

London Township
Board Minutes
February 10, 2020

Call to order by Supervisor Taepke at 7:35pm
Recited the Pledge of Allegiance.

Roll Call:

Supervisor Gary Taepke-Present, Clerk Kimberly Sharp-Present, Treasurer Melissa Beauchamp-Present, Trustee Penny Turner-Present, Trustee Roger Werstein-Excused.

Approval of Agenda:

New Business:

7. Ditch Mowing
8. Voter Security

Unfinished Business:

3. Sandy Creek Culvert
4. Ordinances
5. Cemetery Resolution
6. Ag Industries Stone
7. Insurance Letter

Motion made by Supervisor Taepke seconded by Treasurer Beauchamp to accept the agenda as amended.

All in favor: **AYE.**

Motion Carried

First Citizens Time:

-Resident Tim Crowley voiced his concern and frustration of living near an Extraction and Fill Operation, that has not followed all the rules. An example the owner has no current haul route.

Approval of Minutes:

Motion made by Trustee Turner, seconded by Clerk Sharp to accept the January 13, 2020 Minutes as Presented.

All in favor: **AYE.**

Motion Carried

Supervisors Report:

- The Township was served lawsuit paperwork that was turned over to Decker Insurance Company and a lawyer has been assigned and advised the Board not to discuss the case.
- Monday March 2, 2020 the Board of Review (BOR) will hold an Organizational Meeting at 4:30pm.
- BOR Petitions will be heard Monday March 9, 2020 from 9am-3pm and Tuesday March 10, 2020 from 5pm-9pm.
- Budget Hearing Workshops Wednesday February 19, 2020 at 5:30pm. And Wednesday March 4, 2020 at 5:30pm.
- Closing of the Books will be at the end of March.

Motion made by Treasurer Beauchamp, seconded by Trustee Turner to accept the Supervisors Report.

All in favor: **AYE.**

Motion Carried

Treasurers Report:

- Winter Taxes are due Friday February 14, 2020 the office will be open till 5pm.
- Summer and Winter Taxes can be paid on Tuesdays and Thursdays 9am-3pm till Friday February 28, 2020 which will have extended hours till 5pm.
- All 2020 taxes not paid by Friday February 28, 2020 will have to be paid at the Monroe County Court House.
- General Funds Balance as of December 31, 2020 Totaling **\$79,473.70**

Motion made by Supervisor Taepke, seconded by Clerk Sharp to accept the Treasurers Report.

All in favor: **AYE.**

Motion Carried

Clerks Report:

-AV Ballots Applications have all be mailed there is a difference this year as voters need to let the Clerks Department know if they will be needing a Democrat or Republican Ballot.

Motion made by Treasurer Beauchamp, seconded by Supervisor Taepke to accept the Clerks Report.

All in favor: **AYE.**

Motion Carried

Building Department Report:

-11 permits issued the month of January 2020 Totaling **\$2,436.00**

Motion made by Supervisor Taepke, seconded by Treasurer Beauchamp to accept the Building Department Report.

All in favor: **AYE.**

Motion Carried

Zoning Administrator Report: (Full Report in its entirety)

-Illegal Fence: Update Grames Rd.

The matter was given to London Township Attorney Kerry Bondy and it has since been found out that the property is under new ownership. So, we have to give the new property owner a chance to comply. It needs to be noted that violations run with the property. New ownership is still responsible for violations.

-Pond and/or Extraction Inspections: All active Ponds and Extractions have been inspected in the month of January...Twice.

-Allison Rd: Project was issued a “stop work order” for filling that was not a part of the current approved site plan. A second “stop work order” was issued for the extraction after the Monroe County Road Commission refused to renew permit holders Haul Route. MCRC **intends** to renew the haul route after certain stipulations are met by the permit holder; ensuring trucks do not violate the haul route, and submitting a frequent maintenance schedule.

-Ostrander: Permit holder was issued a warning over digging within 100ft of the setback, violation was reported to the board along with a request for compliance to the permit holder. He has 30 days from the date of the notice to comply. If there is

no compliance, a “stop work order” will be issued, and the permit holder will have to present good and sufficient cause for more time to correct the violation.

