

ATTICA TOWNSHIP BOARD MEETING

December 13, 2018

Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held December 13, 2018, 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, Clerk Nancy Herpolsheimer, Trustee Phil Madeline and Trustee Rich Lacey. Absent: Treasurer Pam Mason. ALSO PRESENT: Attorney Chris Stritmatter and the public per the sign-in sheet attached.

Pledge of Allegiance

**ACCEPT AGENDA:**

Supervisor Ochadleus added 8. Charter Agreement under New Business.

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

**REVIEW MINUTES:**

The minutes of the November 8<sup>th</sup>, 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 November 8<sup>th</sup>, 2018 regular Board meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: One (Mason). **MOTION CARRIED.**

**CORRESPONDENCE:**

Clerk Herpolsheimer informed the Board that the MTA Banquet will be held January 25, 2019.

**MOTION** by Herpolsheimer seconded by Lacey to authorize Township Board members, department heads and significant others to attend the Michigan Township Association Banquet on January 25, 2019 at a cost of \$25.00 per person. A roll call vote was taken. Ochadleus: Aye; Madeline: Aye; Herpolsheimer: Aye and Lacey: Aye. Ayes: All. Nays: None. Absent: One (Mason). **MOTION CARRIED.**

**TREASURER'S REPORT:** Supervisor Ochadleus gave the following Treasurer's Report: General Fund Beginning Balance of \$157,547.82 receipts of \$85,584.45; Interest of \$275.69; Distributions of \$65,502.72 for a New Balance of \$177,905.24; General Fund CDARS savings account has \$203,446.30; General Fund ICS has \$300,265.70; Public Safety has \$17,268.64;

Public Safety CDARS Savings account has \$50,861.50; Public Safety ICS has \$25,029.81; Fire Millage has \$25,374.69; Fire Millage CDARS Savings account has \$50,861.50; Fire Millage ICS has \$20,038.56; Fire Escrow has \$6,530.85; 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 (Mason). **MOTION CARRIED.**

**POLICE REPORT:** Deputy Barrett gave the following police report: there were 155 calls in the month of November with 83 of the calls handled by the Township deputies.

**PUBLIC TIME:** None.

**OLD BUSINESS:**

1. **Brick/Paver Project:**

Museum volunteer, Kay Conway, recommended brick for the paver project for the museum entrance.

**MOTION** by Herpolsheimer seconded by Ochadleus to follow the recommendation of the museum committee for the brick paver project for the museum entrance and around the flag pole. A roll call vote was taken. Ochadleus: Aye; Lacey: Aye; Herpolsheimer: Aye and Madeline: Aye. Ayes: All. Nays: None. Absent: One (Mason). **MOTION CARRIED.**

**NEW BUSINESS:**

1. **Park Ordinance:**

Supervisor Ochadleus stated that the park ordinance will be on the January agenda.

2. **Police Contract:**

Supervisor Ochadleus reviewed the 2019 police contract and recommended approval of Law Agreement Services with Lapeer County for 2019 (attached).

**MOTION** by Lacey seconded by Madeline to approve the 2019 agreement for Law Enforcement Services with the County of Lapeer. A roll call vote was taken. Herpolsheimer: Aye; Lacey: Aye; Madeline: Aye and Ochadleus: Aye. Ayes: All. Nays: None. Absent: One (Mason). **MOTION CARRIED.**

3. **Ferrett Special Land Use:**

Supervisor Ochadleus informed the Board that Israel Ferrett signed his Special Land Use for 1200 Lake George Road, LLC and paid the \$50,000.00 performance bond. Mr. Ferrett is now allowed to run his mining operation.

4. **Appoint Maureen Lemons, Bill J. Winslow and Kay Conway to the Board of Review and Patty Clendenan and Brian Rowley as Alternates to the Board of Review:**

Supervisor Ochadleus recommended the appointment of Maureen Lemons, Bill J. Winslow and Kay Conway to the Board of Review and Patty Clendenan and Brian Rowley as alternates to the Board of Review for a two year term.

