

White Oak Township Board Meeting May 9, 2022

The May 9, 2022 meeting of the White Oak Board was called to order by Supervisor Dorwin Marshall at 7:00 p.m. In attendance were: Supervisor Dorwin Marshall, Treasurer Brigitte Doxtator, Clerk Leela Vernon, Trustee John Kemler, Deputy Treasurer Aaron Graf, Planning Commission Chair Missy Noll, Zoning Administrator Tom Brimhall, Richard Morrison, Ralph Tucker, Joe & Jennifer Raica, Gaetan Gerville-Reache from Warner, Norcross & Judd, LLP., Robert Ford from Bauer-Ford Reclamation (517) 485-5500, Arlene M Wright, RPR, Certified Shorthand Reporter, Wade and Ashley Anderson, Ralph Tucker, Sam Curtis, Bod & Judy McManaman, and Frank & Ali Xerri. Clerk Vernon led us in the Pledge of Allegiance.

A motion was made by Trustee Kemler, seconded by Treasurer Doxtator to approve the minutes of the April 11, 2022 meeting. Motion carried.

A motion was made by Trustee Kemler, seconded by Clerk Vernon to approve the treasurer's report and presented. Motion carried.

Tom Brimhall Zoning Administrator gave his report.

Jennifer Raica took the floor. She gave us a copy of the letter that was sent to our lawyer from their lawyer. She asked the Township Board to renew their Special Use Permit. They have signed contracts they need to fulfill and they have purchased new equipment. She feels that all violations have been corrected, except 1) The property at 3201 Swan Road-the embankment is too close to the neighbor and they need to reclaim to appropriate grades and slopes, and 2) They need to plant mature trees around the property line once they are told where they are needed.

Mr. Gerville-Reache, Lawyer representing JR Sand and Gravel took the floor to ask the Township Board to reconsider their 4-26-22 decision. He stated that the Raica's will fix the remaining violations, they just need more time. He asked the Board to allow them 90 days to repair the problems. He stated that the other issues to consider are that JR Sand & Gravel employs 8 people who would lose their jobs and they have signed project contracts.

Bob Ford from Bauer-Ford Reclamation took the floor to explain they were hired to do a long term reclamation plan. Supervisor Marshall asked Mr. Raica if they have renewed their soil erosion permit and was told that Bob Ford is handling all their permits.

Mr. Raica stated that they were instructed to discontinue any work on the additional 10 acres. Mr. Ford is drawing up plans to apply for the Special Use Permit for that parcel. He is working on the soil erosion permit but is not sure when it will be processed. He is guessing 3 weeks to 1 ½ months.

Supervisor Marshall asked Mr. Raica when the project would be completed and was told by Mr. Raica they had some years where they were unable to conduct business, therefore, they are asking for 5 more years to finish the project including reclamation. He stated that they were not dewatering anymore. Also, if a Special Use Permit is approved for the additional 10 acres they would be able to finish earlier.

Supervisor Marshall asked if they intend to correct all violations and Mr. Raica said yes, if granted the 90 day extension.

Tom Brimhall, Zoning Administrator stated that in the original Special Use Permit they are required to have a monitoring well and submit monthly reports and there have been no reports. Sam Curtis stated that all the wells by the pit went bad. He had to have his well redone at a cost of \$2,000. Mr. Raica reimbursed him \$600. Mr. Raica stated that he would take care of Mr. Curtis's well issue. He also stated that Mike Glen had a well go bad that Raica paid for.

Mr. Brimhall stated that our Township Lawyer recommended we pass a conditional short term extension of 45 days to fix the violations on the original 68 acres. The additional 10 acres also has some issues, such as berms with buried trees and being too close to the property line.

Sam Curtis voiced his concerns about the noise and dust. He stated that this Special Use Permit was supposed to be for 15 years, it has been 22 years. He and his wife are retired and have to put up with the noise and dust and he is concerned about the Township granting a 5 year extension to the Special Use Permit.

A motion was made by Trustee Kemler, seconded by Treasurer Doxtator to grant a conditional short term extension of 45 days to JR Sand & Gravel. If during that time it is shown that they are attempting to correct the violations they will be allowed another 45 days to complete. Motion Carried.

Mr. Brimhall would like to do an initial inspection and was asked by Jennifer Raica to set up a time and date for that to happen.

Aaron Graf, Planning Commission member had some concerns. He stated he would like to have a copy of the MIOSHA report on file. He also stated that the gravel pit had been in violation for several years and it would be the responsibility of the owners to comply with the Special Use Permit, not the responsibility of the Township. Jennifer stated that she did not have a copy of the Permit and asked Clerk Vernon if she would provide them with a copy.

Mr. Brimhall had a question about the permit from the Road Commission and also stated that according to the Special Use Permit the gravel pit is supposed to have a 24 hour number and the name of the contact person. They are posting their number but no name. Mr. Raica said they would take care of that.

Mr. Raica asked if there were any other issues. Aaron Graf asked if The Raica's were going to supply a new plan for the original 68 acres since they wanted a 5 year extension. We were informed that they are working on the paperwork and we would receive a copy.

The next Planning Commission meeting is scheduled for May 23, 2022 at 7. Jennifer Raica stated that she was on that agenda but wasn't sure if she could have all the necessary paperwork together by then. The next PC meeting is scheduled for June 27, 2022. Jennifer said she would contact Clerk Vernon tomorrow, May 10 to let her know if she will have everything together for the May meeting.

A motion was made by Trustee Kemler, seconded by Treasurer Doxtator to spend \$99,900.00, which is the matching amount for our Local Road Match program funds, to repair losco from Brogan to Kane and Columbia Rd., Starting at Dietz going east until the Townships total of \$99,900.00 is spent. Motion carried.

Public Comment: Ali Xerri took the floor and explained her concerns about the dumping of carcasses and trash on losco Road. It was suggested that she find out who owns the property and ask if cameras could be put up to see who is doing the dumping.

A motion was made by Trustee Kemler, seconded by Treasurer Doxtator to increase the inspection for our Plumbing and Mechanical inspector, Tim Basore, from \$60.00 to \$65.00. Motion Carried.

A motion was made by Trustee Kemler, Seconded by Treasurer Doxtator to pay bills as presented. Motion carried.

Meeting was adjourned at 8:07 p.m.

Respectfully submitted, Leela A. Vernon, Clerk
White Oak Township