

ATTICA TOWNSHIP BOARD MEETING

September 10, 2020

Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held September 10, 2020, at the Attica Township Hall, 4350 Peppermill Road, Attica, Michigan. The meeting was called to order at 7 p.m. by Supervisor Al Ochadleus. The meeting was also live on the internet through ZOOM. PRESENT: Supervisor Al Ochadleus, Clerk Nancy Herpolsheimer, Treasurer Pam Mason, Trustee Rich Lacey and Trustee Dale Zehr. ABSENT: None. ALSO PRESENT: Attorney Chris Stritmatter (via ZOOM) and the public per the sign-in sheet attached.

Pledge of Allegiance

ACCEPT AGENDA:

Supervisor Ochadleus added 4. Court Order-Sontag and 5. Traffic Control Device under New Busines.

MOTION by Zehr, seconded by Mason, to accept the agenda as amended. A roll call vote was taken. Lacey: Aye; Herpolsheimer: Aye; Ochadleus: Aye; Zehr: Aye and Mason: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

REVIEW MINUTES:

The minutes of the August 13, 2020 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 August 13, 2020 regular Board meeting minutes as presented. A roll call vote was taken. Mason: Aye; Zehr: Aye; Ochadleus: Aye; Lacey: Aye and Herpolsheimer: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

CORRESPONDENCE: None.

TREASURER'S REPORT: Treasurer Mason gave the following Treasurer's Report: General Fund Beginning Balance of \$347,945.42 receipts of \$22,430.06; interest of \$18.16; Distributions of \$199,011.47 for a New Balance of \$171,382.17; General Fund CDARS savings account has \$204,289.41; General Fund ICS has \$343,605.31; Public Safety has \$50,402.06; Public Safety CDARS Savings account has \$51,072.44; Public Safety ICS has \$25,056.00; Fire Millage has \$59,366.24; Fire Millage ICS has

\$1,053.36; Fire Escrow has \$2,691.00; Fire Escrow ICS has \$41.52; Deposited Escrow has \$50,065.07.

MOTION by Zehr, seconded by Herpolsheimer, to approve the Treasurer’s Report as PRESENTED. A roll call vote was taken. Zehr: Aye; Mason: Aye; Ochadleus: Aye; Herpolsheimer: Aye and Lacey: Aye. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

POLICE REPORT: Supervisor Ochadleus gave the following police report: there were 137 calls in the month of August with 74 of the calls handled by the township deputies.

PUBLIC TIME: None.

OLD BUSINESS:

1. **Updated Reclamation Site Plan and Permit Renewal for Starr Aggregates Newark Road Pit (consider one year at a time renewal):**

Supervisor Ochadleus recommended permit renewal approval for one year with yearly renewal after report from Rowe Engineering. There was discussion.

MOTION by Mason, seconded by Herpolsheimer, to approve Starr Aggregates Newark Road Pit reclamation site plan and permit renewal for one year with yearly renewal (until 2023) after report each year from Rowe Engineering. A roll call vote was taken. Mason: Aye; Ochadleus: Aye; Lacey: Aye; Zehr: Aye and Herpolsheimer: Aye. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

NEW BUSINESS:

1. **Set Public Hearing for Lake Pleasant Special Assessment District:**

Supervisor Ochadleus explained the process for creating a special assessment district.

MOTION by Mason, seconded by Zehr, to set a Pubic Hearing for October 8, 2020 to establish a Lake Pleasant Special Assessment District based on the request of residents that live on Lake Pleasant to continue the Special Assessment District. A roll call vote was taken. Ochadleus: Aye; Zehr: Aye; Herpolsheimer: Aye; Lacey: Aye and Mason: Aye. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

2. Moratorium on Marijuana Caregiver Operations until the Planning Commission gives direction:

Supervisor Ochadleus Al gave a background on the necessity of a moratorium on marijuana caregiver operations.

MOTION by Zehr, seconded by Herpolsheimer, to concur with the Planning Commission and place a moratorium on marijuana caregiver operations until the Planning Commission gives direction. A roll call vote was taken. Lacey: Aye; Herpolsheimer: Aye; Zehr: Aye; Ochadleus: Aye and Mason: Aye. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

3. Accept Art Whelan's Letter:

MOTION by Mason, seconded by Herpolsheimer, to defer acceptance of alternate ZBA member, Art Whelan's, letter stating that he declines any compensation for his service on the Zoning Board of Appeals, until Attorney Stritmatter reviews it. A roll call vote was taken. Herpolsheimer: Aye; Lacey: Aye; Mason: Aye; Ochadleus: Aye and Zehr: Aye. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

4. Court Order-Sontag:

Supervisor Ochadleus informed the Board that Judge Holowka granted default judgement to the township in the 4891 Beller River Road case regarding a burned out building and blighting conditions.

MOTION by Mason, seconded by Ochadleus, to authorize Supervisor Ochadleus to take all action necessary to enforce the township blight and dangerous building ordinances, including the removal, demolition or disposal of any blighting conditions or dangerous buildings. A roll call vote was taken. Ochadleus: Aye; Zehr: Aye; Lacey: Aye; Herpolsheimer: Aye and Mason: Aye. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

5. Traffic Control Device:

Discussion regarding speeding complaints in the township and portable radar speed signs.

MOTION by Mason, seconded by Zehr, to authorize Supervisor Ochadleus to pursue purchasing two portable, radar, solar operated speed limit signs at a cost not to exceed \$6,000.00 with the money coming from the Public Safety Millage. A roll call vote was taken. Lacey: Aye; Ochadleus: Aye; Herpolsheimer: Aye; Zehr: Aye and Mason: Aye. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

COMMITTEE REPORTS:

1. FIRE: None.
2. PARK: Supervisor Ochadleus informed the Board that Owen Tree Service donated two massive piles of mulch for the playground.
1. PLANNING COMMISSION: Zoning Administrator Lemons reported:
 - a) Ordinance updates have been sent to Giffell Webster to update the zoning ordinance.
 - b) Three site plans are in the works.
 - c) There is a fall baseball league playing in the park.
3. ATTORNEY REPORT: None.
4. AMBULANCE: None.
5. COMMISSIONER'S REPORT: None.
7. Board:
 - a) Supervisor Ochadleus discussed an auto salvage business being run on Hunters Creek Road without a Special Land Use permit. Drone pictures have been taken of the operation.
 - b) Supervisor Ochadleus informed the board that Hall Maintenance Manager, Thelma Winslow, spoke with him letting him know that she has received questions regarding when the hall will be available to rent again.

MOTION by Zehr, seconded by Ochadleus, to allow rental of the township hall once Governor Whitmer opens hall rentals with the condition that the renter must pay a non-refundable fee for disinfection after their event. A roll call vote was

taken. Ochadleus: Aye; Lacey: Aye; Zehr: Aye; Mason: Aye and Herpolsheimer: Aye. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

8. Public Time: Resident Elaine Thayer asked about blight on a property located at the corner of Imlay City Road and Lake George Road.

REVIEWING AND PAYING BILLS:

The bills were reviewed by the Board for the General Fund for the amount of \$61,236.49 (check #21738 through check #21805); the Fire Fund for the amount of \$4,866.93 (check #5739 through check #5765); and Public Safety for the amount of \$16,098.26 (check #1271). For a total of \$82,201.68. There being no further questions:

MOTION by Zehr, seconded by Mason, to approve the bills as presented in the amount of \$82,201.68. A roll call vote was taken. Lacey: Aye; Ochadleus: Aye; Zehr: 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 Mason to adjourn the meeting at 7:31 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