

MARSHALL TOWNSHIP REGULAR BOARD MEETING
September 18, 2023, 7 P.M.
Proposed Agenda

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

MOTION TO APPROVE AGENDA

REPORTS: 1) Code Compliance 2) Fire Chief 3) Treasurer 4) Solar Project

COMMUNICATIONS:

- 1) None

PUBLIC COMMENT ON LISTED AGENDA ITEMS

SPECIAL ORDER OF BUSINESS:

- 1) Treasurer Vacancy (letters of Interest received from Marshall Township registered electors Jodi Lubis (subsequently withdrawn) and David A. VanArman – Motion that David A. VanArman be appointed Marshall Township Treasurer to fill the vacancy created by the resignation of Nicole Roberts. ROLL CALL VOTE REQUIRED
- 2) Calhoun County Transportation Authority – Resolved that Marshall Township withdraws from the Transportation Authority of Calhoun County as provided in MCLA 124.458(5) and requests that the articles of incorporation for the TACC not include Marshall Township. ROLL CALL VOTE REQUIRED

MOTION TO APPROVE: (A member may request a separate vote on any item.)

OLD BUSINESS

- 1) Minutes of August 21, 2023, Regular Meeting

NEW BUSINESS

- 1) Approve bill list with a total of \$ 3,534.30 (attached)
- 2) Approve General Fund Budget Amendment 1 (attached)
- 3) Any other matters that may be properly brought before the Board.

DISCUSSION OF AGENDA ITEMS BY BOARD MEMBERS AND ROLL CALL VOTE

PUBLIC COMMENTS

BOARD MEMBER COMMENTS

ADJOURNMENT Next regular meeting scheduled for October 16, 2023, 7 p.m.

All documents are available on the website: www.marshalltownship.org with this proposed agenda and for inspection at the township offices.

MARSHALL TOWNSHIP
13551 Myron Avery Drive
Marshall, MI 49068
(269)781-7976 Fax (269)781-4403
Hours: Monday ~ Thursday 8 AM to 3:30 PM

Marshall Township, Board Report –July/August 2023

Property Inspection July 2023

- 1) 13341 15 MILE RD – In Compliance
- 2) 13833 15 MILE RD – In Compliance
- 3) 13900 15 MILE RD – In Compliance
- 4) 15062 WALTERS DR – In Compliance
- 5) 13201 VERONA RD - In Compliance
- 6) 13174 VERONA RD – In Compliance
- 7) 15 PETER PAN LN-In Compliance
- 8) 12998 VERONA RD – In Compliance

Property Inspections August 2023

- 1) 14079 Eden – Grass, Letter
- 2) 14065 Eden – Grass, Letter
- 3) 14174 Eden - Grass, Letter
- 4) 21 FRIENDSHIP LN – Parking, In compliance.
- 5) 13655 15 MILE RD – In Compliance
- 6) 14515 A N DR – In Compliance
- 7) 16-468-098-00 – Parking under investigation
- 8) 69 FRIENDSHIP LN - In Compliance
- 9) 111 SQUAW CREEK RD – In-op under investigation
- 10) 135 HEATHER DR – Parking, next step citation
- 11) 106 N MAIN ST – In-op, next step citation
- 12) 16-460-024-01 - In Compliance
- 13) 124 PIERCE ST – In-op Under investigation
- 14) 16900 14 MILE RD – Living in the trailer on the property, Letter.
- 15) 16800 14 MILE RD - Parking letter
- 16) 16934 14 MILE RD – In Op, letter
- 17) 16757 14 MILE RD - Parking letter
- 18) 16123 14 MILE RD – Zoning In-compliance
- 19) 13135 15 MILE RD – Parking/Blight Email Final
- 20) 13880 15 MILE RD – Parking In Compliance