**MOTION** by Herpolsheimer seconded by Lacey to accept the recommendation to appoint Maureen Lemons, Bill J. Winslow and Kay Conway to the Board of Review and Patty Clendenan and Brian Rowley as alternates to the Board of Review for a two year term.ending December 31, 2020. A vote was taken. Ayes: All. Nays: None. Absent: One (Mason). **MOTION CARRIED.**

5. **December Planning Commission Meeting is Cancelled:**

Supervisor Ochadleus informed the Board and the Public that there is nothing on the agenda therefore the December 20<sup>th</sup> Planning Commission meeting has been cancelled.

6. **Opt Out of Recreational Marijuana:**

Attorney Stritmatter explained the new marijuana law and stated he will draft an ordinance for the Township Board to opt out of allowing the sale of recreational marijuana in the township.

7. **Truck Engine Breaking North of the Village:**

Supervisor Ochadleus stated that he has had several calls regarding engine breaking on Lake Pleasant Road between Peppermill Road and Imlay City Road and went on to review the ordinance prohibiting loud use of engine compression created by Attorney Stritmatter. There was discussion.

**MOTION** by Lacey seconded by Madeline to approve the attached ordinance regarding engine breaking. A roll call vote was taken. Herpolsheimer: Aye; Madeline: Aye; Lacey: Aye and Ochadleus: Aye. Ayes: All. Nays: None. Absent: One (Mason). **MOTION CARRIED.**

8. **Charter Agreement**

There was discussion regarding the Charter Agreement.

**MOTION** by Herpolsheimer seconded by Lacey to continue the township agreement with Charter Communications without asking for the additional 5% as allowed. A roll call vote was taken.

Ochadleus: Aye; Madeline: Aye; Herpolsheimer: Aye and Lacey: Aye. Ayes: All. Nays: None. Absent: One (Mason).  
**MOTION CARRIED.**

**COMMITTEE REPORTS:**

1. FIRE: Chief Warford reported:
  - a) It was a slow month except for the fire in Imlay City across the street from Vlastic.
  - b) Three new fire fighters that are going through physicals and interviews
  - c) Firefighter Austin McLellan resigned due to a conflict with his full time job on the Dearborn fire department
  - d) Asked if a light it could be installed near the township drop box.
2. PARK: Park Manager Madeline reported:
  - a) He is going to call and have the last porta john in the park removed
3. PLANNING COMMISSION: Planning Administrator Lemons reported:
  - a) Drawings of the site have been brought into the office by the applicant that will be going in front of the ZBA in January.
  - b) There is another couple that will be submitting an application to put on an addition.
4. ATTORNEY REPORT: Attorney Stritmatter will have the marijuana ordinance ready for the January Board meeting.
5. AMBULANCE: Supervisor stated that the ambulance board will be on January 20<sup>th</sup> and that the annual budget will be presented.
6. COMMISSIONER'S REPORT: None.
7. Board:
  - a) Clerk Herpolsheimer stated that she and Supervisor Ochadleus met with the insurance company representative and he informed them that since the township and fire department had no claims this year the township will receive a check for \$938.40.

- b) Supervisor Ochadleus informed the Board that the township's insurance representative is shopping other companies for a better price for insurance coverage.
- 8. Public Time: Resident, Chuck Herpolsheimer, discussed the State of Michigan trying to take away some of the power of townships. There was discussion.

**REVIEWING AND PAYING BILLS:**

The bills were reviewed by the Board for the General Fund for the amount of \$63,552.81 (check #20149 through check #20251); Public Safety for the amount of \$10,917.56 (check #1248) and the Fire Fund for the amount of \$10,821.61 (check #5113 through check #5145). For a total of \$85,291.98. There being no further questions:

**MOTION** by Lacey seconded by Madeline to approve the bills as presented in the amount of \$85,291.98. A roll call vote was taken. Madeline: Aye; Herposheimer: Aye; Lacey: Aye and Ochadleus: Aye. Ayes: All. Nays: None. Absent: One (Mason).  
**MOTION CARRIED.**

There being no further business before the Board, **MOTION** by Lacey seconded by Madeline to adjourn the meeting at 7:40 p.m. A vote was taken. Ayes: All. Nays: None. Absent: One (Mason). **MOTION CARRIED.**

Submitted by:

Respectfully Submitted by:

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Valerie Schultz, Deputy Clerk

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Nancy Herpolsheimer, Clerk