-Oelke and Plank Rd: Mud, dirt, rock leaving Oelke Rd. from extraction site on Plank Rd.

Contractor has been notified to clean it up.

-SLU Compliance Check Darling Rd. In Compliance.

-Illegal Land Use Buffer: Site Plan Has been submitted in substantially complete form and will be sent to London Township Engineer for review.

-Illegal Fence Tuttlehill: No permit and 8ft tall. Today the property owner obtained Zoning Permit for the fence. Due to major health concerns I have given him several weeks to remove the added panels that are attached and making the fence over the regulated height.

-Complaints: Update: two properties (Milan Oakville and Oakville Waltz) owned by the same person have not been maintained according to Property Maintenance Section 6.304 of the London Township Zoning Ordinance. Letter sent with section 1.09 of the zoning ordinance violations and penalties.

Property owner has since applied and received a demolition permit for one of the properties, and has agreed to begin maintenance on the other one.

-Complaints continued:

Trucks not following haul routes: contractor alerted, as well as the Monroe County Road Commission.

-Noise Complaints: Allison Rd. Sheriff was dispatched and the subject is currently complying.

-Illegal Occupation of Parcels: previous enforcements are working.

Tuttle Hill: Those occupying the parcel have been served an eviction notice and have until Feb 22 2020 to vacate.

Grames Rd: Those occupying are no longer dwelling on the property and the unpermitted structures appear to be leaving the property.

-Wanty Rd. Investigation of 3 parcels with people dwelling in campers and unpermitted accessory structures have been documented and enforcements will begin this week.

-Illegal Business Darling Rd

The board has been asked on several occasions about an “illegal business” on Darling Rd. On Nov 13th 2017 Attorney James Petrangelo sent Supervisor Taepke a letter addressing that properties zoning violation. Attorney Petrangelo advised:

“If the township has any interest in pursuing the townships concerns regarding the property, this would now be the opportune time to bring these issues before the

court by filing a counter complaint outlining the townships concerns. It would make very little sense to wait until Mr. Giraud's litigation has been concluded to then start a new case. Therefore, unless the township board is prepared to accept Mr. Giraud's, current uses of his property without challenge, I recommend that the township board use this opportunity to utilize the filing of a counter complaint bringing the townships claims of Mr. Giraud's violations of the Zoning Ordinance before the court for a final resolution."

-London Twp. did not take the opportunity as advised by Attorney Petrangelo. Then in Oct 2018 after supervisor Taepke requested I violate Mr. Giraud for an illegal business, I was advised not to pursue the matter by then Attorney David Bogard. Between the London township boards failure to follow our attorney James Petrangelo's advice, and the further advice of counsel, attorney David Bogard. London Township appears to have accepted Mr. Giruads Land Use. If at any point the board decides any further action/investigations is required it will request me to do so.

Motion made by Supervisor Taepke seconded by Clerk Sharp to accept Zoning Administrators Report.

All in favor: **AYE.**

Motion Carried

Planning Commission Report:

-Neurvith Property: The Owner must meet the following requirements, before he can return to the Planning Commission:

1. Obtain DEQ Permit
2. Obtain New Haul Route Permit
3. No further extractions in Area B
4. No fill to be brought in on property
5. Map of Haul Route to be given to all truck drivers leaving property
6. Drivers must sign a document with their name, address, truck number and their company name and address.
7. Owner must pay for extra inspection by the Township Engineer
8. Will follow MDEQ and EGLE Discharge Guidelines
9. Will maintain roads as agreed to and presented by the Monroe County Road Commission Haul Route Permits
10. Will contact ZA when maintenance is being done on the roads

11. New and Complete Total Site Plan with accurate measurements must include complete reclamation Plan for Both A&B. This is to be submitted by March 2, 2020

-Marijuana was tabled till the Board gives more direction. Clerk Sharp has things in process and was given some information from the Township Attorney, but has not had a chance to look it over. She has also talked with consultants along with the ZA and Anita McCranie, member of the Planning Commission. Supervisor Taepke stated that Monroe Township has opted-in and would like to see their Ordinance when done.