- 21) 16080 17 1/2 MILE RD – Parking In Compliance
- 22) 15989 EMILY CORLET – Pole Barn, No violation
- 23) 16-468-098-00 – Parking, In Compliance
- 24) 14065 EDEN ST – Grass, Second Letter
- 25) 14079 EDEN ST – Grass, In compliance
- 26) 14174 EDEN ST – Grass, In compliance
- 27) 135 HEATHER DR – Parking, In compliance
- 28) 106 N MAIN ST – In Op, In compliance
- 29) 124 PIERCE ST- In Op, Letter Sent
- 30) 111 SQUAW CREEK RD - In Op, Letter Sent
- 31) 305 SQUAW CREEK RD – Grass, In compliance
- 32) 16757 14 MILE RD - Parking, In compliance
- 33) 16800 14 MILE RD – Parking, 2nd Letter
- 34) 16934 14 MILE RD – In Op, 2nd Letter
- 35) 16900 14 MILE RD – Trailer Parking, 2nd Letter
- 36) 16537 16 1/2 MILE RD – In op and Parking, Letter

In conclusion, inspections were limited because of other duties.

MARSHALL TOWNSHIP TREASURER'S REPORT
As of August 31, 2023

Deposit Balances

Southern Michigan Bank & Trust....	\$ 2,308,988.17
Marshall Community Credit Union...	69.25 (6/30/23)
KCCU.....	1,027.09 (6/30/23)
Riley Wealth Management	568.01
Total.....	\$ 2,310,652.52

Certificates of Deposit

Marshall Community Credit Union...	31,941.77 (11/05/23 – 1.05%)
Kellogg Community Credit Union....	51,068.00 (05/20/24 – 3.06%)
Kellogg Community Credit Union....	50,686.48 (01/20/24 – 4.889%)
Huntington Bank.....	82,085.98 (11/22/23 - 0.10%)
Huntington Bank.....	57,110.30 (11/20/24 – 0.10%)
Key Bank.....	435,004.35 (09/14/23 – 5.250%)
Total.....	\$ 707,896.88
GRAND TOTAL.....	\$ 3,018,549.40*

July 31, 2023 Ending Total.....	\$3,045,818.75
June 30, 2023 Ending Total.....	2,973,374.45
May 31, 2023 Ending Total.....	2,562,554.71
April 30, 2023 Ending Total.....	2,585,804.04
March 31, 2023 Ending Total.....	2,606,580.06
February 28, 2023 Ending Total.....	2,489,832.20
January 31, 2023 Ending Total.....	2,428,195.67
December 31, 2022 Ending Total....	2,393,368.63
November 30, 2022 Ending Total....	2,377,178.23
October 31, 2022 Ending Total.....	2,415,493.94
September 30, 2022 Ending Total...	2,342,324.77
August 31, 2022 Ending Total.....	2,351,990.65
July 31, 2022 Ending Total.....	2,260,131.23

*As of 3/31/22, \$770,691 is restricted fund balance from the fire department millage and \$15,993 is restricted use county park millage sharing. Assigned fund balances are: \$364,929 for fire equipment and facilities; \$23,000, for township development; \$115,130 for general facility improvements and \$400,000, for subsequent year budget use (budget stabilization). Total fund balance is \$1,689,743 as of 3/31/22.

Nicole Roberts, Treasurer
 9-14-23



September 14, 2023

Robert Lyng
Trustee of Marshall Township Planning Commission
Marshall Township Board Member

Dear Mr. Lyng,

Cereal City Solar, LLC would like to provide our monthly update to you and the respective board members of Marshall Township.

Civil

- Pure Fence to continue Permanent Fence installation.
- Enviro Services to demobilize Week Ending 09/17/2023.
- Naylor Landscaping to mobilize to Cereal City Week Ending 09/17/2023.

Mechanical & Electrical

- Materials personnel to continue staging materials.
- Materials team to continue receiving electrical materials, Module shipments.
- Modules team to continue Module layout and installation in Areas 5 and Area 2.
- Robco to continue pile installation in Areas 5 and 2; continue pile QAQC and remediation in Areas 2 and 5.
- No Bull Energy to continue pile layout in Area 4; continue pile installation in Areas 3 and 4; continue pile QAQC and remediation in Areas 1 and 3.
- WHC QA/QC team to continue QA/QC of installed piles, PVH Axone Duo Racking System, and installed Modules.
- Mechanical team to continue pre-fabrication and installation of PVH Axone Duo Racking System in Areas 2, 5, and 1.
- Electrical team to continue DC Trench Excavation and Backfill, DC and String Cable Installation, in Area 2.
- Electrical team to continue pre-fabrication and installation of String Conduit Transitions in Area 2.
- Electrical team to continue installing Combiner Box posts and continue Combiner Box installation in Areas 6, 5, 2, 3, and 1.
- Electrical team to continue String Cable Above-Ground Installation activities in Area 6.
- Electrical team to continue Module-to-Module connections in Area 6.
- Electrical team to continue performing Inverter tail-ins, installing Inverter grounding rings, and backfilling Inverter foundations.
- Electrical team to complete MV Cable installation at Cereal City.



