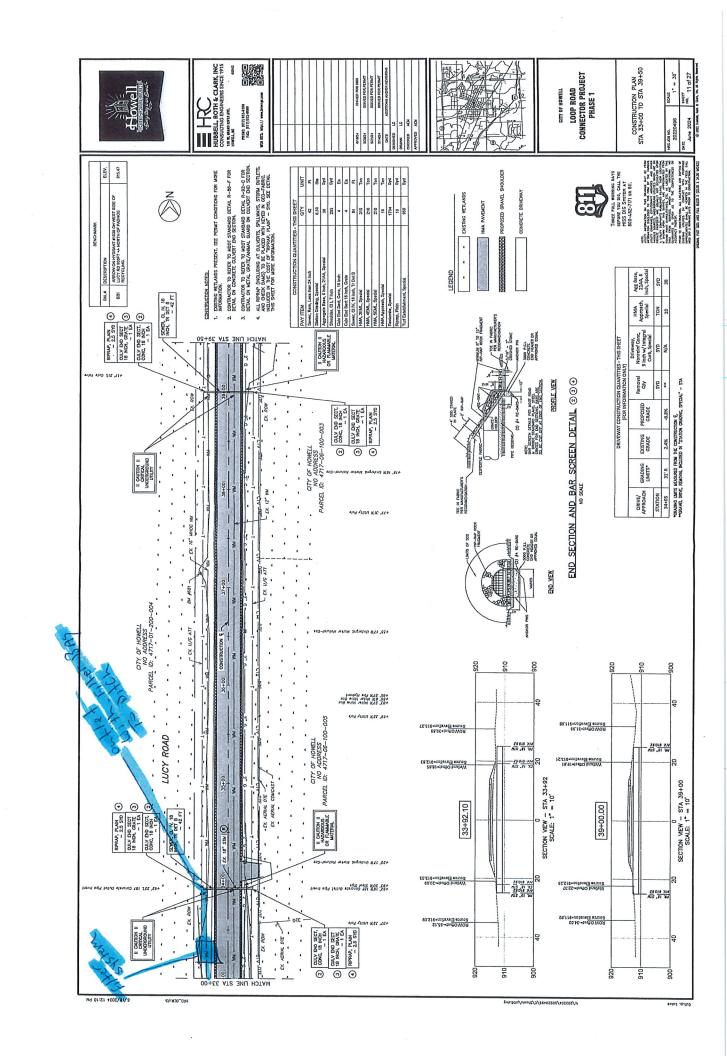
Thanks Bob Hanvey

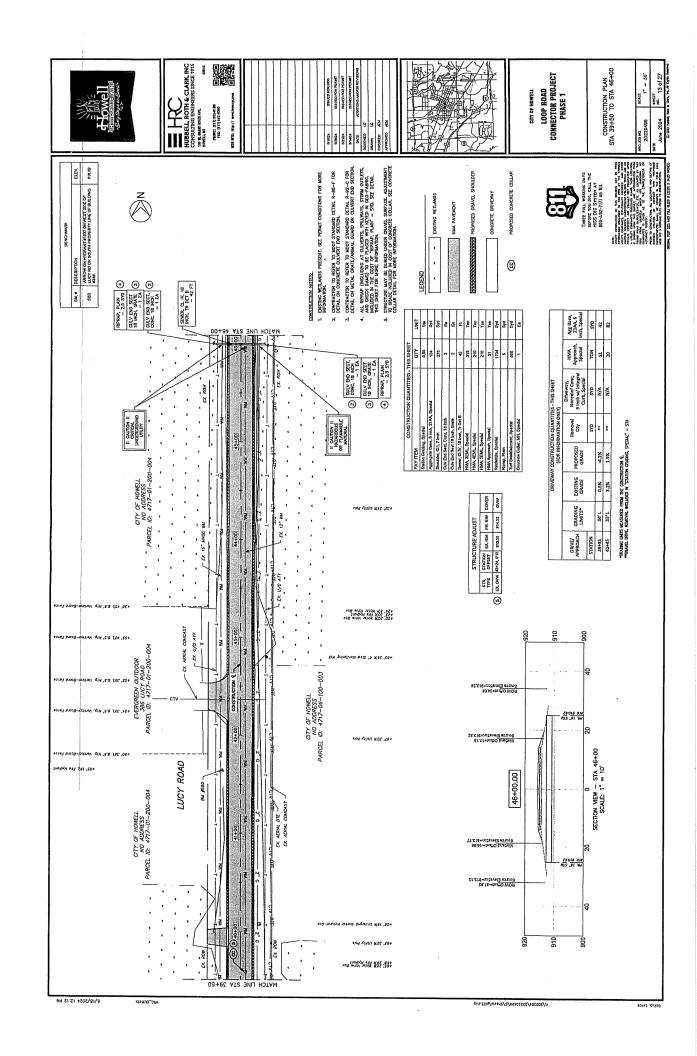
From: Mike Spitler < mspitler@cityofhowell.org > Sent: Wednesday, September 4, 2024 2:02 PM

To: <a href="mailto:supervisor@mariontownship.com">supervisor@mariontownship.com</a>
Subject: Lucy Rd Paving and Utility Project









# **Sandy Donovan**

From:

Mayhew's Tree Farm <mayhewstreefarm@cac.net>

Sent:

Tuesday, August 13, 2024 3:18 PM

To:

'Sandy Donovan'

Subject:

RE: 7 Trees Installed

3 – Kwanzan Cherry - \$537.00

2 - Ivory Silk lilac - \$252.00

2 - 6' Green Giants - \$340.00

Installation - \$505.00 Delivery - \$225.00

Total - \$1,859.00 plus tax

Lesley Tefft Mayhew's Tree Farm & Nursery 517-223-9783

From: Sandy Donovan <treasurer@mariontownship.com>

Sent: Tuesday, August 13, 2024 1:00 PM

**To:** mayhewstreefarm@cac.net

Subject: 7 Trees Installed

Please provide a quote for 3 Kwanzan 15 gal Cherry Trees, 2 Ivory Silk Lilac Trees (6-8 foot), 2 Green Giant Arborvitaes (6-8 foot) installed.

Thank you,

Sandy Donovan, MiCPT

Treasurer

Marion Township 2877 W. Coon Lake Rd. Howell, MI 48843

treasurer@mariontownship.com 517-546-1588 (Office) 517-546-6622 (Fax)



#### MARION TOWNSHIP CODE ENFORCEMENT OFFICER JOB DESCRIPTION

Job Title: Code Enforcement Officer

Reports To: Township Supervisor

#### Job Summary:

Under the direction of the Township Supervisor, conducts on-site inspections, responds to complaints, issues violation notices and maintains related records. Coordinates efforts with Township Supervisor, Zoning Administrator, other staff and attorney as needed.

## **Primary Duties and Responsibilities:**

- To enforce all zoning and general ordinances of Marion Township in a fair, respectful and lawful manner.
- To conduct onsite inspections and determine compliance, violations, and corrective actions, up to and including issuing citations. You will need to provide your own transportation.
- To assist, respond, educate, interpret and apply all zoning regulations, ordinances and property maintenance standards, practices and procedures.
- To represent the Township in court and to testify regarding code violations.
- Maintain accurate documentation and case files on all complaints, investigations, inspections, enforcement actions, and other job-related activities.
- Prepare and submit a monthly summary of activities to the Township Supervisor due by the first Monday of each month.
- Attend Township Planning Commission and Board of Trustees meetings as required by the Township Supervisor to discuss complaints, inspections and enforcement actions.
- Perform other duties and tasks as directed by the Township Supervisor

#### Qualifications:

The following generally describes the skills and abilities required to learn the job in a short period of time in order to perform the assigned duties successfully.

