

MINUTES OF THE ATTICA TOWNSHIP BOARD

Held on May 10th, 2011
Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held on May 10th, 2011, at the Attica Township Hall, 4350 Peppermill Road, Attica, Michigan. The meeting was called to order at 7:03 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.

PUBLIC HEARING:

a) TRUTH IN TAXATION FISCAL YEAR 2011-2012:

Supervisor Ochadleus opened the Public Hearing at 7 p.m. explaining and reviewing the figures for the Township Operating Millage, the Township Fire Operating Millage and the Township Public Safety Millage.

MOTION by Lacey, seconded by Herpolsheimer to approve the Truth and Taxation as presented. A vote was taken. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

b) BUDGET PUBLIC HEARING FISCAL YEAR 2011-2012:

Supervisor Ochadleus reviewed the July 1st, 2011 – June 30th, 2012 budget explaining how figures were arrived at.

There being no questions or comments the Truth in Taxation Fiscal year 2011–2012 and the 2011–2012 Budget Public Hearings were closed at 7:09 p.m.

REGULAR BOARD MEETING:

The minutes of the April 14th, 2011 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 April 14th, 2011 Attica Township Board minutes as presented. A vote was taken. Ayes: All; Nays: None. **MOTION CARRIED.**

CORRESPONDENCE:

a) Supervisor Ochadleus displayed the map Dave Schultz of Soil and Erosion brought into the Township Office. The map delineates areas in the township where a soil and erosion permit is needed.

b) Supervisor Ochadleus notified the Board that there will be a Hate Crimes seminar presented by the Michigan Department of Civil Rights June 1st at the Lapeer Center building.

TREASURER'S REPORT: Treasurer Mason gave the following Treasurer's Report: General Fund Beginning Balance of \$515,161.04 receipts of \$3,565.00; Interest of \$82.81; Distributions of \$28,020.17 for a New Balance of \$490,788.68. Public Safety has

\$150,538.47; Fire Millage has \$108,665.35 Fire Department Escrow has \$54,802.39 and there is \$1,406.40 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. Absent: None. **MOTION CARRIED.**

POLICE REPORT: Deputy Nick Vandenberg gave the following police report: there were 207 calls in the month of April with 101 of the calls handled by the Township deputies. There were 150 vacation checks and 47 business checks completed by the Township deputies in the month of April.

OLD BUSINESS:

1. Agreement with Bob Nichols

Attorney Gildner drafted a Land Lease/Ground Lease agreement document. Trustee and Park Manager Madeline will contact Bob Nichols to sign the agreement.

NEW BUSINESS:

1. Approve Special Land Use for Mag Motors, Inc. and Victory Auto Enterprise

At their May 4th Planning Commission meeting the Planning Commission recommended the Township Board approve the Special Land Use for Mag Motors, Inc and Victory Auto Enterprise.

MOTION by Madeline seconded by Mason to approve the Special Land Use of Mag Motors, Inc., and the Special Land Use of Victory Auto Enterprise. A vote was taken. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

2. Budget Presentation and Wage Recommendations

Supervisor Ochadleus reviewed the proposed Budget for the 2011-2012 fiscal year and indicated that there were zero wage increases for the 2011-2012 fiscal year.

MOTION by Lacey seconded by Madeline to accept the Attica Township wage recommendations for the 2011-2012 fiscal year. A roll call vote was taken. Ochadleus: Aye; Herpolsheimer: Aye; Madeline: Aye; Lacey: Aye and Mason: Aye. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

3. Pizza Depot Site Plan Compliance

Supervisor Ochadleus stated that the owner of the Pizza Depot, Chuck Gravilla, has changed the scope from what was in the original approved site plan.

