

MINUTES OF THE ATTICA TOWNSHIP BOARD

Held on November 8th, 2012
Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held on November 8th, 2012, 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.

PUBLIC HEARING: Lake Pleasant Special Assessment

Supervisor Ochadleus opened the Public Hearing concerning the Lake Pleasant Special Assessment at 7:02 p.m. Supervisor Ochadleus reviewed the process to date.

Alan Kerschenhiter, of 970 Martin, asked how many bids from weed control companies were obtained. Diane Gladden stated that three bids have been received. Mr. Kerschenhiter also asked if Supervisor Ochadleus owns any property of any personal interest in the special assessment district. Supervisor Ochadleus responded that he did not. Mr. Kerschenhiter questioned how the special assessment district was defined.

Art Titran, of 913 Martin, voiced his concern that the money collected for the special assessment district could be used for something other than aquatic weed control in Lake Pleasant.

Adam Mutch, of 966 Caster, asked what would happen to any excess money collected after a 4 or 5 year period. Mr. Mutch also asked why the special assessment district was defined by parcel number rather than by property owner.

Diane Gladden, of 711 Sunset, asked for clarification regarding being eligible to combine lots with the road dividing them.

Tracy Kaake, of 985 Center, asked for clarification regarding combining lots. Mr. Kaake also asked who would pay the attorney fees if the special assessment does not go through.

Rick Lockhart, of 934 Martin, voiced the objection to the special assessment district for Sharon Kerschenhieter, of 4173 Pleasant.

Neal Holtz, of 4168 Lakeview, stated that if Lake Pleasant dries the homes on Lake Pleasant would be worth nothing.

Adam Mutch presented Attorney Gildner with a 7 page petition, with 64 signatures objecting to the special assessment district on Lake Pleasant. Attorney Gildner accepted the petition.

Diane Gladden, of 711 Sunset, challenged the petition and requested that every owner be contacted and signature verified. Ms. Gladden also stated that several

residents have told her that they signed the petition thinking it was in support of the special assessment district not opposed to it.

Jackie Osinski, rents the home at 4244 Pantek, she presented a letter from the property owner, Julie Galperen, opposing the special assessment district.

David Dawes, of 4496 Payne, asked who was paying the lawyers fees and if the taxpayers paid the lawyers fees if the special assessment district does not go through. Supervisor Ochadleus stated that the lawyer fees are paid out of the Attica Township General Fund.

Chris Hart, of 853 Boshaw, stated that he wanted to be sure his objection to the special assessment district was recorded.

Adam Mutch, of 966 Caster, stated that he went to each person that signed the petition objecting to the special assessment district to give them the opportunity to remove their name from the petition.

Steve Machiela, of 4140 Bowers, questioned how the major parcels will be charged for the special assessment. Supervisor Ochadleus stated that they would be charged by tax ID numbers.

Attorney Gildner presented Clerk Herpolsheimer with a 7 page petition, with 64 signatures objecting to the special assessment district on Lake Pleasant. Clerk Herpolsheimer accepted the petition.

Dennis Jokinen, of 841 Lake Pleasant, stated that the residents lost the use of the lake this year because of the weeds and if the special assessment doesn't go through it sets them back two years. Mr. Jokinen stated that he supports the special assessment district.

Rick Lockhart, of 934 Martin, stated that he feels that the way the assessment district is set up is unfair and feels it would be fair to assess per address instead of per parcel number.

Fred Orlado, of Pantek, stated that the cost per resident is going to go up if the assessment is changed to per address instead of per parcel number.

Josh Cline, of 4154 Lakeview, asked if the assessment could be changed to per address.

There was lengthy discussion regarding changing the special assessment district to be defined by address rather than parcel number.

There being no further comments or questions:

MOTION by Madeline, seconded by Mason to close the Public Hearing at 7:45 p.m. A vote was taken.
Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

The minutes of the October 11th, 2012 regular Board meeting were reviewed by

the Board; and there being no additions, corrections or deletions;

MOTION by Lacey, seconded by Mason to approve the October 11th, 2012 Attica Township regular Board meeting as presented. A vote was taken. Ayes: All; Nays: None. Absent: (None). **MOTION CARRIED.**

CORRESPONDENCE: Supervisor Ochadleus reported that the Department of Treasury released the rate of inflation for 2012: 2.4% and explained how that will affect resident's tax bills. Supervisor Ochadleus also reported that he received a letter from Consumer's Energy regarding their petition to the Public Service Commission.