#### Skills:

- Thorough knowledge and understanding of all Township zoning and general ordinances.
- Thorough knowledge of the principles, practices and procedures of code enforcement.
- Skill in conducting site inspections, and interpreting, applying and enforcing all zoning and general ordinances.
- Skill in maintaining complex record keeping and document retention.
- Technology you should have the computer skills to perform, research and update databases and case records.
- Knowledge of violation investigation
- Understanding of legal procedures and court processes related to code enforcement.
- Negotiation and conflict resolution techniques.

#### Abilities:

- Ability to interpret and enforce codes and regulations.
- Ability to effectively communicate ideas and concepts orally and in writing to employees, elected officials and property owners
- Ability to exercise a high degree of diplomacy in contentious or confrontational situations.
- Ability to critically assess situations, problem-solve, and work effectively under stress, within deadlines and changes in work priorities.
- Operate photography and videography equipment.

## **Education / Training:**

High school diploma or GED. Some college education is preferred but not required.

### Experience:

One year of work experience dealing with code enforcement, inspection and investigations is preferred. Previous municipal experience is highly preferred.

#### Licenses or Certificate:

- Must possess and maintain a valid Michigan Driver's License.
- Possession of, or ability to acquire, a Michigan Association of Code Enforcement Officers certification program (MACEO).
- You must be a United States Citizen.

#### **Physical Demands and Working Environment:**

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals to perform the essential functions.

- Indoor and outdoor environments. Incumbents may be exposed to noise, dust, fumes, chemical agents and inclement weather conditions.
- Maintain physical condition appropriate to the performance of assigned duties and responsibilities which may include: walking, standing, sitting, climbing or stooping for extended periods of time.
- You will be required to travel (using your own means of transportation) to all types of property locations within the Township to view and take measurements at varying heights and on different types of terrain. You may need to lift items of light to moderate weight.
- Visual observations and hearing are an important part of code enforcement. You should have good eyesight (close vision and distance vision), depth perception and peripheral vision. You will need to be able to hear a range of disciples. We have many noise complaints and you will need to be able to determine if the complaint is valid.

## **MEMO**

To:

Marion Township Board

From:

Bob Hanvey

Subject:

Updated Nuisance and Penalty Ordinances

Date:

September 12, 2024

Attached are updated versions of the Nuisance and Penalty ordinances. I think they are important improvements over our current ordinance.

Also attached are the general ordinances that are included in the penalty ordinance.

Also attached is my suggestion for a show cause procedure.

# STATE OF MICHIGAN COUNTY OF LIVINGSTON TOWNSHIP OF MARION LIVINGSTON COUNTY, MICHIGAN MARION TOWNSHIP PENALTY ORDINANCE ORDINANCE NO. \_\_\_\_\_

## Section 1: Title:

This ordinance shall be known and cited as the Marion Township Penalty Ordinance.

## **Section 2: Purpose**

The purpose of this ordinance is to provide a procedure for handling different types of penalties for violation of Ordinances of the Township of Marion.

## **Section 3: Definition:**

- 3.1 The words "municipal civil infraction" means an act or omission that is prohibited by Ordinance of the Township of Marion, but which is not a crime under any other Ordinance of the Township, and for which civil sanctions, including without limitation, fines, damages, expenses and costs, may be ordered, as authorized by Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended. [MCL 600.8701, et seq] A municipal civil infraction is not a lesser included offense of a violation of this Ordinance that is a criminal offense.
  - 3.1.1 Unless a violation of a Township Ordinance is specifically designated a misdemeanor, then the Violation shall be a municipal civil infraction.
  - 3.1.2 For the purpose of this Ordinance any reference to a person violating a municipal civil infraction ordinance shall mean a person, firm, corporation, or legal entity
  - 3.1.3 The word "violation" includes any act prohibited or made or declared to be unlawful or an offense, by a Township Ordinance, including any omission or failure to act where the act is required by a township ordinance.
- 3.2 Misdemeanors. A person convicted of a violation of any Township Ordinance not designated a civil infraction, a nuisance per see, or a municipal civil infraction shall be guilty of a misdemeanor.
- 3.3 Civil infraction. Civil infractions involving traffic or parking violations are governed by the Michigan Motor Vehicle Code and the Michigan Uniform Traffic Code.
- 3.4 Criminal action of nuisance per se. Except as otherwise provided by law or designated by other Township Ordinance, a use of land or a dwelling, building, or structure, including a tent or recreational vehicle, used, erected, altered, razed, or converted in violation of a zoning ordinance or regulation adopted under the Zoning Enabling Act can be a criminal action of nuisance per se.
- 3.5 Civil Action of Public Nuisance. All claims by the Township based on or to abate a public nuisance is defined as an unreasonable interference with a common right enjoyed by the general public. The term "unreasonable interference" shall include conduct that (1) significantly interferes with the public's health, safety, peace, comfort, or convenience,

(2) is prohibited by law, or (3) is known or should have been known by the actor to be of a continuing nature that produces a permanent or long-lasting, significant effect on those rights.

# Section 4: Penalty provisions.

- 4.1 Misdemeanors. A person convicted of a violation of any Township Ordinance not designated a civil infraction, a nuisance per see, or a municipal civil infraction shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00 and the cost of prosecution, or by imprisonment for not more than 90 days, or by both such fines and costs, and imprisonment. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense.
- 4.2 Civil infraction. Civil infractions involving traffic or parking violations are governed by the Michigan Motor Vehicle Code and the Michigan Uniform Traffic Code, both of which are or could be adopted by reference by ordinance of the Township of Marion, including the appropriate fees and costs.
- 4.3 Municipal civil infraction. Any person violating any provision of a Township ordinance designated a municipal civil infraction as set forth below in Paragraph 4.3.6. Each and every day such violation continues beyond any permissible grace period, constitutes a separate municipal civil infraction violation for which an additional ticket maybe written to the person.
  - 4.3.1 The sanction for a municipal civil infraction shall be a fine in the amount provided by this section, plus costs, damages, expenses, equitable relief and other sanctions, authorized under Chapter 87 of Act No. 236 of the Public Acts of Michigan of 1961, as amended, and other applicable law (MCL 600.8701 et seq.).
  - 4.3.2 Unless otherwise provided in a township ordinance, the fine for a municipal civil infraction violation shall not be less than \$50.00, plus costs and other sanctions.
  - 4.3.3 Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of a Township ordinance. As used in this section, "repeat offense" means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision:
    - i. Committed by a person within a six-month period (unless some other period is specifically provided by a Township ordinance); and
    - ii. For which the person admits responsibility or is determined to be responsible.
  - 4.3.4 Unless otherwise provided in a Township ordinance, the increased fine for a repeat offense shall be as follows:

- i. For a first repeat offense shall not be less than \$250.00, plus costs and other sanctions or relief as provided by statute.
- ii. For a second or repeat offense or any subsequent repeat offense shall not be less than \$500.00, plus costs and other sanctions or relief as provided by statute.
- 4.3.5 The Township Supervisor, Township Code Enforcement Officer, Township Zoning Administrator, Township Police Officer (including a contract police officer or force), and/or Township building inspector shall each have the authority to issue municipal civil infraction citations applicable to a Township ordinance, after an investigation and upon authorization by the Township attorney, pursuant to MCL 600.8702(2).
  - 4.3.5.1 Only the Township Zoning Administrator shall issue municipal civil infraction tickets for violations of the Township Zoning Ordinance.
- 4.3.6 Violations of the following Township Ordinances are designated as municipal civil infractions:

i.	NUISANCE Ordinance No.	