MOTION by Madeline seconded by Lacey that the finding of fact by the Township Board that the modifications to the originally approved site plan by the Planning Commission for Pizza Depot (take out pizza only) are substantively within

the scope of the approved zoning. A vote was taken. Ayes: All;
Nays: None. Absent: None. **MOTION CARRIED.**

COMMITTEE REPORTS

1. **FIRE:** Fire Chief Warford reported:
 - a) The Fire Department has responded to 4 calls since March's board meeting.
 - b) The fire department assisted on a structure fire in Imlay City.
 - c) An Attica Fire fighter prevented fire fighters from falling into the basement of the structure fire in Imlay City and will receive a letter of commendation.
 - d) Emergency repair was performed on one of the fire department's wells.

2. **PARK:** Park Manager Phil Madeline reported:
 - a) Attorney Gildner drafted a park policies document which he and Supervisor Ochadleus will review.
 - b) There is one person who will be do community service work in the park.
 - c) The park has been very busy.
 - d) The park maintenance workers are doing an excellent job.

3. **PLANNING COMMISSION:** Planning Commission Secretary Bud Fackler reported:
 - a) Attorney Gildner and Planner Birchler are deciding on how to move forward with the medical marijuana issue.
 - b) Thanked the County Commissioners for giving local municipalities authority for planning and zoning.
 - c) Planner Birchler has drafted a Procedural Manual for the township; after errors are corrected it will be posted on the township web site.
 - d) At the May 4th Planning Commission meeting Delores Loveless requested moving her double wide home to her property at 3367 Hunters Creek Home. There is an unlivable home on the property now. Attorney Gildner drafted a document stating the unlivable home will never be inhabited. Supervisor Ochadleus inspected the property and stated the home is uninhabitable.
 - e) All special Land Use fees have been paid with the exception of Matt Wieggers. Mr. Wieggers has received three notices and has not paid his Special Land Use fee for several years. Attorney Gildner will send Mr. Wieggers a letter.
 - f) The MTA conference is June 14 in Frankenmuth.

MOTION by Madeline seconded by Mason to authorize Zoning coordinator Bud Fackler to attend the June 14th MTA conference in Frankenmuth at a cost not to exceed \$150. A roll call vote was taken. Herpolsheimer: Aye; Lacey: Aye;

Ochadleus: Aye; Madeline: Aye and Mason: Aye. Ayes: All;
Nays: None. Absent: None. **MOTION CARRIED.**

4. ATTORNEY REPORT: Attorney Gildner reported:
 - a) Jerry Joseph will be sentenced next week and he recommended the \$5,000 he owes to the township be included in his sentence.
 - b) The paperwork for GMAC for the Pacquin accident have been prepared and filed.
 - c) The draft of the ordinance to regulate blight was distributed.
 - d) The Park Policies draft is ready for review.
5. AMBULANCE: None.
6. CEMETERY: None.
7. COMMISSIONER REPORT: Commissioner Jarvis reported:
 - a) The County meetings are now being video taped and available on the local cable station.
 - b) The County treasurer had 43 tax foreclosures this year.
 - c) There will be an open house for Prairies and Ponds on May 20th.
 - d) Senior Power Day is May 25th at Cross Roads Village.
8. BOARD: Supervisor Ochadleus stated that 10,000 tons of gravel at a cost of \$62,500 has been put down on township roads and the bill from Forrest Aggregates will come before the next Board meeting.
9. PUBLIC: The pathogen free rabbit farm that is being built in the township was discussed.

REVIEWING AND PAYING BILLS:

The bills were reviewed by the Board for the General Fund for the amount of \$37,998.69; Public Safety for the amount of \$9,455.22 and for the Fire Fund for the amount of \$14,736.22 and for Forrest Aggregates for the amount of \$62,500 to be paid when the bill is received, and there being no questions:

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

There being no further business before the Board, **MOTION** by Lacey seconded by Madeline to adjourn the meeting at 7:57 p.m. A vote was taken. Ayes: All. Nays: None.
MOTION CARRIED.

Attica Township Regular Board Meeting – May 10th, 2011

Submitted by:

Respectfully Submitted By:

Valerie Schultz, Recording Secretary

Nancy Herpolsheimer, Clerk