Sincerely,
**Kunhal
Parikh**
Kunhal Parikh
Project Director

Digitally signed by
Kunhal Parikh
Date: 2023.09.14 13:50:39
+04'00'

MARSHALL TOWNSHIP PUBLIC NOTICE

Due to the resignation of the current Marshall Township Treasurer, the Marshall Township Board will receive letters of interest from any currently registered voter and qualified elector of Marshall Township who is interested in appointment to this elective office.

Interested individuals must be a registered voter and qualified elector of the township and must be able to be bonded by the township's surety bond company. A registered voter must be at least 18 years of age, a U.S. citizen and resident of the State of Michigan for at least six months. A "qualified elector" is a registered voter who has resided in Marshall Township for at least 30 days prior to appointment by the Township Board.

The person appointed will serve until the November 2024 general election results are certified by the County Board of Canvassers. The person appointed may file for election to the regular 4-year term of office which starts 11-20-24.

The Township Treasurer is, by law, a member of the Township Board of Trustees and is required to attend Board meetings and vote on various items of business.

Letters of interest shall be sent to: Jeffrey Albaugh, Marshall Township Clerk, 13551 Myron Avery Drive, Marshall, MI 49068 and must be signed by the interested individual. Letters may be sent by U.S. Mail or placed in the Township Hall drop box and must be received by September 1, 2023.

Jodi Lubis
15617 Alannah Christine Drive
Marshall, MI 49068

Cell: 269-



August 14, 2023

C/O Jeff Albaugh
Marshall Township
13551 Myron Avery Drive
Marshall, MI 49068

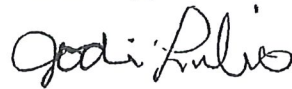
To the Marshall Township Board,

This letter is to inform you of my interest in the open township treasurer position vacated by Nikki Roberts. I understand that this term is until November of 2024.


I have a degree in accounting and was a practicing CPA prior to owning/operating Pastrami Joe's Deli in Marshall where I handled all aspects of the financial records for 11 years.

I am happy to answer any questions you may have and I thank you for your time and consideration for this position.

Sincerely,



Jodi Lubis

Withdrawn September 8, 2023
by email: 9-8-23 11:35 A.M.

Clerk

Jeff Albaugh

From: David Vanarman [REDACTED]
Sent: Friday, September 1, 2023 5:00 PM
To: Jeff Albaugh
Subject: Township Treasury

Good Afternoon Jeff,

Please consider this email my letter of interest for the Township Treasury. I've been doing business in Marshall for 25 years. I reside at 16222 15 Mile Road.

Thank you,
David



CALHOUN COUNTY

OFFICE OF THE ADMINISTRATOR/CONTROLLER

“Building a Better County Through Responsive Leadership”

315 W. Green Street
Marshall, MI 49068
(269)781-0966 – Office

Kelli D. Scott
Administrator/Controller

August 7, 2023

Dear Municipal Official,

Calhoun County is resuming the consideration of the formation of a Countywide public transit authority. The next step in that process is the adoption of Articles of Incorporation for a new public transit authority under Act 196 of 1986; MCL 124.451. Municipalities that have already passed a resolution to opt-out will be asked to confirm that action with a new resolution. This avoids any challenges to the validity of the previous action.

On **September 7, 2023**, we will recommend the Calhoun County Board of Commissioners consider the adoption of the Articles of Incorporation for the “*Transportation Authority of Calhoun County*,” or TACC. The Articles of Incorporation will include the entire County as the geographical area to be serviced by the TACC. This letter is to inform you that every political subdivision in the County, (that means any city, village, or township), or a portion of that political subdivision, has the right to withdraw from the TACC. To be effective, a political subdivision must adopt a resolution withdrawing, entirely or partially, from the TACC, and provide notice of that withdrawal to the County on or before the thirtieth day following the date the public authority is incorporated or until the expiration of the thirtieth day after receiving notification under subsection (7), whichever is later.

