

**KINROSS CHARTER TOWNSHIP
REGULAR MEETING/PUBLIC HEARING
PROPOSED QUARRY ORDINANCE NO. 47**

January 2, 2007

4884 W. Curtis St.

MEMBERS PRESENT

Jason Oberle, Supervisor
Marvin Besteman, Clerk
Vicki Ulrich, Treasurer
Ed DeWitt, Trustee
Dan Mitchell, Trustee
Fred McClendon, Trustee
Herb Henderson, Trustee

MEMBERS ABSENT

Also, present Sheila Gaines, Township Attorney John Underhill, Bill Palmer, Alan Moses, and Joe Micolò.
Attendance 20

Supervisor Oberle called the meeting to order at 7:30PM and led the Pledge of Allegiance.

#1 MOVED: by Vicki Ulrich, second by Ed DeWitt, to approve the January 2, 2007, meeting agenda. Motion carried.

#2 MOVED: by Ed DeWitt, second by Vicki Ulrich, to accept the December 18, 2006, meeting minutes as presented. Motion carried.

The finance committee reviewed the bills and found no withholdings.

#3 MOVED: by Vicki Ulrich, second by Ed DeWitt, to pay the following bills.

General Fund	11,006.73
Fire Fund	1,786.71
Ambulance Fund	24,416.42
Property Management Fund	562.00
Trail Grooming Fund	571.72
Parks Fund	325.77
Recreation Fund	4,043.25
Fairgrounds Fund	434.64
Golf Course Fund	6,668.56
DPW Fund	35,980.30
Police Fund	16,768.36

Grand Total \$102,564.46

Ck# 30717-30774

Motion carried.

Supervisor Oberle opened the proposed Quarry Ordinance 47 Public Hearing at 7:37PM.

PUBLIC COMMENTS

- Explain what the Quarry Ordinance is please.
- If the old ordinance is not broken, why are we re-writing it?
- Thank you for allowing us to comment on this proposed ordinance. Any addition cost required by the Road Commission to bring us in compliance with this new ordinance will be passed on to the residents of County of Chippewa so if there is any leniency the township could pass on we would appreciate it since we are also a governmental agency.
- I understand what natural materials are but what if the quarry operator digs up a refrigerator?
- There are no provisions prohibiting use of the pit for off site disposal of materials therefore, it allows the operator to use the pit for debris.
- The proposed changes do not flow easily enough for an operator or manager to understand. The application needs to be streamlined.
- In section, 12.2 regarding the 21 days between suspension and the Board meeting will be a hardship on the operators.
- The township should have one contact person to go to when there are questions or concerns regarding quarrying.
- The DEQ, MIOSHA and OSHA mandate all quarry operators and one of the requirements is that I am not allowed to have anyone who is not trained to enter my pit.

Supervisor Oberle announced that Attorney Todd Millar from Smith Haughey Rice & Roegge was awaiting a call from the Board to give an update on the Osborn litigation, Liquid liner litigation and negotiation of land purchase.

#4 MOVED: by Ed Dewitt, second by Dan Mitchell, to go into closed session with attorney John Underhill and via telephone with attorney Todd Millar to discuss the Osborn litigation, Liquid Liners litigation and land purchase negotiation. Roll call vote all members present voted yes. Motion carried.

Break for closed session 8:01PM
Reconvene from closed session 9:06PM

SUPERVISORS REPORT

Supervisor Oberle asked if anyone had any additional comments at this time regarding the quarry ordinance and if not the Board would move on to new business.

#5 MOVED: by Dan Mitchell, second by Fred McClendon, to file a small claims action in the amount of one thousand three hundred thirty dollars and thirty one cents (1,332.31) against Charlene Hoag for outstanding payments due on lease at the Sunrise Inn Motel. Motion carried.

#6 MOVED: by Marvin Besteman, second by Ed DeWitt, to authorize the Supervisor to proceed with the Industrial Development District (IDD) upon request. Motion carried.

#7 MOVED: by Vicki Ulrich, second by Herb Henderson, to adopt Ordinance 200.01 repealing Ordinance #7a, which regulates the operation of motor vehicles on public highways and streets within the township, and Ordinance #9 regulating the operation of watercraft on the waters of Kinross Lake. Roll call vote all members voted yes RESOLUTION declared carried.

#8 MOVED: by Jason Oberle, second by Ed DeWitt, to allow Golf Course Superintendent Bill Palmer to attend Turf Grass Conference January 8, 9, and 10, 2007, cost not to exceed \$400.00. Motion carried.

#9 MOVED: by Ed DeWitt, second by Fred McClendon, to allow the Supervisor and Office Manager to proceed with looking into "Experience Works" Motion carried with one no vote.

#10 MOVED: by Dan Mitchell, second by Fred McClendon, to enter into land purchase negotiations cost not to exceed twelve thousand dollars (\$12,000.00). Motion carried.

#11 MOVED: by Ed DeWitt, second by Fred McClendon, to appoint Dan Mitchell, Jason Oberle and Vicki Ulrich as Board representatives for the Osborn case. Motion carried.

#12 MOVED: by Ed DeWitt, second by Fred McClendon, to charge Grace Bible Church twenty dollars per week for the use of the township hall. Motion carried.

PUBLIC COMMENTS

- Resident expressed concerns that the meeting minutes would no longer be posted in the paper.
- Resident stated that something must be done with the standing water on Partridge Drive.
- Concerns expressed regarding the hydrant that the Fire Department used for the fire on Partridge Drive and did not understand why the department did not use the closest hydrant.
- Department managers should attend meeting so that questions we have of them can be answered.
- Resident questioned the embezzlement of township money and asked how much was taken and over what period.
- The mills for Police Protection on the tax bill are incorrect.
- How much money is delinquent from the lease at the Sunrise Inn and who was renting it at the time.

PUBLIC COMMENTS CONTINUED

- Resident stated that they were insulted that the board would go into closed session during a public meeting and they should have done that earlier in the day.
- How often are the quarries inspected?
- The township should not be regulating the operations of quarries.
- Quarry operators have enough regulations from other sources that the township should not get involved.

No additional comments Supervisor Oberle closed the Public Hearing at 10:30PM. There were no written comments in favor of opposing the proposed Quarry Ordinance.

Trustee Mitchell expressed concerns regarding attendance of members for the personnel committee.

DEPARTMENT MANAGERS

Board received reports from Golf Course Superintendent Palmer and DPW Superintendent Perkins.

COMMITTEE REPORTS

Board received for review the EMS Task Force meeting minutes.

CORRESPONDENCE

Prison Liaison Meeting Minutes
Brian Harrison Rental Rate for Hall
Howard Berkompas Fruit Basket Thank you

Meeting adjourned at 10:35PM.

Marvin Besteman Jr., Clerk

Jason Oberle, Supervisor