TREASURER'S REPORT: Treasurer Mason gave the following Treasurer's Report: General Fund Beginning Balance of \$548,929.20, receipts of \$4,768.52; Interest of \$40.29; Distributions of \$232,263.31 for a New Balance of \$321,474.70. General Fund CDERS Savings account has a Balance of \$200,000.00. Public Safety has \$50,841.65; Public Safety CDERS Savings account has \$50,000.00; Fire Millage has \$30,470.26; Fire Millage CDERS Savings account has \$50,000.00; Fire Escrow has \$27,333.62; Fire Escrow CDERS Savings account has \$50,000.00 and there is \$2,181.46 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 200 calls in the month of October with 91 of the calls handled by the Township deputies. Deputy Vandenberg also stated that there has been a slight increase in B&E's, be sure to lock doors and if you're going away call for property inspection.

PUBLIC TIME:

1. Resident Charles Archibald, of 4496 Payne Rd. read from a prepared letter regarding several issues including the township web site and the Attica South cemetery. The board thanked Mr. Archibald for his comments and advised him that they would take appropriate action.

2. Resident Tracy Kaake, of 985 Center Dr. had questions regarding the CDERS accounts.

3. Resident Dave Dawes, of 4496 Payne Rd., stated that he felt there were irregularities in the way the November 6th election was run.

OLD BUSINESS:

1. **Special Assessment District Lake Pleasant:** There was lengthy discussion regarding how the Special Assessment District was determined.

MOTION by Lacey, seconded by Madeline to adopt the attached Resolution creating a special assessment

district for aquatic weed control of Lake Pleasant subject to verification of petition objecting to the special assessment district are not enough to stop the special assessment. A roll call vote was taken. Mason: Aye; Madeline: Aye; Ochadleus: Aye; Herpolsheimer: Aye and Lacey: Aye. Ayes: All. Nays: None. Absent: None.

MOTION CARRIED.

NEW BUSINESS:

1. Trash Burn Restrictions:

Supervisor Ochadleus reviewed the Public Act 102 of 2012 which prohibits the open burning of several household trash items that pose a danger to human health and the environment.

2. MTA Convention:

MOTION by Madeline, seconded by Mason to authorize Attica Township board members and department heads to attend the Michigan Township Association Conference held January 22nd-January 25th, 2013 in Detroit, Michigan. Attica Township will pay all expenses related to the attendance for township board members and department heads. Spouses or guests may attend with them, however all costs associated with their attendance will be reimbursed to Attica Township. A roll call vote was taken. Ochadleus: Aye; Mason: Aye; Madeline: Aye; Lacey: Aye and Herpolsheimer: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

3. Accept Audit:

MOTION by Herpolsheimer, seconded by Mason to accept the Audited Financial Report dated June 30th, 2012, prepared by King & King CPA's, LLC. A roll call vote was taken. Ochadleus: Aye; Madeline: Aye; Lacey: Aye, Herpolsheimer: Aye and Mason: aye. Ayes: All; Nays: None. **MOTION CARRIED.**

COMMITTEE REPORTS:

1. FIRE: Assistant Chief Dougherty reported:

- a) October was a very busy month
- b) The 911 radios became digital today, November 8th, 2012.

For the record Supervisor Ochadleus asked Assistant Chief Dougherty if the Fire Department has ever been denied Fire Department training. Chief Warford responded "no".

2. PARK: Park Manager Madeline reported:
 - a) The park is officially closed but residents may still walk on the track. The back parking lots are closed.
3. PLANNING COMMISSION: Planning Coordinator Fackler reported:
 - a) The site plan for T.G. Priehs Paving was approved.
 - b) Planner Birchler gave an update on the Recreation Plan.
 - c) The site plan for Brian Rowley's possible purchase of Coombs Oil site was discussed.
4. ATTORNEY REPORT: None
5. AMBULANCE: None
6. CEMETERY: None.
7. COMMISSIONER REPORT: None.
8. Board: None.
9. Public: Resident Charles Archibald, of 4496 Payne Rd., went on to further read the prepared letter that he started at the first Public time. Mr. Archibald brought up his concerns including the public perception of Attica, the Attica web site and creating a community watch group.

REVIEWING AND PAYING BILLS:

The bills were reviewed by the Board for the General Fund for the amount of \$65,228.18 (check #14384 through check #14444): Public Safety for the amount of \$18,922.68 (check #1153 through check #1154) and for the Fire Fund for the amount of \$14,076.29 (check #2692 through check #2733) for a total of \$98,227.15. There being no further questions:

MOTION by Lacey, seconded by Madeline to approve the bills as presented. A roll call vote was taken. Madeline: Aye; Ochadleus: Aye; Lacey: Aye; Mason: Aye and Herpolsheimer: 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 8:33 p.m. A vote was taken. Ayes: All. Nays: None. **MOTION CARRIED.**

Submitted by:

Respectfully Submitted By:

Valerie Schultz, Recording Secretary

Nancy Herpolsheimer, Clerk

