

**CARROLLTON TOWNSHIP BOARD
REGULAR MEETING
Monday, October 29, 2012**

<u>Roll Call:</u>	Supervisor Kozara	Present
	Clerk Fritz	Present
	Treasurer Riley	Absent – excused
	Trustee Dudek	Present
	Trustee Gnatkowski	Present

There being a quorum, Supervisor Kozara called the meeting to order at 5:31 p.m.

Acceptance of Agenda:

It was board consensus to approve the agenda as presented.

Public Comments:

Richard Mallette, 305 Hickory, introduced himself to the board as the spokesman for a group of citizens that live near Yeager Asphalt (located at 402 Hickory). Mr. Mallette stated that a petition with over 100 signatures along with two articles that outline the negative effects of asphalt plant pollution had been submitted prior to the meeting for the board members to review. He also submitted approximately 25 recently taken photos highlighting the areas of concern that he and his group have including: (1) commercial truck traffic and its deteriorating effect on the local roads, (2) employees parking up and down Madison causing traffic congestion and blocking access to fire hydrants, and (3) the smell and smoke produced by the production of asphalt and its effects on residents' health and the air quality of their neighborhood. Discussion followed.

Bob Miklosovic, 3600 Carrollton, stated that he had heard that Yeager was looking at purchasing more property and asked the board if the zoning of M-1 would automatically apply to any adjoining properties of Yeager's. Answer: No.

Paul Hill, 3576 Carrollton, stated that he counted 176 homes that are within a three block radius of Yeager Asphalt and thus are exposed to the horrible smoke and smell. He discussed the fact that although his home is paid off, he is thinking of moving out of the area because of the negative effects of Yeager's business operations.

Jamie Nerio, 230 Hickory, summarized some of the points in the articles that Mr. Mallette referenced earlier including the detrimental health effects on both adults and children that live near asphalt plants. Discussion followed.

Amy Reynolds, 3621 Madison, asked several questions regarding the uses by right in an M-1 district (Industrial: Limited Manufacturing). She stated that the Township's ordinance does not include asphalt production in the listed uses by right in an M-1 zoning district; however, asphalt production is listed as a use by right in an M-2 (Industrial: High Intensity Manufacturing) district. Ms. Reynolds asked why Yeager is allowed to do business at all where they are located. She also commented on the fact that the home at 3651 Madison is being used as Yeager

Asphalt's office on the lower level and a rental unit on the upper level as well as storage for their commercial vehicles. Discussion followed.

Jackie Anklam, 3630 Jefferson, stated that she experienced the overwhelming smell and smoke coming from Yeager Asphalt at 7:00 a.m. last Thursday. She expressed her concern over the decreasing air quality and the possible long-term health effects on the residents.

Dennis Anklam, 3630 Jefferson, stated that the production of recycled asphalt is ten times more toxic than if virgin materials are used.

Supervisor Kozara asked Director Oatten to provide the latest information regarding Yeager's business operations. Oatten stated that as of Friday, October 26, 2012, the Michigan Department of Environmental Quality (DEQ) had cited Yeager Asphalt on two violations for poor air quality and the mishandling of recycled asphalt. Oatten explained that from what he understood, Yeager is looking to reroute his truck traffic to Balsam and Yeager requested the Saginaw County Road Commission widen the road. That request was denied. Discussion followed.

Chuck Stack, 5708 Venoy, introduced himself to the board members and stated he was running for Saginaw County Commissioner – 2nd District. He stated that he would be staying after the meeting if anyone had any questions for him.

New Business:

Director Oatten requested that New Business Item #1 be acted on immediately after public comments reference Yeager Asphalt.

It was moved by Gnatkowski and supported by Dudek to accept the Planning Commission's recommendation and reject the rezone request made by Mr. Yeager for 11-12-4-05-07-3010-000 (more commonly known as 338 Hickory) from the current zoning of R-1 (Residential: Low Density) to M-1 (Industrial: Limited Manufacturing) due to it being inconsistent with the future land use map of the Township. Kozara requested a roll call vote.