- ii. BOAT Ordinance
- iii. CEMETERY Ordinance No. 06-01
- iv. LITTER Ordinance (adopted July 11, 1978)
- v. PARKS AND RECREATION Ordinance No. 07-02
- vi. Triangle Lake Boat Ordinance No. WC-47-97-001
- 4.4 Nuisance per Se.
  - 4.4.1 Criminal action of nuisance per se. Except as otherwise provided by law or designated by other Township Ordinance, a use of land or a dwelling, building, or structure, including a tent or recreational vehicle, used, erected, altered, razed, or converted in violation of a zoning ordinance or regulation adopted under the Zoning Enabling Act can be a criminal action of nuisance per se. The court shall order the nuisance abated, and the owner or agent in charge of the dwelling, building, structure, tent, recreational vehicle, or land is liable for maintaining a nuisance per se. The court shall order such nuisance abated and the owner and/or agent in charge of such dwelling, building, structure, tent, mobile home, or land shall be adjudged guilty of maintaining a nuisance per se. Anyone violating any of the provisions of this Ordinance shall upon conviction thereof be subject to a fine of not more than "as per council resolution" and the costs of prosecution thereof,

by imprisonment in the county jail for a period not to exceed 30 days, or both. Each day that a violation is permitted to exist from the time of formal citation by the township shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of any other Township Ordinance.

- 4.5 Civil action of nuisance. Pursuant to MCL 600.2940, the Township may bring a civil public nuisance cause of action in the circuit court to abate the repeated violation of any Township Ordinance:
  - 4.5.1 All claims based on or to abate nuisance may be brought in the circuit court. The circuit court may grant injunctions to stay and prevent nuisance.
  - 4.5.2 When the Township prevails on a claim based on a public nuisance, the Township may have judgment for damages and may have judgment that the nuisance be abated and removed unless the judge finds that the abatement of the nuisance is unnecessary.
  - 4.5.3 Repeated violations shall mean any repeat violation of the same Township Ordinance within six (6) months of the original or last violation.
  - 4.4.3 If the judgment is that the public nuisance shall be abated, the court may issue a warrant to the proper officer, requiring him to abate and remove the nuisance at the expense of the defendant, in the manner that public nuisances are abated and removed. The court may stay the warrant for as long as six months to give the defendant an opportunity to remove the nuisance, upon the defendant giving satisfactory security to do so.
  - 4.4.4 The expense of abating and removing the public nuisance pursuant to such warrant, shall be collected by the officer in the same manner as damages and costs are collected upon execution, excepting that the materials of any buildings, fences, or other things that may be removed as a nuisance, may be sold by the officer, in like manner as goods are sold on execution for the payment of debts. The officer may apply the proceeds of such sale to defray the expenses of the removal, and shall pay over the balance thereof, if any, to the defendant upon demand. If the proceeds of the sale are not sufficient to defray the said expenses, he shall collect the residue thereof as before provided.
  - 4.4.5 Actions under this section are equitable in nature, although money damages may be claimed.
  - 4.4.6 The Township Supervisor, Township Code Enforcement Officer, or the Township Zoning Administrator shall each have the authority to authorize the issuance of civil public nuisance charge and the Township Police shall have the authority to authorize the issuance of a criminal nuisance per se charge. In both cases, the

issuance shall be for a violation of an applicable Township Ordinance, after an investigation and upon the additional authorization by the Township Attorney.

#### Section 5: Miscellaneous.

- The penalties provided in this Ordinance, unless another penalty is expressly provided in an Ordinance adopted subsequent to this Ordinance, shall apply without the necessity of providing for a penalty in any future Ordinance making the revision.
- 5.2 Notwithstanding subsection 4 above, the Township may also bring a civil action for an injunction or other process against a person to restrain, prevent, or abate any violation of any Township Ordinance
- 5.3 The remedies and penalties provided herein are cumulative and in addition to any other remedies provided by law.

# **Section 6: Saving Clause:**

If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Township of Marion declares that it would have passed this Ordinance and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, and phrases be declared unconstitutional.

# **Section 7: Effective Date of Ordinance:**

That this Ordinance and the related rules, regulations, provisions, requirements, orders, and matters established shall take effect one day after publication, except any penalty provisions which shall take effect thirty (30) days after publication, pursuant to MCL 41.184 (2) (a) and (b).

## Section 8: Repealer:

All Ordinances or parts of Or extent necessary to give all pr		ith this Ordinance are repealed only to the ance full effect.
The Marion Township Penalt the Marion Township Hall, 2 between the hours of 9:00 A.	877 Coon Lake Road,	_ can be purchased, examined, or inspected at Howell, MI 48843, Monda through Thursday
Motion by	_, supported by	Motion carried

Tammy L. Beal, MMC Marion Township Clerk

Date adopted by the Township Board:
Date published by the newspaper:
Name of the newspaper: Fowlerville News & Views
Effective date:
Date filed with the Livingston County Clerk:
Date recorded in Township's Ordinance Book:

# STATE OF MICHIGAN COUNTY OF LIVINGSTON TOWNSHIP OF MARION LIVINGSTON COUNTY, MICHIGAN MARION TOWNSHIP NUISANCE ORDINANCE NO. \_\_\_\_\_\_

## Section 1: Title:

This ordinance shall be known and cited as the Marion Township Nuisance Ordinance.

# **Section 2: Purpose**

The purpose of this ordinance is to secure public health, safety and general welfare and to deter loud noises and disturbances of the peace, quiet and comfort of the residents and property owners of the township by any person, their possessions, or owned animal.

#### **Section 3: Definition:**

The word "nuisance" as used in this ordinance means any act or acts or omission to act on the part of any person which creates or permits the existence of a situation which annoys, injures, or endangers the peace, welfare, order, health, or safety of the public in their persons or property, as determined by the Township in its sole reasonable judgment. As defined herein, a nuisance includes, but is not limited to, conditions which render persons insecure in the use and enjoyment of their property, such as effects and emanations from noise, glare, lights, vibration, dust, smoke, odor, gas, steam, fly-ash, soot, acids, chemicals, fumes, cinders, worms, insects, rodents, flies, decaying matter, whether such effects and emanations are natural or result from human or mechanical alteration or manipulation of materials, as determined by the Township in its sole reasonable judgment. A nuisance also includes residues or leaching from deposits of matter which seep into water on the surface or in the ground thereby making it unfit or unpalatable for human consumption, or for use by domestic animals, as determined by the Township in its sole reasonable judgment. A nuisance includes a condition which is indecent, obnoxious, or offensive to the senses, as determined by the Township in its sole reasonable judgment.

#### **Section 4: Abatement:**

If the Township finds a Nuisance, as defined above in its sole reasonable judgment, it shall be the duty of the person who creates, causes, allows, suffers, or permits the existence of a nuisance, to abate the same.

- 4.1 The term "abate" or "abatement" shall include demolition removal, repair, maintenance, construction, reconstruction, replacement and reconditioning of structures, appliances, appurtenances or equipment; and it shall also include removal, transportation, buying, disposal and treatment of refuse, manure or other substance or media capable of causing obnoxious odors or of attracting or breeding flies, and the application of chemicals insecticides or other substances or the use of mechanical means to control, eradicate and eliminate the nuisance conditions, including screening by vegetation and/or fences.
- 4.2 The Township shall determine in its sole reasonable judgment if the actions taken by person who creates, causes, allows, suffers, or permits the existence of nuisance are sufficient to abate same.