Since this letter is being sent a considerable time before the County Board will consider the adoption of the Articles of Incorporation, municipalities should wait until the County Board considers the issue before opting out. If created on September 7, 2023, we intend to notify township officials via email on Sept 8, 2023. From that notification date, the 30-day deadline for unconditional withdrawal is **October 9, 2023**. After this date, conditional withdrawal from the TACC can only occur according to MCL 124.458 (1) or (2), which would require either a 2/3 vote of the TACC Board, or a vote of the electors, among other requirements.

If a political subdivision withdraws, no millage vote will go to its residents, no millage could be collected in that subdivision, and no transportation services would be provided. Also, no incoming or outgoing rides would be available to the political subdivision, its residents, or businesses for the remainder of the millage term.

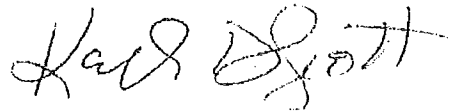
If a municipality does not withdraw, and a millage was passed or other sufficient operating revenues are secured, transit services will be provided. The goal of creating the TACC is to provide

“Calhoun County is an Equal Opportunity Employer”

transportation access to all county residents, connecting them to essential services in the county and beyond. Once fully operational, residents will be able to get a ride the same day anywhere in the county that has not opted out. The system will be designed with the customer in mind so that they are easy to understand and use, affordable, safe, comfortable, and convenient.

If you have additional questions concerning the TACC or your option to withdraw, you may contact Assistant Director of Community Development, Doug Ferrall at 269-781-0769. Lastly, an example opt-out resolution, with instructions, has been included with this letter.

Very Truly Yours

A handwritten signature in black ink, appearing to read "Kelli Scott". The signature is written in a cursive style with a large initial "K" and a long, sweeping tail.

Kelli Scott
Calhoun County
Administrator/Controller

CALHOUN COUNTY TRANSIT



History

- The 2020 Transit study identified the need for a comprehensive county-wide transportation network through the creation of a transit authority.
- BCGO, a county-wide transit pilot in Battle Creek, uses minivans for public transit and showed the need for transit in Calhoun County. A new transit authority would operate these vehicles (and more) within the participating municipalities.
- BCGO has 3,655 current users and averages 160 new users per month
- Since its inception, BCO has received 78,054 trip requests but was only able to complete 16,283 (21%). **There is significantly more demand than available service.**

Need for Transit in Calhoun County

- 69% of the population in Calhoun County lives at or below 150% of the poverty line.
- 6% more senior citizens than the national average.
- 2% more people with disabilities than the national average.
- A significant number of households with no access to a personal vehicle.
- Estimated unmet transportation needs of 26,000 trips per year.
- In a rider survey, the top three problems BCGO is addressing for residents:
 - (1) No access to a car
 - (2) Affordability (cheaper than owning a car)
 - (3) Stress of the commute

BCGO in the Marshall Area

- The following trips had an **ORIGIN** within these cities/townships.
 - Marshall (city) - 967 trips
 - Fredonia - 19 trips
 - Marshall Township - 447 trips
 - Marengo - 209 trips
- The following trips have a **DESTINATION** within these cities/townships.
 - Marshall (city) - 1216 trips
 - Eckford - 2 trips
 - Fredonia - 16 trips
 - Marshall Township - 444 trips (the most common are Oaklawn Endocrinology and Arbor Inn.)
 - Marengo - 155 trips

Opt-out period

- All municipalities have the opportunity to opt-out of the authority within a 30-day window after the authority is created by the Board of Commissioners (BOC). The BOC is expected to consider the articles of incorporation at its regularly scheduled meeting on Sept 7, 2023. The deadline to opt-out will be Oct. 9, 2023.
- If a political subdivision withdraws, no millage vote will go to its residents, no millage could be collected in that subdivision, and no transportation services would be provided. Also, no incoming or outgoing rides would be available to the political subdivision, its residents, or businesses for the remainder of the millage term.
- If a municipality does not withdraw, and a millage was passed or other sufficient operating revenues are secured, transit services will be provided. The goal of creating the TACC is to provide transportation access to all county residents, connecting them to essential services in the county and beyond.
- If the authority is created:
 - A transition manager/consultant would need to be hired.
 - The level of service would be finalized and a budget created.
 - An authority board would be appointed and composed of members from the municipalities within the authority.
 - Potential millage vote in August of 2024.