Roll call:	Gnatkowski	Yes
	Dudek	Yes
	Fritz	Yes
	Kozara	Yes

There being all ayes, the motion carried.

Fritz requested a committee be formed that included Mr. Mallette (and maybe two more residents) along with Trustee Gnatkowski and Director Oatten to address all of the issues regarding Yeager Asphalt's operations. It was board consensus to do so.

Supervisor Kozara called for a short break. The meeting recessed at 6:40 p.m. and reconvened at 6:45 p.m.

Public Comments (cont'd):

Wally & Danielle Davenport, 3600 N. Michigan, stated that their current utility bill was over \$800.00. They thought they might have a leak, but the DPW did a check for leaks and none were found. Ms. Davenport stated that DPW Superintendent Mark Pilkington had provided a “meter profile” report that he claimed showed 184,000 units (gallons) of water going through the outside meter during the months of June, July and August. The Davenports explained that while they do have a sprinkler system, they did not believe that much water could’ve been used. Office Manager Weaver explained that the profile ran on the Davenports’ outside meter showed as much as 6,000 gallons used while their sprinkler system ran for over 17 hours in one day. The other summer days show the sprinkler system running twice a day for at least two hours each time and Weaver stated that the meter profile report proves the high usage. She also explained that the Township provides payment arrangements for high utility bills. Discussion followed. The Davenports asked if the late fee could be waived. Response: No.

Approval of Minutes:

It was moved by Gnatkowski and supported by Fritz to approve minutes for: September 24, 2012 – regular and October 8, 2012 - departmental. There being all ayes, the motion carried.

Correspondence:

It was moved by Gnatkowski and supported by Fritz to receive and file the correspondence as listed for October 2012. There being all ayes, the motion carried.

Accounts Payable:

It was moved by Fritz and supported by Gnatkowski to approve the October Accounts Payable for the amount of \$163,803.43. There being all ayes, the motion carried.

Quarterly Investment Report:

It was board consensus to receive and file the quarterly investment report for September 30, 2012 (copy attached).

Committee/Commission/Board Reports:

Oatten informed the board that Robert Gubody was chosen by the Fire Department as “Firefighter of the Year” for 2012.

Board reports were reviewed. There were no financial requests.

New Business (cont'd):

It was moved by Kozara and supported by Dudek to adopt Resolution #2012-23 Objecting to Transfer of Parcels of Property from the Foreclosing Government Unit of Saginaw County (copy attached).

Roll call: Kozara Yes
 Gnatkowski Yes
 Dudek Yes
 Fritz Yes

There being all ayes, the resolution was declared adopted.

It was moved by Dudek and supported by Gnatkowski to adopt Resolution #2012-24 Approving Apportionment of Operational Costs and Accepting for File the Fiscal 2013 Budget of the Saginaw Area Storm Water Authority (copy attached).

Roll call: Dudek Yes
 Fritz Yes
 Kozara Yes
 Gnatkowski Yes

There being all ayes, the resolution was declared adopted.

It was moved by Dudek and supported by Gnatkowski to approve the preliminary estimate of cost prepared by Spicer Group for the Schust Road Meter Pit Replacement Project in the amount of \$246,000.00 (copy attached). There being all ayes, the motion carried.

It was moved by Fritz and supported by Gnatkowski to reappoint Scott Hare and Timothy Geese to the Zoning Board of Appeals with terms ending 11/30/15 and 9/14/15 respectively. There being all ayes, the motion carried.

It was moved by Fritz and supported by Gnatkowski to reappoint Caroline Fisher to the Compensation Commission with a term ending 9/30/17. There being all ayes, the motion carried.

It was moved by Gnatkowski and supported by Dudek to appoint Thomas Czerniak, Greg Dupuis, Robert Roenicke, Bill Dalton and Timothy Geese to the Construction Board of Appeals with terms ending 11/25/14. There being all ayes, the motion carried.