#### **Section 5: Procedure:**

When a nuisance occurs, the following procedure shall be followed:

- A) Offended party peaceably contact the offender to discuss/inform of the issue. If the offended party is unwilling/unable to contact the offender or there is no resolution then,
- B) The Offended party shall notify the Township by filing a written complaint (containing information about who, what, when, where). The Township may provide a standardized form for collecting such complaints. The Township Supervisor (and/or his or her designee) will then independently perform a site visit and make other relevant study of the alleged nuisance contained in the written complaint to make an independent determination as to the existence of the nuisance in the official's sole reasonable judgment:
  - B1) If the Township Supervisor (and/or his or her designee) determines no nuisance exists, then it shall close the complaint and write a letter to the Offended party advising them of same;

- B2) If the Township Supervisor (and/or his or her designee) determines that a Nuisance does exist, in its sole reasonable judgment, then the Township staff will attempt to resolve the issue then with the Offending party,
- C) In case there is no reasonable resolution under Paragraph B2 and/or the Offended Party objects to the determination of no nuisance under B1, a further resolution shall be attempted by the Township Supervisor (and/or his or her designee), by 1) preparing a written report and recommendation regarding his or her findings on the written complaint and then 2) taking one of the following administrative steps:
  - C1) Scheduling a Board of Trustees show cause hearing for the Offending party and providing the Board and the Offending Party with a copy of the written report and recommendation,
  - C2) Contacting Township Attorney to take legal action against the Offending party under this or any other legal ordinance of the Township and providing the Township Attorney with a copy of the written report and recommendation,
  - C3) Contacting other government agencies relating to the situation and issues involved and requesting assistance in resolving same, or
  - C4) Take no further action and put the written report and recommendation in the Township Board packet for the next available meeting to confirm the written report and recommendation as an action item.

# Section 6: Violation, Enforcement, and Penalties:

Violation of this ordinance shall constitute a municipal civil infraction, subject to the penalties stated herein. The Supervisor is hereby authorized to enforce this ordinance, and he/she may delegate the enforcement to any administrative official, employee, or contractor of the Township, including the Township Attorney. The Township may, also, seek abatement of a nuisance and such other relief as may be obtained by civil proceedings in court, if the Offending Party is issued 3 or more Municipal Civil Infraction Tickets for the same nuisance offense in any sixty (60) day period. The penalties for each Municipal Civil Infraction Ticket shall be set forth as established in a Municipal Civil Infraction Ordinance of the Township.

# Section 7: Saving Clause:

If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not

affect the validity or constitutionality of the remaining portions of this Ordinance. The Township of Marion declares that it would have passed this Ordinance and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, and phrases be declared unconstitutional.

# Section 8: Effective Date of Ordinance:

That this Ordinance and the related rules, regulations, provisions, requirements, orders, and matters established shall take effect one day after publication, except any penalty provisions which shall take effect thirty (30) days after publication, pursuant to MCL 41.184 (2) (a) and (b).

# Section 9: Repealer:

All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give all provisions of this Ordinance full effect.

9.1 This Ordinance repeals and replaces Ordinance 19-01 in its entirety.

The Marion Township Nuisance Ordinance No. \_\_\_\_\_ can be purchased, examined, or inspected at the Marion Township Hall, 2877 Coon Lake Road, Howell, MI 48843, Monda through Thursday between the hours of 9:00 A.M. and 5:00 P.M.

at the Marion Townshi	Nuisance Ordinance No p Hall, 2877 Coon Lake Road, I hours of 9:00 A.M. and 5:00 P.I	can be purchased, examined, or inspected Howell, MI 48843, Monda through M.
Motion by	, supported by	Motion carried
Tammy L. Beal, MMC Marion Township Cler		

Date adopted by the Township Board:
Date published by the newspaper:
Name of the newspaper: Fowlerville News & Views
Effective date:
Date filed with the Livingston County Clerk:
Date recorded in Township's Ordinance Book:

#### MEMO

To:

Marion Township Board

From:

Bob Hanvey

Subject:

Ordinance Violation, Show Cause Hearing Procedure

Date:

March 14, 2024

Both our Zoning Ordinance and our proposed Nuisance Ordinance mention a "Show Cause Hearing" as part of the enforcement process. Neither ordinance describes the process for conducting the hearing.

Below is a suggestion for conducting the hearing that was made up of articles on the internet.

At a show-cause hearing, the complaining party must **produce evidence** demonstrating "probable cause" that the defendant committed the crime.

In our case, there has been a complaint made about something happening in the township that someone thinks is a violation of an ordinance. Somebody from the township has gone to the site and has reason to believe that the complaint is valid and there has been a violation.

At this point the township becomes the complaining party and notifies the property owner of the complaint. The first notice often is informal and sometimes results in correction of the complaint.

If there is no compliance resulting from the informal notice, a formal complaint is issued. If there is still no compliance, a show cause hearing is scheduled with the appropriate notice to the property owner.

At the show cause hearing, the township presents evidence of the violation to the Township Board. The property owner will be given an opportunity to explain the situation to the Township Board.

The Township Board can:

Decide that there is no violation and the complaint is dismissed.

Decide there is a violation and prescribe a solution to allow time to correct the violation.

If the violator resists the solution, the Township Board turns the case over to the Township Attorney for action.

# TOWNSHIP OF MARION LIVINGSTON COUNTY, MICHIGAN

#### **BOAT ORDINANCE**

#### ARTICLE I: INTENT, PURPOSE AND SHORT TITLE

Section 1.1: Intent and Purpose. In its deliberations leading to the adoption of this ordinance, the Township Board has recognized and concluded that the use of water resources, including the inland lakes situation in the township, should be considered within a framework of long-term cost and benefits to the township, and that it is desirable to retain and maintain the physical, cultural and aesthetic characteristics of lakes in the township. Moreover, it has been recognized that, as the shore lines of lakes become further developed, the cumulative impact of boat usage from each respective property must be regulated in order to preserve and protect the rights of riparian owners, as well as the township as a whole. It has further been recognized that the lack of regulation shall result in a nuisance condition and an impairment of these important and irreplaceable natural resources of the township, and shall further result in the destruction of property values and threaten the public health, safety and welfare of all persons making use of lakes within the township and properties adjacent to lakes in the township. Accordingly, it is the intent and purpose of the Township Board to adopt reasonable regulations for boat usage in the township.

<u>Section 1.2: Short Title</u>. This ordinance shall be known and may be cited and referred to as the Marion Township Board Regulation Ordinance, and shall hereinafter be referred to as "this ordinance."

#### ARTICLE II: SCOPE AND APPLICATION

<u>Section 2.1</u>. The terms and provisions of this ordinance shall be interpreted and applied as minimum standards and requirements for the promotion and protection of the public health, safety and welfare, and for the public peace and preservation of natural resources and public and private property within the township.

<u>Section 2.2</u>. This ordinance shall not interfere with, abrogate, annul nor appeal any other law, ordinance, rule or regulation previously in effect, including any other ordinance regulating boat launching and/or usage. Moreover, in instances where this ordinance specifically imposes a greater restriction or higher standard than other ordinances, the provisions of this ordinance shall govern.

<u>Section 2.3</u>. This ordinance is not intended to conflict with and/or pre-empt application of the Inland Lakes and Streams Act, but is intended to supplement such act in a compatible manner so as to enhance water usage in a manner consistent with the public interest.

#### ARTICLE III: DEFINITIONS

<u>Section 3.1</u>. For the purpose of construction and application of this ordinance, the following definitions shall apply:

**Dock** or **Docking**: The mooring of a boat directly to a pier, which is a platform or other permanent or seasonal fixture extending from the shore and directly accessible to a separate frontage; and shall also mean the regular anchoring of a boat adjacent to a separate frontage.