What would service look like?

- If created, the new Transportation Authority of Calhoun County (TACC) would assume the role of transportation provider for the entire county and become the recipient of federal and state funding for transportation.
- The TACC would take over the roles of other municipal providers (City of Battle Creek, City of Marshall, and the Albion/Marshall Connector).
- A comprehensive system under one agency provides cost efficiencies in administration, a consistent fare structure, and is easier for riders.
- Anyone in the community that lives within the authority boundary would be able to call and/or book online and get a ride on the same day, once the authority is fully operational.
- **The proposed model would provide service to Marshall Township residents during:**
 - Monday through Friday 5:00 am – 12:00 am
 - Saturday 8:00 am – 12:00 am
 - Sunday 8:00 am – 6:00 pm

The Cost of a Comprehensive System

- In order to provide county-wide transit a millage would likely need to be placed on the ballot by the authority board.
- The millage needed to support transit depends on the number of municipalities that remain within the authority. **The estimated millage amount is 1.3-1.5 mills.**

Marshall Township Regular Board Meeting – Marshall Township

August 21, 2023

The meeting was called to order at 7:00 p.m. by Supervisor David Bosserd. The Pledge of Allegiance was recited.

Present: Albaugh, Bosserd, Lyng and Walsh. Absent: Roberts.

Motion by Lyng, supported by Walsh, approve the proposed meeting agenda. VOICE VOTE: CARRIED.

REPORTS: Permits issued, Treasurer and Solar Project reports were received and placed on file. Fire Chief provided verbal update.

COMMUNICATIONS: Communication from Calhoun County Administration concerning a County Transportation Authority referred to the September meeting agenda.

AUDIENCE COMMENTS AND PUBLIC HEARING ON PROPOSED PUBLIC ACT 425 LAND TRANSFERS:

Conducted a Public Hearing on two proposed Public Act 425 land transfer contracts between the City of Marshall and the Township and received public comments on the land transfer agreements as well as other items. Seven persons offered comments. The hearing and comments were concluded at 7:35 p.m.

Motion by Albaugh, supported by Lyng, approve the Contract, effective 8-31-23, for Conditional Transfer of Property from Marshall Township to the City of Marshall requested by Stephen and Donna Sanchez – 440 West Hughes. ROLL CALL VOTE: YES: Walsh, Lyng and Albaugh. NO-Bosserd. ABSENT: Roberts. MOTION CARRIED

Motion by Walsh, supported by Lyng, approve the Contract, effective 8-31-23, for Conditional Transfer of Property from Marshall Township to the City of Marshall requested by Ronald and Jayne DeGraw and Mark and Wendy Berry Olynik – 16-260-006-00 & 16-350-006-00. ROLL CALL VOTE: YES: Lyng, Albaugh and Walsh. NO-Bosserd. ABSENT: Roberts. MOTION CARRIED.

OLD AND NEW BUSINESS:

Motion by Lyng, supported by Walsh approve: Minutes of the July 17, 2023, regular board meeting; the bill list, total of \$ 37,786.56; the Supervisor’s recommendation to appoint Zoning Board of Appeals alternate member Trent Thompson to the ZBA vacancy resulting from the passing of Roger Caswell for the term ending 12-31-23; Participating in an Early Voting Center to be operated by Calhoun County Clerk-Register for 2024 and 2025 applicable elections; Board Rules of Procedure updates; Hiring Deputy Assessor Carl Fowler as Township Office Manager effective 9-1-23 and subject to the provisions of the attached; Re-establishing township public office hours as 9 a.m. until 3:30 p.m. Monday through Wednesday except federal and state holidays, effective in September 2023; a letter agreement with AT&T extending a METRO Act permit until 12-31-28; requesting the County Road Department conduct a safety study and make needed improvements to improve the sight line for the intersection of A Drive North and 15 Mile Road due to the limited sight distance resulting from the angle of the intersection on a curve and farm crops; Ordinance 2023-01 concerning Fire Department Incident Responses; Ordinance 2023-02 concerning Fire Department HAZMAT Responses; releasing the attorney-client privilege as to

the letter from Township Attorney Seeber dated June 14, 2023, together with attachments. This waiver/release of privilege applies only to the identified document. The Clerk to post the letter to the township website by August 25, 2023. ROLL CALL VOTE: YES: Bosserd, Albaugh, Walsh and Lyng. NO: None. ABSENT: Roberts. CARRIED.