Motion made by Treasurer Beauchamp, seconded by Supervisor Taepke to accept the Planning Commission Report.

All in favor: **AYE.**

Motion Carried

Reading of Monthly Disbursements:

-Trustee Turner questioned the total for Code Enforcement Services (CES) their proposal stated 4 hours per week, but that is not in the contract and the Township has been getting billed up to 6 hours a week. She would like the hours to be reflected in the contract and she would like the Board members to see contracts before they are signed. Supervisor Taepke will look into this.

General Fund:

Motion made by Supervisor Taepke, seconded by Treasurer Beauchamp to approve the disbursements from the General Fund **Totaling \$47,752.34**

Roll Call: Trustee Werstein **EXCUSED**, Trustee Turner **YES**, Supervisor Taepke **YES**, Treasurer Beauchamp **YES**, Clerk Sharp **YES**.

Motion Carried

TOTAL MONTHLY DISBURSEMENTS: \$47,752.34

Unfinished Business:

1. Body Cameras/Range Finder

Clerk Sharp has not had a chance to look into these items as she has been ill.

Motion made by Supervisor Taepke, seconded by Treasurer Beauchamp to table till March's Board Meeting.

All in favor: **AYE.**

Motion Carried

2. Security Cameras

- Treasurer Beauchamp will check with the update on the bid from Innovative Electronics.

Motion made by Supervisor Taepke, seconded by Treasurer Beauchamp to table until March's Board Meeting.

All in favor: **AYE.**

Motion Carried

3. Sandy Creek Culvert

-Clerk Sharp met with Ed Girard, and a representative from the Monroe County Road Commission and the Monroe County Drain Commission to discuss the replacement of the culvert at the Sandy Creek Drain on Tuttlehill Rd. Ed Girard will do the labor for free. The Township will pay for all the materials and permits.

-Clerk Sharp also spoke with Kelly at AG Industries they donate 500 tons of stone to the Township yearly and it was not used in 2019, but they will still honor this commitment.

-There is not yet a total on this project.

-Replacement will be done after the school year, unless the culvert fails in which the road would be closed until the project is complete.

-Supervisor Taepke stated there is a culvert that is in need of replacement on Darling Rd. Ed Girard will speak with Clerk Sharp about this project.

4. Ordinances

-Clerk Sharp would like the board to adopt the Municipal Penalty, Civil Infraction and Appearance Tickets Ordinance also the Blight Ordinance Amendment so they can be published.

-Trustee Turner does not agree with the monetary penalties and believes they are excessive.

-Supervisor Taepke stated that the Board has already approved these that this is just a matter of taking off the “DRAFT” that is stamped on it.

Motion made by Supervisor Taepke, seconded by Clerk Sharp to approve the adoption of and to approve the publication of the Municipal Penalty, Civil Infraction and Appearance Tickets Ordinance also the Blight Ordinance Amendment 15-A

Roll Call: Trustee Werstein **EXCUSED** Trustee Turner **NO**, Supervisor Taepke **YES**, Treasurer Beauchamp **YES**, Clerk Sharp **YES**.

Motion Carried

5. Cemetery Resolution

-Clerk Sharp stated that the new Township Attorney Kerry Bondy was unaware of a London Township Cemetery Resolution, she will speak with the former Attorney who was a fellow law partner. Clerk Sharp will follow up.

~~6. AG Industries~~

-Was discussed under Unfinished Business #3 Sandy Creek Culvert

7. Insurance Letter

-At the January Board Meeting the Board approved the payment to Resident Mike Pinkowski to pay a bill to Ed Girard for excavation equipment to finish his pond. Decker Insurance Company advises that this bill should not be paid. As previous Attorney Bogard had also advised not to pay.

-Trustee Turner was upset as to why previously Mr. Pinkowski bills were paid when court papers stated the Township would “waive fees”. She stated she did not agree with paying other bills such as a Staples bill that Supervisor Taepke had approved as they were in the Monthly Disbursements. She is wondering if this is opening the Township up to another lawsuit.

