

## MINUTES OF THE ATTICA TOWNSHIP BOARD

Held on January 13<sup>th</sup>, 2011  
Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held on January 13<sup>th</sup>, 2011, at the Attica Township Hall, 4350 Peppermill Road, Attica, Michigan. The meeting was called to order at 7 p.m. by Supervisor Ochadleus. PRESENT: Supervisor Al Ochadleus, Clerk Nancy Herpolsheimer, Treasurer Pam Mason, Trustee Phil Madeline and Trustee Richard Lacey. ABSENT: None. ALSO PRESENT: Attorney Gildner and the public per the Sign-In Sheet attached.

The minutes of the December 9<sup>th</sup>, 2010 regular Board meeting were reviewed by the Board; and there being no additions, corrections or deletions;

**MOTION** by Lacey, seconded by Madeline to approve the December 9<sup>th</sup>, 2010 Attica Township Board minutes as presented. A vote was taken. Ayes: All; Nays: None.  
**MOTION CARRIED.**

**CORRESPONDENCE:** None

**TREASURER'S REPORT:** Treasurer Mason gave the following Treasurer's Report: General Fund Beginning Balance of \$350,107.80 receipts of \$75,793.74; Interest of \$58.34; Distributions of \$32,234.63 for a New Balance of \$393,666.32. Public Safety has \$54,007.74; Fire Millage has \$27,546.97; Fire Department Escrow has \$3,793.84 and there is \$2,144.47 in the Lake George Road Special Assessment account.

**MOTION** by Lacey, seconded by Madeline to approve the Treasurer's Report as presented. A vote was taken. Ayes: All; Nays: None. **MOTION CARRIED.**

**POLICE REPORT:** Deputy Nick Vandenberg gave the following police report: there were 198 calls in the month of December with 115 of the calls handled by the Township deputies. Deputy Vandenberg reported that snow accidents and domestics were up in December.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

### 1. **Starr Mining Special Land Use**

Supervisor Ochadleus gave an overview of the Starr Mining Special Land Use which expires in March. The Planning Commission and Planner Birchler reviewed the Special Land Use at the Planning Commission Meeting January 5<sup>th</sup>, 2011 and recommended the Township Board approve the Starr Aggregates 2011-2012 mining permit renewal subject to conditions.

**MOTION** by Madeline, seconded by Mason to approve the 2011-2012 Special Land Use of Starr Aggregates for 73.35 acres as recommended by the Planning Commission with the following conditions:

- A. A finding by the Township Board that the revised plans can be expected to correct any adverse impact experienced by neighboring properties during prior years operations.

B. A positive affirmation by the applicant that all slopes in excess of 1 on 5 below the water line will be corrected as an element of the Reuse Plan.

C. Sheets 5 and 6 of the site plan shall be revised to more clearly delineate the limits of areas to be reclaimed during 2011 and 2012.

D. Certification by the applicant's engineer that sufficient quantities of topsoil are available on-site to meet the expected need for 18,813 yards for reclamation.

E. Certification by the applicant's engineer of the sources of fill material to be used to correct slopes, as illustrated in Cross Sections A and B on Sheet 6 of the site plan.

F. Certification by the applicant's engineer of the height above the right-of-way of the earth wall along I-69.

G. Completion of the restoration of the entire 75.55 acre site by the end of 2012.

H. Approval by the Township Board of the continued use of the scales at the Starr's other Attica Township site in Section 7.

I. Approval of modification of the hours of operation by the Township Board, based upon a finding that balances the need to protect neighboring properties and residents with the benefits of completing restoration of this site by the end of 2012.

J. An appropriate turf grass seed mix shall be specified that is adequate to stabilize the final topsoil slopes and protect them from erosion.

K. A finding by the Township Board that evidence of a lake permit has been provided by the applicant.

Additionally there will be the option to grant up to a three year extension by administrative review when the permit expires if Starr Aggregates is in compliance. A roll call vote was taken. Herpolsheimer: Aye; Madeline: Aye; Lacey: Aye; Ochadleus: Aye and Mason: Aye. Ayes: All; Nays: None.  
**MOTION CARRIED.**

**2. Museum Pamphlet:**

Supervisor Ochadleus commended the Ed-Tech students for the excellent job they did creating pamphlets for the Attica Museum. The pamphlets will be printed and sent to residents with the township newsletter and assessments. Supervisor Ochadleus thanked teacher Jenny Holladay for her leadership in creating the pamphlets. Ms. Holladay thanked the board for the opportunity it gave her students.

**3. Board of Review Appointments:**

**MOTION** by Herpolsheimer, seconded by Mason to

reappoint Bud Fackler, Bill Winslow and Nancy Szerlag to the Attica Township Board of Review for a two year term. A vote was taken. Ayes: All; Nays: None. **MOTION CARRIED.**

## COMMITTEE REPORTS

1. FIRE: Fire Chief Warford reported:
  - a) There was one house fire in the month of December.
  - b) The Fire Department responded to a fatality accident at Lake Pleasant and Imlay City Road.
  - c) He will have a detailed report of 2010 for the next board meeting.
  - d) 911 is going forward with a projected switch on in 24 months.
  - e) An out of state insurance company is refusing to pay a bill. Attorney Gildner will follow up on this.
2. PARK: Park Manager Phil Madeline reported that Park Maintenance Supervisor Duane Schwerin has been very busy plowing snow.
3. PLANNING COMMISSION: Planning Commission Secretary Bud Fackler reported on the January 5<sup>th</sup>, 2011 Planning Commission Meeting:
  - a) A Public Hearing to amend the zoning ordinance and to rezone parcels located at M-21 and Lake Pleasant from B-1 to B-2 was held January 5<sup>th</sup>. The paper work has to be sent to Lapeer County. Although there is no longer a County Planning Commission the paperwork has to sit there for 30 days before the Township Board can approve it.
  - b) David Penzien was elected as the Chairperson, Bud Fackler was elected as the secretary and Robert Stockwell was elected as Vice-Chairperson of the 2011 Planning Commission.
  - c) The Planning Commission voted to recommend to the Township Board approval of Starr Aggregates 2011-2012 mining permit renewal subject to conditions.
  - d) The Medical Marijuana ordinance decision was tabled.
4. ATTORNEY REPORT: Attorney Gildner reported that it has been quiet in the Township and briefly discussed medical marijuana.
5. AMBULANCE: None.
6. CEMETERY: None.
7. COMMISSIONER REPORT: None
8. BOARD: Treasurer Mason informed the Board that any items they would like in the newsletter need to be in her office as soon as possible.
9. PUBLIC: Resident Jenny Holladay asked about recycling in the Township and

Supervisor Ochadleus explained where recycling now stands.

**REVIEWING AND PAYING BILLS:**

The bills were reviewed by the Board for the General Fund for the amount of \$29,788.08; Public Safety for the amount of \$8,850.15 and for the Fire Fund for the amount of \$11,482.02 and there being no questions:

**MOTION** by Lacey, seconded by Madeline to approve the bills as presented. A roll call vote was taken. Herpolsheimer: Aye; Ochadleus: Aye; Mason: Aye; Lacey: Aye; and Madeline: Aye. Ayes: All. Nays: None. **MOTION CARRIED.**

There being no further business before the Board, **MOTION** by Lacey seconded by Madeline to adjourn the meeting at 7:30 p.m. A vote was taken. Ayes: All. Nays: None. **MOTION CARRIED.**

Submitted by:

Respectfully Submitted By:

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Valerie Schultz, Recording Secretary

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Nancy Herpolsheimer, Clerk