*Lake*: A navigable body of water situated wholly within the township, but shall not mean nor include lakes to which other ordinance regulations apply so as to prohibit certain boats with engines or motors.

Launch: Movement of a vessel from the land into the water.

**Lot of Record**: A lot that is part of a subdivision, the map of which has been recorded in the office of the Register of Deeds, or a lot described by metes and bounds, the deed to which has been recorded in the office of the Register of Deeds prior to the passage of this ordinance.

**Person**: A human being, partnership, corporation, association, including a condominium association, and any other entity to which the law provides or imposes rights or responsibilities.

**Separate Frontage**: That portion of a lot or parcel of land existing on documentation recorded within the Livingston County Register of Deeds, which abuts or intersects with the normal high water mark of a lake, whether such lot or parcel is owned by one or more persons, or commonly owned by several persons or combinations of persons.

**Vessel**: Shall mean every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

#### ARTICLE IV: REGULATIONS

<u>Section 4.1</u>. Subject to the provisions below, not more than five vessels (of which two can have motors) shall be launched and/or docked adjacent to each separate frontage.

Section 4.2. If the continuous length of a separate frontage is greater than 150 feet, one additional vessel may be launched and/or docked with at least 100 feet of continuous frontage in excess of the initial 150 feet. For the purpose of computing the length of frontage, the measurement shall be along the water's edge at the normal high water mark of the lake as determined by the Department of Natural Resources or, if the Department has not made such a finding, the normal high water mark location shall be determined in the discretion of the township. Moreover, the measurement shall be made only along a natural shoreline, and shall not include any manmade channel, lagoon, canal or the like.

<u>Section 4.3</u>. Following the effective date of this ordinance, no launching and/or docking shall be permitted within respect to a separate frontage of less than 150 feet, provided this provision shall not apply to lots or parcels constituting a lot of record prior to the effective date of this ordinance.

#### Section 4.4

A. Each and every non-riparian lot of record, which at the time of passage of this ordinance had an existing legal right to launch and/or dock vessels, shall continue to enjoy such rights provided;

however, such rights, per each such non-riparian lot of record, shall not exceed five vessels, of which two can have motors.

- B. To be entitled to the provisions of Section 4.4 A above, the instrument granting the non-riparian lot of record such rights must have been in existence at the time of passage of this ordinance.
- C. The provisions of this section are not intended to create or enlarge any existing rights.

#### **ARTICLE V: PENALTIES**

<u>Section 5.1</u>. Any person who shall be convicted of a violation of the regulations contained in this ordinance shall be guilty of a misdemeanor and shall be punished by imprisonment of not more than 90 days or by fine of not more and \$500, or both such imprisonment or fine, as determined by a court of competent jurisdiction.

<u>Section 5.2</u>. In addition to, or in lieu of, seeking to enforce this ordinance by proceeding under Section 5.1 above, the township may institute an appropriate action in a court of general jurisdiction seeking equitable relief.

#### ARTICLE VI: SEVERABILITY

<u>Section 6.1</u>. In the event that any one or more sections, provisions, phrases or words of this ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity nor the enforceability of the remaining sections, provisions, phrases or words of this ordinance unless expressly so determined by the court.

#### ARTICLE VII: NONEXCLUSIVITY

<u>Section 7.1</u>. The prohibitions and penalties provided for in this ordinance shall be in addition to, and not exclusive of, other prohibitions and penalties provided for by other law, ordinance, rule and/or regulation.

# ARTICLE VIII: ADOPTION

<u>Section 8.1</u>. Provision of this ordinance shall take effect thirty (30) days from the date of publication in accordance with the statues of the State of Michigan.

The ordinance was unanimously adopted by the Township Board on February 13, 1992 as verified by Mary Lou Dell, Township Clerk.

# TOWNSHIP OF MARION LIVINGSTON COUNTY, MICHIGAN

# CEMETERY ORDINANCE Ordinance No. 06-01

An ordinance enacted pursuant to the authority of Act 246 of the Public Acts of 1945 as amended and Act 191 of the Public Acts of 1939.

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control and management of cemeteries owned by the Township of Marion, Livingston County, Michigan; to provide penalties for the violation of said ordinance; and to repeal all ordinances or parts of ordinance in conflict therewith.

# The Township of Marion, County of Livingston, State of Michigan ordains:

#### Section 1: Title

This ordinance shall be known and cited as the Marion Township Cemetery Ordinance.

# Section 2: Definitions of a Burial Space

- A. A cemetery grave shall consist of one burial space.
- B. An individual burial space shall consist of a land area four feet wide and nine feet in length.

## Section 3: Purchase Price and Transfer Fees Sale of Burial Spaces

- A. The cost of a burial space shall be \$500 for a Marion Township resident and \$1000 for a non-resident, payable to the township treasurer.
- B. All such sales shall be made on a form approved by the Township Board and executed by the township clerk, which grants a right of burial only and does not convey any other title to the burial space sold.
- C. A cemetery burial space(s) shall be sold for the purpose of the burial of the purchaser, next of kin, or heirs at law. No sale shall be made to funeral directors or others than as heretofore set forth. The Township Clerk is granted the authority to vary the restrictions on sales where the purchaser has disclosed sufficient personal reason for burial within the township through previous residence in the township or relationship to persons interred therein.
- D. The original purchaser(s) of a cemetery burial space may transfer burial rights to any resident within the township through the endorsement of the original burial permit issued by the Township Clerk. There will be a \$100 transfer fee per burial space payable to the township. If transferred to a non-resident, there will be a \$500 non-resident per burial space fee in addition to the \$100 transfer fee.
- E. Fees collected will go to the Township's Cemetery Fund to cover maintenance expenses of the Township's cemeteries. The Township Board by resolution may periodically alter fees to accommodate increased costs.

#### Section 4: Grave Opening Procedures

A. The opening and closing of any burial space, prior to and following a burial therein, including the interment of ashes, shall be at the current cost to be determined by the Township Sexton and Funeral Director. No burial space shall be opened or closed except under the direction and control of the Township Sexton.

# Section 5: Markers and Memorials

- A. All markers or memorials must be of stone or other equally durable composition.
- B. Only one monument, marker or memorial shall be permitted per burial space and must be contained within the four foot by nine-foot plot. Requests for permanent statues, benches, fences and second markers are the owner's responsibility and must be brought before the Marion Township Cemetery Preservation Committee and Township Clerk. Each request will be considered fairly.
- C. The footing or foundation upon which any monument, marker or memorial for any grave must be placed on a footing or foundation which shall be constructed under the supervision of the Township Sexton at cost to the owner of the burial right.

# Section 6: Interment Regulations

- A. Only one person may be buried in a burial space except for a parent and one infant (12 months or younger) or two (infant) siblings or four cremains.
- B. Not less than 36-hour notice shall be given in advance to either the Township Clerk or Township Sexton of any funeral to allow for the opening of the burial space.
- C. The appropriate permit for the burial space involved together with appropriate identification of the remains/cremains to be buried therein, where necessary, shall be presented to either the Township Sexton or the Township Clerk prior to interment. Where such permit has been lost or destroyed, the Township Clerk shall be satisfied, from his/her records, that the remains/ cremains to be buried in the burial space is an authorized and appropriate one before any interment is commenced or completed.
- D. All burial spaces shall be located in an orderly and neat appearing manner within the confines of the burial space involved.

# Section 7: Disinterment or Reinterment

- A. A permit for disinterment and reinterment is required before disinterment of a dead body. The local health department shall issue the permit upon proper application by a licensed funeral director.
- B. A person shall not disinter or permit the disinterment of a dead body in a cemetery and the body's reinterment in a cemetery or removal from the cemetery unless a disinterment and

- reinterment permit is issued by the local health department in the jurisdiction in which the cemetery is located.
- C. The expense of a disinterment and reinterment shall be the responsibility of the requesting party of the disinterment and reinterment. The fee will be set by the Township Sexton.