Motion made by Trustee Turner, seconded by Treasurer Beauchamp to table payment to Mike Pinkowski until she can contact Decker Insurance Co.

All in favor: **AYE**.

Motion Carried

New Business:

1. Coopers use of Parcel 1 Annual Review

-Zoning Department has been attempting for over a year for the property owners of “SuperCoop” at 12465 Ostrander Rd. to adhere to a Consent Agreement, they have not.

-Treasurer Beauchamp did state that they have paid their \$500 yearly fee as part of the Consent Agreement.

-Last letter was sent on January 23, 2020

Motion made by Supervisor Taepke, seconded by Treasurer Beauchamp to give The Coopers until February 28, 2020 (as stated as the deadline on the Zoning Administrators last letter to them) to contact the ZA. If there is no contact the ZA will turn it over for legal prosecution.

Roll Call: Trustee Werstein **EXCUSED**, Trustee Turner **YES**, Supervisor Taepke **YES**, Treasurer Beauchamp **YES**, Clerk Sharp **YES**.

Motion Carried

2. Extractive Operations Amendments & Fill Operations Ordinance Amendments

Motion made Trustee Turner, Seconded by Supervisor Taepke to table till March for review.

All in favor: **AYE**.

Motion Carried

3. Bid for Furnace/boiler

-Discussion on different options from 3 bids.

Motion made by Supervisor Taepke, seconded by Treasurer Beauchamp to table until March so more information can be gathered.

All in favor: **AYE**.

Motion Carried

4. Custodian

-1 bid for custodian was received.

Motion made by Treasurer Beauchamp, seconded by Supervisor Taepke to hire Clean Freaks Residential and Commercial Cleaners for \$75 per week and for them to use their own products.

Roll Call: Trustee Werstein EXCUSED Trustee Turner YES, Supervisor Taepke YES, Treasurer Beauchamp YES, Clerk Sharp YES.

Motion Carried

5. Treasurer Computer

-The Treasurer's computer is running poorly and she is unable to utilize much needed programs.

Motion made by Trustee Turner, seconded by Supervisor Taepke to spend up to \$1,300 for a new computer.

Roll Call: Trustee Werstein EXCUSED Trustee Turner YES, Supervisor Taepke YES, Treasurer Beauchamp YES, Clerk Sharp YES.

Motion Carried

6. Ditch Mowing

-The contract is up for the mowing of the ditches in London Township. The last company did it on a 3-year rotation, Supervisor Taepke would like this to be done every 2 years.

Motion made by Supervisor Taepke, seconded by Clerk Sharp to have the Clerk place an ad in the Monroe News for bids on ditch mowing.

Roll Call: Trustee Werstein EXCUSED Trustee Turner YES, Supervisor Taepke YES, Treasurer Beauchamp YES, Clerk Sharp YES.

Motion Carried

7. Voter Security

-Clerk Sharp discussed the options on getting a locked drop-box or a PO box for ballot applications, ballots, tax payments as a more secure option.

Motion made by Treasurer Beauchamp, seconded by Supervisor Taepke to table till March to give Clerk Sharp time to look into the options.

All in favor: AYE.

Motion Carried

2nd Citizens time:

- Question was asked why the need of body cameras, Treasurer Beauchamp stated it would be for anyone that works in the field for personal safety and for documentation.
- A resident asked a question about his tax assessment; he was instructed to contact the Assessor.
- Another question came up as a resident stated she seen there was a lawsuit against the ZA. Supervisor Taepke assured everyone that neither he knows anything about the lawsuit and as far as he knows the Township knows nothing about it.

Board of Trustee Comments:

- Treasurer Beauchamp asked if anyone has a issue with a Township check to check with their bank institution before informing others of the issue.
- Trustee Turner asked that the Board could see contracts before they are signed.

Adjournment:

Motion made by; Supervisor Taepke seconded by Treasurer Beauchamp to adjourn at: 9:50pm.

All in favor: **AYE.**

Motion Carried

Respectfully Submitted by,
Anita R. McCranie
Deputy Clerk