

ATTICA TOWNSHIP BOARD MEETING

July 12, 2018

Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held July 12, 2018, 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, Treasurer Pam Mason, Trustee Phil Madeline and Trustee Rich Lacey. Absent: Clerk Herpolsheimer. ALSO PRESENT: Attorney Michael Gildner and the public per the sign-in sheet attached.

Pledge of Allegiance.

ACCEPT AGENDA:

Supervisor Ochadleus added 1. Fire Department Pumper Truck Records to Old Business.

MOTION by Lacey, seconded by Mason, to accept the agenda as revised. A vote was taken. Ayes: All. Nays: None. Absent: One (Herpolsheimer). **MOTION CARRIED.**

REVIEW MINUTES:

The minutes of the June 21, 2018 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 June 21, 2018 regular Board meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: One (Herpolsheimer). **MOTION CARRIED.**

CORRESPONDENCE: None.

TREASURER'S REPORT: Treasurer Mason gave the following Treasurer's Report: General Fund Beginning Balance of \$441,243.41 receipts of \$10,655.73; Interest of \$501.69; Distributions of \$37,161.65 for a New Balance of \$415,239.18; General Fund CDARS savings account has \$203,159.45; General Fund ICS has \$300,205.04; Public Safety has \$76,958.37; Public Safety CDARS Savings account has \$50,789.85; Public Safety ICS has \$25,023.55; Fire Millage has \$42,303.77; Fire Millage CDARS Savings account has \$50,789.85; Fire Millage ICS has \$40,028.60; Fire Escrow has \$1,530.26; Fire Escrow ICS has \$41.52.

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

POLICE REPORT: Deputy Barrett gave the following police report: there were 119 calls in the month of June with 96 of the calls handled by the Township deputies.

PUBLIC TIME:

1. Probate Judge Justus Scott stated that he is running for re-election asked for support.
2. Resident Mary Tullio asked if Owen Tree Service has submitted a site plan and the status of Israel Ferret's business on Lake George Road.

OLD BUSINESS:

1. **Fire Department Pumper Truck Records:** Supervisor Ochadleus explained that Tom and Mary Tullio purchased the fire department's old tanker truck and the township was unable to find any documents in order to create a title and that the state shows no record of it. Attorney Gildner will look into what can be done to create a title.

NEW BUSINESS:

1. **Amendment of Section 4.59 of the Zoning Ordinance to Regulate Commercial and Small Scale Wind Energy Systems:**

MOTION by Lacey seconded by Mason to amend Section 4.59, pertaining to regulation of commercial and small scale wind energy systems, of the Zoning Ordinance, as attached, as recommended by the Planning Commission. A roll call vote was taken. Mason: Aye; Lacey: Aye; Ochadleus: Aye and Madeline: Aye. Ayes: All. Nays: None. Absent: One (Herpolsheimer). **MOTION CARRIED.**

2. **Closed Session to Discuss Lawsuit:**

MOTION by Mason second by Madeline to go into closed session at 7:14 p.m. to discuss the Owen Tree Service lawsuit. A roll call vote was taken. Madeline: Aye; Ochadleus: Aye; Lacey: Aye and Mason: Aye. Ayes: All. Nays: None. Absent: One (Herpolsheimer). **MOTION CARRIED.**

The board reconvened the regular board meeting at 7:27 p.m.

3. **Noise Ordinance:** Supervisor Ochadleus distributed a draft of a noise control ordinance, created by Attorney Gildner, and discussed noise issues, pertaining to the discharge of firearms, in the township. Attorney Gildner discussed Section 2, Number 7 of the proposed ordinance. Treasurer Mason explained that the township has received many complaints from residents regarding neighbors shooting guns. Several audience members voiced their concerns with regulating the discharge of firearms. There was lengthy discussion. Attorney Gildner will tweak the ordinance for the next board meeting.

MOTION by Mason, seconded by Madeline, to table the Noise Ordinance until the August board meeting. A vote was

taken. Ayes: All; Nays: None. Absent: One (Herpolsheimer).

MOTION CARRIED

4. Blight Officer Discussion:

Supervisor Ochadleus asked the board to consider hiring a blight officer. There was discussion.

MOTION by Mason, seconded by Madeline, to authorize Supervisor Ochadles to put an advertisement in the newspaper to hire a blight officer at a rate of \$13.00 per hour and not to exceed 15 hours per week. A roll call vote was taken. Madeline: Aye; Ochadleus: Aye; Mason: Aye and Lacey: Aye. Ayes: All; Nays: None. Absent: One (Herpolsheimer). **MOTION CARRIED.**

5. Fee Structure Planning and Zoning-Discussion:

Supervisor Ochadleus discussed changing the fee structure for zoning applications to allow some provision to back bill when projects undergo amendments. Attorney Gildner will work with Planning and Zoning Coordinator Lemons to prepare a Fee Schedule to be adopted by resolution.

6. Ruth Hughes Memorial Library-Additional Information:

Supervisor Ochadleus discussed the Ruth Hughes Memorial District Library's budget and fund balance.

COMMITTEE REPORTS:

1. FIRE: None.
2. PARK: Park Manager Madeline reported that he has contacted a company for an estimate to resurface the track.
3. PLANNING COMMISSION: Planning Administrator Maureen Lemons reported:
 - a) A Public Hearing to regulate short term lake front rental properties is scheduled for the July Planning Commission meeting.
 - b) A sign complaint from a resident stating that a resident on Lake Pleasant Road is building structures to rehabilitate wild animals.
4. ATTORNEY REPORT: Attorney Gildner reported that he received a letter from and spoke on the phone with Israel Ferrett's attorney. The essence of the letter is that Mr. Ferrett believes the township is picking on him and depriving him of the ability to run his business. Attorney Gildner responded to the letter and spoke with the attorney once more and received another letter from the Attorney. Attorney Gildner will follow up with Supervisor Ochadleus and the board and then will respond to the latest letter.

5. AMBULANCE: Supervisor Ochadleus reported that the ambulance service is in the midst of employee contract negotiations.
6. COMMISSIONER'S REPORT: Commissioner Jarvis reported:
 - a) The commissioners have been discussing mandates and fees that the commissioners have no control over.
 - b) The County Commissioners will vote on a resolution in opposition of the bill before the house and senate to significantly change the assessment process.
 - c) Senior millage is on the August Primary ballot.
 - d) Clean Sweep is October 13th.
 - e) Discussed the high suicide rate in Lapeer County.
7. Board: None.
8. Public Time:
 - a) A asked if camping is allowed on vacant property.
 - b) A resident asked about hazardous waste disposal.

REVIEWING AND PAYING BILLS:

The bills were reviewed by the Board for the General Fund for the amount of \$142,612.38 (check #19766 through check #19825); Public Safety for the amount of \$10,854.82 (check #1243) and the Fire Fund for the amount of \$9,825.71 (check #4971 through check #4999). For a total of \$163,292.91. There being no further questions:

MOTION by Lacey seconded by Madeline to approve the bills as presented in the amount of \$163,292.9. A roll call vote was taken. Madeline: Aye; Lacey: Aye; Ochadleus: Aye and Mason: Aye. Ayes: All. Nays: None. Absent: One (Herpolsheimer).

MOTION CARRIED.

There being no further business before the Board, **MOTION** by Lacey seconded by Madeline to adjourn the meeting at 8:18 p.m. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

Submitted by:

Respectfully Submitted by:

Valerie Schultz, Deputy Clerk

Nancy Herpolsheimer, Clerk