#### Section 8: Ground Maintenance

- A. No grading, leveling or excavating upon a burial space shall be allowed without the permission of the Township Sexton or the Township Clerk.
- B. No shrubs or trees of any type shall be planted without the approval of the cemetery Sexton or the Township Clerk. Any of the foregoing items planted without such approval may be removed by the Township Sexton.
- C. The Township Board reserves the right to remove or trim any tree, plant or shrub located within the cemetery in the interest of maintaining proper appearance and the use of the cemetery.
- D. Any landscaping which hinders the free use of lawn mower or other gardening apparatus are prohibited.
- E. All refuse of any kind or nature including, among others, dried flowers, wreaths, papers and flower containers must be removed or deposited in containers located within the cemetery. All winter flowers, etc., must be removed by April 1. Artificial flowers must not be placed before May 1 and shall be removed by October 31.
- F. The Township Sexton or Marion Township Cemetery Preservation Committee shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers that through decay, deterioration, damage or otherwise become unsightly, a source of litter, or a maintenance problem.
- G. No alcohol beverages, off road vehicles, dogs or horses are permitted within the cemetery.
- H. Surfaces other than earth or sod are prohibited.

#### Section 9: Forfeitures of Vacant Cemetery Burial Spaces

Cemetery burial spaces sold after the effective date of this ordinance and remaining vacant 40 years from the date of their sale shall automatically revert to the Township upon occurrence of the following events:

- A. Notice shall be sent by the Township Clerk by First Class Mail to the last known address of the last owner of record and that all rights with respect to said lots or spaces will be forfeited if he does not affirmatively indicate in writing to the Township Clerk within 60 days from the date of mailing of the notice his desire to retain said burial rights.
- B. No written response to said notice indicating a desire to retain the cemetery lots or burial spaces in question is received by the Township Clerk from the last owner of record of said lots or spaces or his heirs or legal representative within 60 days from the date of mailing of said notice.

# Section 10: Repurchase of Lots or Burial Spaces

The Township may choose to repurchase any cemetery lot or burial space from the owner for the original price paid the Township upon the written request of said owner or his legal heirs or representatives.

#### Section 11: Records

The Township Clerk shall maintain records concerning all burials, issuance of burial permits, separate and apart from the other records of the Township and the same shall be open to public inspection at all reasonable business hours.

#### Section 12: Vault

All remains shall be contained within a standard concrete vault installed or constructed in each burial space before interment. Cremains must be interned within a sealed urn or container.

#### Section 13: Cemetery Hours

The cemetery shall be open to the general public from dawn to dusk of each day.

#### Section 14: Penalties

Any person, firm or corporation who violates any of the provisions of the ordinance shall be guilty of a misdemeanor and shall be subject to a fine of a minimum of \$100 and/or imprisonment for up to 90 days in jail as may be determined by a court of competent jurisdiction. Each day that a violation continues to exist shall constitute a separate offense. Any criminal prosecutions hereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

#### Section 15: Severability

The provisions of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decisions and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

#### Section 16: Effective Date

This ordinance shall take effect thirty days after its publication in the Daily Press and Argus.

Published April 21, 2007 in the Livingston County Daily Press & Argus

# TOWNSHIP OF MARION LIVINGSTON COUNTY, MICHIGAN

# ORDINANCE NO. (adopted July 11, 1978)

An ordinance to control and prohibit the littering of public and private property and waters; and to prescribe penalties for violation of said ordinance.

#### Section 1: Littering—Public and Private Property

It is unlawful for any person knowingly, without consent of the township, to dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing or leaving of, litter in or upon any public or private premises or any waters in the township other than property designated and set aside for such purposes, or except in public receptacles and private receptacles for collection.

#### Section 2: Definitions

*Litter*: all rubbish, waste material, garbage, including but not limited to the following: waste composed of animal, fish, fowl, fruit or vegetable matter; dead animals; putrescible and non-putrescible solid waste (except body waste); ashes; glass, can, and bottles; discarded or abandoned machinery; discarded motor vehicles or parts thereof, industrial waste.

**Person**: any individual or legal entity.

*Motor Vehicle*: every motor vehicle registered under Act No. 300 of Public Act of 1949 of the State of Michigan as amended.

**Public Premises**: any and all streets, rights-of-way of any road or highway, sidewalk, boulevard, alley or other public way and any and all public park, square, open space, conservation or recreation areas, playground or building.

**Vessel**: every description of watercraft other than a seaplane on the water, used or capable of being used as a means of transportation on water.

*Waters*: any body of water or water course on the shore or beach thereof, including the ice above the water.

# Section 3: Litter Thrown by Persons in Vehicles

It is unlawful for any person while a driver or passenger in a vehicle or vessel to throw or deposit litter upon any street, roadway, waters, or other public place or private premises within the township.

# Section 4: Placement of Litter in Receptacles to Prevent Scattering

Persons placing litter in public or private receptacles designed for such purpose shall do so in a manner to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public or private lands or place.

# Section 5: Truckloads Causing Litter

No person shall drive or move any motor vehicle or trailer within the township unless such vehicle or trailer is constructed or loaded to prevent any load, contents or litter from being blown or deposited on any street, alley or public or private lands or place.

# Section 6: Owner to Maintain Premises Free of Litter; Notice to Remove

- 1. It is unlawful for the owner or person in control of any private property to fail to maintain his premises free of litter after due notification by the township supervisor, or his/her designee, that said premises is a danger to the public health, safety and welfare.
- 2. The township supervisor, or his/her designee, is hereby authorized and empowered to personally, or by registered mail return receipt requested, notify the owner of any property within the township that said property is dangerous to public health, safety and welfare.
- 3. Upon failure, neglect or refusal of any owner or agent so notified to properly dispose of litter dangerous to the public health, safety and welfare within thirty (30) days of receipt of notices as provided in subsection 2 above, the township supervisor, or his/her designee, shall make a full and complete report thereof to the township board, and the township board may then cause the township attorney to prepare, file and process a complaint and request a warrant for the arrest of the offending individual(s).

## Section 7: Presumptions re. Vehicles or Vessels

- In a proceeding for a violation of this act involving litter from a motor vehicle or vessel, proof that the particular vehicle or vessel described in the citation, complaint or warrant was used in the violation, together with proof that the defendant named in the citation, complaint or warrant was the registered owner of the vehicle or vessel at the time of the violation, constitutes in evidence a presumption that the registered owner of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.
- 2. The driver of a vehicle or vessel is presumed to be responsible for litter which is thrown, dropped, dumped, deposited or placed or left from the vehicle or vessel on public or private property or waters.

3. In a proceeding for a violation of this act involving litter from a leased motor vehicle or leased vessel, proof that the particular vehicle or vessel described in the citation, complaint or warrant was used in the violation, together with proof that the defendant names in the citation, complaint or warrant was the lessee of the vehicle or vessel at the time of the violation, constitutes in evidence a presumption that the lessee of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.

#### Section 8: Violation; Punishment

Any person violating any provision of this ordinance shall be fined an amount not in excess of five hundred dollars (\$500) or by imprisonment in the county jail not to exceed ninety (90) days, or by both such fine and imprisonment and costs of prosecution. The court, in lieu of any such sentence imposed, may direct a substitution of litter gathering labor and proper disposal of said litter gathered including, but not limited to, the litter connected with the particular violation under the supervision of the court. (Amended March 12, 1992)

# Section 9: Conflicting Provisions Repealed

Ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed.

