



1. CALL TO ORDER:

Chairman Hinkle called the meeting to order at 7:01 pm

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

Members present: _P_Tom Brennan, _P_Jim Ducey, _P_Jere Hinkle, _P_Todd Keszler, _P_Dale Lucas, _P_Nancy Prindle, ___ Jim Warbritton (P = present Blank = absent)

Additional present: Doug Lammers, Township Zoning Administrator, 15 people from public.

4. APPROVAL OF AGENDA:

Moved by Brennan and supported by Keszler to approve the agenda with no changes. All ayes, motion carried.

5. APPROVAL OF September 19, 2019 REGULAR MEETING MINUTES:

Moved by Brennan and supported by Lucas to approve the September 19, 2019 minutes with modifications. All ayes, motion carried.

6. NEW BUSINESS

a. Rezoning project review

The Township planner could not attend meeting because of a family health emergency. He was to provide guidance on performing rezoning to reflect the Township General Plan. The planner is requested to be present at the November 21, 2019 planning commission meeting.

b. Review and Discussion of Initial Draft of Sand and Gravel Ordinance Modification

The initial draft of this ordinance modification, prepared by Commissioner Prindle, was reviewed line by line. The following is a summary of this review with references to the nomenclature (numbering system) of this draft:

Section 2 -- Section X Exemptions should be designated Section 2.03 and added after Section 2.02.

Section 3.02 -- "Setbacks" will be reviewed with current requirements in concurrence with Township attorneys.

Section 4.01 -- The minimum acreage proposed is 40 acres, compared with the existing 10-acre minimum. There was some discussion that a maximum size be proposed to try to limit the time that a mine operates. No conclusion was reached.

Section 6.04 -- The length of permit approval time period for operations currently is five years. This compares to the draft proposed three year term. This difference remains to be resolved.

Section 6.05 -- This Section should be included or coordinated with Section 15. This will be reviewed and resolved at November Commission meeting.

Section 6.05 Item R Anticipated End Date – The issue of specifying an anticipated or projected end date (pit closure) in the applicant's permit application was discussed. This will be presented to the Township's planner and attorney for comment..

Section 7 Other Permits – DEQ is now EGLE. It was recommended that this Section be integrated with Section 6.

Section 8.02 Financial Guarantee – This section should reference Chapter 19 of the Zoning Ordinance

Section 8.03 Insurance – The issue of liability coverage was discussed. It was concluded to continue to discuss this issue after consultation with Township attorneys and planner.

Section 9.0 -- Items .01, .02 and .03 all have some issues that need to be clarified. For example, in Section 9.03 a definition of a "residential street" should be provided. A long discussion ensued regarding dust control, mud mats and what is needed for effective control of dust generated by vehicles entering/leaving the mine. Bonding for road repairs was also discussed. Jackson County Transportation Department does not support road bonding. Clarification on what can be enforced and what is appropriate. For example, how to determine what damage is being done and by whom. Consultation with Township planner and lawyers to see if, and how, this issue can be addressed.

Section 9.06 -- Usage of the terms "nuisance" and "hazard" needs to have further definition and be included in the Definitions Section. Planner/Legal input will be sought to clarify this issue. Long discussion ensued regarding dust control of mine operations including that of associated roads, with no resolution..

Section 10 – It was concluded this section should be renamed 10 Blasting and Crushing of non-native material Prohibited

Section 12.02 -- Evidence of Security bond should be referenced to Ordinance Chapter 19.

Section 13 -- A landscaping plan will be included in the site plan under operational activities.

Section 14 – A Restoration Plan will be prepared before termination of extractive activities.

Section 16 – The allowance for the importation of top soil was discussed.

Section 18 -- Violations and Penalties needs to be coordinated with township attorneys to assure conformity with township ordinance penalties. Verify with municipal civil infraction ordinance that this is in compliance.

Section 19.01 – This Section needs legal review usage of the word "nuisance" in this ordinance.

Section 25 -- This section should be integrated with Section 6 – Application for Permit.

It was concluded that the draft document, with changes at this meeting as appropriate, to the Township planner and attorneys for their review. After Commission review of the planner and attorneys' comments, the attorneys will

- take the resultant text and reformat it to the existing Ordinance format.
- Insert the revised/formatted text into the Ordinance Manual (primarily in Chapters 14 and 15).

Draft submission for Planner/Legal review is scheduled for November 1, 2019. After Commission review/concurrence of their comments, the Attorneys would be requested to reformat the draft ordinance material and insert it into the Ordinance. The results should be returned to the Commission for their review at the November 21, 2019 Commission meeting.

7. CITIZENS WISHING TO ADDRESS THE COMMISSION

Ms. Ruth McDaniel express concerns about the gates for fences that are being install at the Bohne Road gravel pit.

8. TOWNSHIP BOARD REPORT

Brennan indicated that Leoni Township is having financial troubles because they relied on unrealized projected income from the southern extension of their sewer system. There is discussion underway to create a regional authority LRUA (Leoni Regional Utility Authority) to operate the sewage system. The authority would hire a private company to run this sewage system. It is hoped that this action will correct sewage issues and attendant financial problems. The newly created authority would have an oversight responsibility in the operations and maintenance of the system.

Discussion ensued on what this all means to current sewer users, the financial reach of the proposed authority including potential sewage rate increases for all.. No decision has been made, but close attention should be given to this issue with emphasis upon existing user rate changes.

9. OLD BUSINESS

None

10. PROPOSED BUSINESS FOR NEXT REGULAR NIETING AND MEETING DATE

Rezoning Continuation and Extraction Ordinance Modification on November 21, 2019.

11. GENERAL DISCUSSION

Supervisor Jim Stormont was on JTV and made an announcement that Henry Ford Hospital has purchased an additional 56 acres adjacent to Knight and Mt. Hope Roads. They now own 96 acres in this area and are planning a comprehensive health campus. No details have been provided.

It was stressed that the discussion of the extractive ordinance be limited before official Public Hearings. The audience was in agreement with this statement.

12. ADJOURNMENT

Moved by Brennan and supported by Ducey to adjourn the meeting at 9:30 pm. All ayes, motion carried.

Respectfully Submitted,
James R Ducey Secretary