Oatten informed the board that Planning Commission member Dave Brushaber had resigned due to family obligations conflicting with meeting dates. It was moved by Dudek and supported by Fritz to accept the resignation of David Brushaber from the Planning Commission effective October 29, 2012. There being all ayes, the motion carried. It was noted that Mr. Brushaber also served on the Zoning Board of Appeals as the Planning Commission liaison and that position would need to be filled.

It was moved by Gnatkowski and supported by Dudek to adopt the following resolutions (copies attached):

- Resolution #2012-25 amending the FY 2012-13 General Fund Budget by reallocating revenue and expense line items.
- Resolution #2012-26 amending the FY 2012-13 Fire O&M Fund Budget by adding to expense line items.

- Resolution #2012-27 amending the FY 2012-13 Police O&M Fund Budget by adding to revenue and expense line items.
- Resolution #2012-28 amending the FY 2012-13 Garbage/Trash Collection Fund Budget by adding to expense line items.
- Resolution #2012-29 amending the FY 2012-13 Recreation Fund Budget by adding to expense line items.

Roll call: Kozara Yes
 Gnatkowksi Yes
 Dudek Yes
 Fritz Yes

There being all ayes, the resolutions were declared adopted.

Public Comments:

Rose King, 3427 N. Michigan and David and Kelly LaTarte, 2121 Plainview, addressed the board over a personal dispute between the three of them regarding code enforcement issues. Oatten stated that the board meeting was neither the time nor the place for such discussion.

Director Comments:

Oatten informed the board that he had received the quit claim deed for the property at 2400 Mapleridge which is the new site for the Township’s water meter pit.

Board Comments:

Dudek reminded the board members that the voter information night at Carrollton Middle School was scheduled for Thursday, November 1, 2012 beginning at 6:00 p.m.

Adjournment:

It was moved by Fritz and supported by Dudek to adjourn. There being all ayes, the meeting adjourned at 8:34 p.m.

Respectfully submitted,

Jerry W. Fritz, Clerk

Public in attendance:

Richard Mallette	305 Hickory	Jackie Anklam	3630 Jefferson
Amy Reynolds	3621 Madison	Talifaro Reynolds	3621 Madison

Eleanor Dupuis	3637 Madison	Bonnie Blanton	3665 Lincoln
George Federspiel	444 Hickory	Ron Lavigne	3556 Jackson
Judy Lavigne	3556 Jackson	Penny Hopper	4177 Lorraine
Dennis Anklam	3630 Jefferson	Doreen Seaver	3442 Madison
Bonnie Aiken	3665 Madison	Lloyd Aiken	3665 Madison
Jo Ann Wille	3434 Carrollton	Gary Wille	3434 Carrollton
Lorraine Surdock	7750 Melbourne	Chuck Stack	5708 Venoy
Kelly LaTarte	572 Shattuck	Dave LaTarte	572 Shattuck
Sid Hess	3615 Madison	Diane Hess	3615 Madison
Ken Drager	3441 Madison	Joe Dupuis	823 Oakview
Nancy Dupuis	835 Mapleridge	Dick Goodrow	3006 Monroe
Bob Miklosovic	3600 Carrollton	James Goodrow	3600 Carrollton
Kim Drager	3441 Madison	Maryjean Miller	3564 Carrollton
Paul Hill	3576 Carrollton	L. Hill	3576 Carrollton
Pam Hill	3576 Carrollton	Jamie Nerio	230 Hickory
Ernie Davenport	307 Mapleridge	Ralph Gnotek	3554 Madison
Constance Gnotek	3554 Madison	Sandy Dupuis	3644 Jefferson
Randy Hebl	3577 Carrollton	Danielle Davenport	3600 N. Michigan
Wally Davenport	3600 N. Michigan	Rose King	3427 N. Michigan
Kelly Wahl	3860 Church	Pablo Olvera	1166 Schust