# Section 10: Severability

This ordinance and various parts, sections and clauses thereof, are hereby declared severable. If any parts, sections, paragraphs or clauses are adjudged invalid, it is hereby provided that the remainder of the ordinance shall not be affected thereby.

Published July 19, 1978	
Tammy L. Beal, Township Clerk	 Date
Moved by:	
Supported by:	
Yeas:	
Nays:	
Abstentions:	
Absent:	

# TOWNSHIP OF MARION LIVINGSTON COUNTY, MICHIGAN

# MARION TOWNSHIP PARKS AND RECREATION ORDINANCE Ordinance No. 07-02 (Adopted 7-26-2007)

Ordinance enacted pursuant to the authority of Act 156 of 1917 and Act 246 of 1945.

An Ordinance to protect the public health, safety and general welfare of Marion Township residents by establishing regulations relating to the operation, control and management of parks, and recreation areas owned by the Township of Marion, Livingston County, Michigan; to provide penalties for the violation of said ordinance; and to repeal all ordinances or parts of an ordinance in conflict therewith. The Marion Township Board may, at any time, amend these rules and regulations, as needed, in the future.

# The Township of Marion, County of Livingston, State of Michigan ordains:

#### Section 1.0 Title

This ordinance shall be known and cited as the Marion Township Parks and Recreation Ordinance.

## Section 2.0 Definitions

- A. Firearms: Guns of any type, including, but not limited to B-B guns, pellet guns, and starting pistols.
- **B. Motor Vehicles**: Any and all kinds or types of motor driven or motor propelled automobiles, trucks, motor cycles, motor scooters, mopeds, snowmobiles, and any kind or type of off-road or all- terrain vehicle.
- C. Litter: Any refuse, or trash including but not limited to paper, cans, bottles and animal feces.
- **D. Pets**: Dogs, or cats under the control or custody of a person.

#### Section 3.0 Park Hours

- **A.** Park Hours: Township parks will be open from dawn to dusk. No persons shall remain in the parks during hours when the parks are closed.
- **B. Parking:** The parking of any motor vehicle is permitted only in designated parking areas. No parking is permitted along park areas, drives, or near the entrance, or that would hinder access for maintenance or emergency vehicles.

C. Closing of Facilities: The Marion Township Board of Trustees, or the Board's designated representative, may close any park facility, or cease any park activity at any time if deemed unsafe or if the closing would be in the best interest, general well being, and/or if safety of the public is not being served.

#### Section 4.0 Prohibited Conducts

No person, firm, or corporation shall commit or allow any of the following conduct in a Township Park or recreation area:

- **A.** Transport or use of any alcoholic beverages, or illegal drugs in a Township Park or recreation area.
- **B.** Possess a firearm or weapon in a Township Park or recreation area, unless in compliance with applicable State of Michigan law.
- C. Hunt or trap animals or birds within any portion of a Township Park or recreation area unless in compliance with applicable State of Michigan law.
- D. Possess or use any type of firework(s) or explosives within any portion of a Township Park or recreation area unless in compliance with applicable State of Michigan law.
- **E.** Light or maintain a fire, on the ground or in a grill, within the Township Park or recreation area.
- F. Suffer or cause any litter to remain in a Township Park or recreation area.
- **G.** Damage, destroy, or deface any tree, sign, table, bench, marker, or any other equipment or property within a Township Park or recreation area.
- H. Ride or operate any motor vehicles (see Section 2.0 Definitions) in any area of the park other than on the driveway and in the parking area. The exceptions would be a personal battery powered wheel chair, or a 3 or 4 wheel battery powered scooter, when operated by a person with a disability.
- Loiter, beg, or solicit in any manner, or for any reason, within the Township Park or recreation area.
- J. Gather in groups for unlawful purposes. Nor shall any person or group of person be disorderly or annoy, harass, or inflict property damage, or bodily injury upon another person or persons in the Township Park or recreation area.
- **K.** Allow pets to run unleashed. Nor shall any pet owner leave animal droppings at a Township Park or recreation area.
- L. Engage in any disorderly conduct.

#### Section 5.0 Safety

Marion Township Parks exist for the benefit and use of all township residents and their guests. The Township will make every attempt to ensure that reasonable care is taken to make the parks safe. Residents are advised and informed that their use of all park facilities is at their own risk.

#### Section 6.0 Penalties

Violation of these general rules and regulations of any specific facility or activity regulation could result in expulsion from the parks and possible prosecution in court, where applicable. Enforcement of this ordinance shall be at the Township's sole discretion.

# Section 7.0 Effective Date

This ordinance shall take effect 30 days after publication in the Daily Press and Argus.

#### Section 8.o Special Notes

For future generations, it should be noted that Marion Township Park #1, located East of Triangle Lake Rd., is deed restricted, so that Marion Township can not sell the property. The property is for recreation purposes only, and that if the Marion Township no longer wants to maintain the park, the property could be turned over to the Sundance Meadows Home Owners Association.

Also, at a future time, if playing field lighting is installed, Marion Township should set 10 pm as the time that the lights would turn off. Illumination of the parking and driveway areas could be left on all night.

# MARION TOWNSHIP LIVINGSTON COUNTY, MICHIGAN Ordinance No. WC-47-97-001

At a regular meeting of the Board of Trustees held on August 14, 1997, the following ordinance was adopted:

- 1. To approve an ordinance to be called the "WC-47-97-001 Triangle Lake: Hours for high speed boating."
- 2. On the waters of Triangle Lake, Section 27, Town 2 North, Range 4 East, Township of Marion, County of Livingston, State of Michigan, it is unlawful between the hours of 6:30 pm to 10:00 am of the following day to:
  - A. Operate a vessel at high speed.
  - B. Have in tow or shall otherwise assist in the propulsion of a person on water skis, water sled, surfboard or other similar contrivance.

The hours should be 7:30 pm to 11:00 am of the following day when Eastern Daylight Savings Time is in effect. "High speed boating" is defined as a speed at or above which a motorboat reaches a planing condition.

- 3. Any person who shall be convicted of a violation of the regulations contained in this ordinance shall be guilty of a misdemeanor and shall be punished by imprisonment of not more than 90 days or by fine of not more than \$500, or both such imprisonment or fine, as determined by a court of competent jurisdiction.
- 4. Provision of this ordinance shall take effect immediately upon the date of publication in accordance with the statutes of the State of Michigan.

# tammybeal@mariontownship.com

From:

johnpartee73@gmail.com

Sent:

Monday, August 26, 2024 3:04 PM

To:

tammybeal@mariontownship.com

Subject:

Re: Fence Quote

Hi Tammy,

I will put tar on the bottoms of all the new posts, which should increase their life expectancy from 20 to 60 years. Will straighten everything out before attaching the new rails to the posts with the screws. The breakdown in cost is as follows:

Green Cemetary \$800 Norton and Burkhart \$1,500

Can get it done pretty quick after approval.

Best Wishes,

John Partee Handy Fence 517 215 5959

Yahoo Mail: Search, Organize, Conquer

On Wed, Aug 21, 2024 at 5:22 PM, johnpartee73@gmail.com <johnpartee73@gmail.com> wrote:

Hi Tammy,

I think we can get by with minimal replacement of rotted posts and rails.

I think it would avoid a lot of future repairs if we also put some 3 inch screws in the ends of the rails to help hold everything in place better. I believe many of the problems were caused by a lack of the same.

Total cost for both places to replace all the bad spots and put screws in all rails is \$2,300. Let me know if you need a breakdown for each location.