AUDIENCE COMMENTS: Eight persons offered comments.

BOARD MEMBER COMMENTS: Supervisor Bosserd commented on his continuing efforts to have baseline water testing done relating to the Mega-Site. Trustee Lyng indicated that theresponse to H Drive area was a police issue not a township issue, that road problems in the solar project area are a County Road issue as they have jurisdiction of the roads in that area and that tax loss in areas subject toe PA 425 transfers result in generally more tax revenue for the township rather than less. In areas subject to tax abatement, a payment in lieu of taxes (PILT) agreement results with the township not suffering any revenue loss.

The Supervisor declared the meeting adjourned at approximately 8:35 p.m.

Respectfully submitted,

JEFFREY S. ALBAUGH, Marshall Township Clerk

CHECK REGISTER FOR MARSHALL TOWNSHIP
 CHECK DATE FROM 08/16/2023 - 09/14/2023

User: JEFF
 DB: Marshall

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank SMB SOUTHERN MICHIGAN BANK						
08/24/2023	SMB	802 (E)	CONSUMERS	CONSUMERS ENERGY CO.	Utilities	585.54
08/24/2023	SMB	803 (E)	CONSUMERS	CONSUMERS ENERGY CO.	STREET LIGHTS	36.51
08/24/2023	SMB	804 (E)	CONSUMERS	CONSUMERS ENERGY CO.	STREET LIGHTS	805.80
08/25/2023	SMB	805 (E)	CONSUMERS	CONSUMERS ENERGY CO.	Utilities	100.52
08/27/2023	SMB	31460	CRRTX	MARSHALL TOWNSHIP CURRENT TAX	REMBURSE TAX FUND FOR 2021-2023 BANK F	166.40
08/27/2023	SMB	31461	DARLINGS	DARLINGS ACE HARDWARE	SURGE PROTECTORS FOR ELECTION DEVICES	39.98
08/27/2023	SMB	31462	DR IT	DR. IT THE IT NINJAS	AUGUST 8 SPECIAL ELECTION IT ASSISTANCE	350.00
08/27/2023	SMB	31463	OLEARY	O'LEARY WATER CONDITIONING, LLC	SALT FOR SOFT WATER CONDITIONER	48.00
08/27/2023	SMB	31464	US BANK	US BANK	COPIER SERVICE 8-10 THRU 9-10-23	229.50
08/27/2023	SMB	31465	VENTURE	VENTURE TECHNOLOGIES LLC	IT SERVICE CALL & ADDED MICROSOFT LICEN	375.50
08/27/2023	SMB	31466	WDP	WALTERS DIMMICK PETROLEUM	6-22 THRU 7-25-22 FIRE TRUCK FUEL	429.10
08/29/2023	SMB	806 (E)	CONSUMERS	CONSUMERS ENERGY CO.	Utilities	154.62
08/29/2023	SMB	807	CONSUMERS	CONSUMERS ENERGY CO.	SIRENS	212.83

SMB TOTALS:
 Total of 13 Checks: 3,534.30
 Less 0 Void Checks: 0.00
 Total of 13 Disbursements: 3,534.30

2023-24 Budget Amendment #1

This amendment is required due to the permit fees for the commercial solar project. Permit fees are in the amount of \$75,000 for Electrical and \$262,000 for Building. Inspectors by prior resolution of the Board receive 87% of the fees paid with the township retaining the balance to pay for FICA and permit issuance expenses.

BE IT RESSOLVED That the 2023-24 Marshall Township General Fund Budget and appropriations act is amended as follows:

- Increase Permit/licenses revenue estimate by \$337,000
- Increase Inspections/Permits appropriation by \$337,000

Prepared by:

J. Albaugh, Budget Officer 9-12-23