Best Regards,

John Partee Handy Fence and Deck 517 215 5959

Yahoo Mail: Search, Organize, Conquer

# tammybeal@mariontownship.com

From:

fencespot@aol.com

Sent:

Friday, August 30, 2024 4:05 PM

To:

tammybeal@mariontownship.com

Subject:

Greene cemetery fence quote

To: Tammy - Marion Township

From: The Fence Spot, Inc. 3513 S. Old US 23 Brighton, MI 48114 Phone: (810) 227-1760 Fax: (810) 227-3922

**Greene Cemetery** 

Remove and haul away 206' of 2 rail western red cedar split rail fence

OPT 1

Install 206' of 2 rail western red cedar split rail fence in same location

\$3,445.00

OPT 2

Install 206' of 3' high treated board fence in same location including 5/4x6x16 treated board treated 4x4 post(no cement on posts)

\$3,919.00

OPT 3

Install 206' of 3' high 2 rail Sierra blend Certa grain pvc fencing in same location( no cement on posts) \$6,150.00

Installed complete including tax

TERMS: 1/3 Down, balance upon completion.

**LEAD TIME**: 10-11 weeks, weather permitting.

**Note:** Clients are responsible for obtaining their own permits; however, The Fence Spot, Inc. will be happy to do the legwork required for the cost of permits plus any additional costs incurred (i.e., time and travel).

Clients are responsible for locating their own property boundaries Costs to relocate a fence due to boundary disputes will be borne by the client.

Price based on normal digging conditions. The Fence Spot is not responsible for damage to unmarked underground sprinkler systems or private utilities.

We are pleased to submit the above quotation for your consideration. Should you place an order, be assured	
it will receive our prompt attention. This quote is valid for 10 days. Thereafter, the price is subject to change. Pleas	se
call with any questions. Thank you for the opportunity to bid on your project.	

Accepted by:	
Date:	
If you accept this quote please sign and mail to us with your deposit.	

# tammybeal@mariontownship.com

From:

fencespot@aol.com

Sent:

Friday, August 30, 2024 3:55 PM

To:

tammybeal@mariontownship.com

Subject:

fence quote

To: Tammy - Marion Township

From: The Fence Spot, Inc. 3513 S. Old US 23 Brighton, MI 48114

Phone: (810) 227-1760 Fax: (810) 227-3922

Lake Side Cemetry

Remove and haul away 600' of existing 2 rail western red cedar split rail fence

OPT 1

Install 600' of 2 rail western red cedar split rail fence in same location \$9,227.00

OPT 2

Install 600" of 3' high treated board fence including in same location 5/4x6x16 treated boards treated 4x4 post (no cement on post)

\$8,380.00

OPT 3

Install 600' of 3' high 2 rail Sierra Blend Certa grain pvc fencing in same location (no cement on post)

\$17,098.00

Installed complete including tax

TERMS: 1/3 Down, balance upon completion.

LEAD TIME: 10-11 weeks, weather permitting.

**Note:** Clients are responsible for obtaining their own permits; however, The Fence Spot, Inc. will be happy to do the legwork required for the cost of permits plus any additional costs incurred (i.e., time and travel).

Clients are responsible for locating their own property boundaries Costs to relocate a fence due to boundary disputes will be borne by the client.

Price based on normal digging conditions. The Fence Spot is not responsible for damage to unmarked underground sprinkler systems or private utilities.

We are pleased to submit the above quotation for your consideration. Should you place an order, be assured it

Accepted by:
Date:
If you accept this quote, please sign and mail to us with your deposit.

will receive our prompt attention. This quote is valid for 10 days. Thereafter, the price is subject to change. Please

call with any questions. Thank you for the opportunity to bid on your project.

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indemnify C & D FENCE CO, from and against all claims, liabilities and expenses for injury, death or damage to persons, property, trespass and all other damage or claims arising out of the installation or location of said fence materials. All excess materials shall remain the property of and be returned to C & D FENCE CO. Neither shall C & D	described herein, and in accordance with the plot and all the terms (includ RESPONSIBILITY FOR THE LOCATION OF PENCE LINE UPON WILICH Mindemnity C & D FENCE CO, from and against all claims, liabilities and expense	ling specifications and price) set forth herein. CUSTOMER HEREBY ASSUMES FULL MATERIALS ARE TO BE INSTALLED, and customer agrees to defend, hold harmless and see for injury, death or damage to persons, property, trespass and all other damage or claims.

representative of C & D PENCE CO. Not responsible for irrigation/water in	r less quantities at above unit prices
C & D FENCE, LLC	Terms: 5090 dotum below Qualification of the state of 18's carrying charge per month which is an annual rate of 18's Special Notes:
475 Sanford Road Phone: (517) 546-6689   Sanford	Fence Grade to Hows the 5 round
PURCHASER	Dirt Stays by the voles  Location of fence to property line  Same as before
TITLE Date 9-5-24	Where did you hear about us?

C & D FENCE, LLC **DESIGN SERVICE** FREE ESTIMATES Jambo 2 rail Split rail fence (TAMM) Specifications on proposal:
Style 301+ (5) Height over-all 2 **PROPOSAL** \_ gauge woven Address inch mesh Line posts YUS+7 - Telephone 517.546-158into a toprail State feet apart with . spaced. Quantities Required: Based on drawing Unit Price Extension \_ Ft. Fence Complete \_\_ Ft. Fence Complete Ft, Toprail Complete ... al cour **GATES** SGL DBL No. Width Frame **TERMINALS** No. Size **MISCELLANEOUS** Total Materials 🔀 Sales Tax \_ Fence line \_\_\_ Existing Fence A. Survey Stake . Terminal C&D FENCE Co. offers, subject to approval of its credit department and its engineering representative, to furnish fence materials to the undersigned customer for the property described herein, and in accordance with the plot and all the terms (including specifications and price) set forth herein. CUSTOMER HEREBY ASSUMES FULL RESPONSIBILITY FOR THE LOCATION OF FENCE LINE UPON WHICH MATERIALS ARE TO BE INSTALLED, and customer agrees to defend, hold harmless and indemnify C & D FENCE CO, from and against all claims, liabilities and exponses for injury, death or damage to persons, property, trespass and all other damage or claims arising out of the installation or location of said fonce materials. All excess muterials shall remein the property of and be returned to C & D FENCE CO. Neither shall C & D FENCE CO, be responsible or liable for de)ay, damage ordefault hereunder where occasioned by war, strikes, shortages of labor, material or transportation, acts of civil or military authorities or other causes beyond the control of said parties; the undersigned customer hereby expressly waiving all such claims. Customer agrees to pay the cash price sat forth herein at the time of the acceptance of this proposal by customer.

This proposal and said payment agreement (or other credit sale agreement), if any, shall constitute the entire agreement between customer and C & D FENCE CO. with respect to the sale and installation of said fance materials, and the same may hereafter bame model or modified only by a written agreement signed by customer and by the duly authorized representative of C & D FENCE CO. MoTesponsible for Irrigation/water lines. representative of C & D PENCE CO. Not responsible for irrigation/water lines. Invoice will be rendered for more or less quantities at above unit prices Terms: 50% down be on Ampleton
After 30 days accounts are subject to 1 2.5 carrying charge
per month which is an annual rate of 18% Respectfully submitted by, C & D FENCE, LLC Special Notes; Permit 7475 Sanford Road Phone: (517) 546-6689 Tempoolindin Post Footings \_\_\_ Howell, MI 48855 Cell: (810) 923-9567 Fence Grade fallows Theground Dirt Stys by the holes ACCEPTED BY\_\_\_\_\_ Location of fence to property line -PURCHASER Some as Defore ADDRESS \_ Date 9-5-20

Where did you hear about us? \_\_\_