

Danby Township Regular Meeting Minutes  
April 30, 2015

The regular meeting was called to order at 7:02 p.m. at the Danby Township Hall, 13122 Charlotte Hwy.

The meeting was opened with the Pledge of Allegiance.

**Roll Call Board Members:** (Supervisor Pohl, Trustee McCormack, Trustee Reisbig, Treasurer Kolarik, Clerk Platte)

Bill Brown opened the Planning Commission Special Meeting at 7:05pm.

**Roll Call PC Members:** (Goodman, Bahr, Dean, Lay, Brown, McCormack)

Absent: Russman

**Approval of Minutes Regular Meeting March 26 , 2015:**

Motion by Reisbig                      Seconded by McCormack                      CARRIED

Move to approve the minutes of Regular Meeting March 26, 2015.

**Approval of Minutes Public Hearing Meeting March 26 , 2015:**

Motion by Reisbig                      Seconded by McCormack                      CARRIED

Move to approve the minutes of Public Hearing March 26, 2015.

**Approval of Minutes Budget Hearing Meeting March 26 , 2015:**

Motion by Reisbig                      Seconded by McCormack                      CARRIED

Move to approve the minutes of Budget Hearing March 26, 2015.

**Approval of Minutes Special Meeting March 26 , 2015:**

Motion by McCormack                      Seconded by Reisbig                      CARRIED

Move to approve the minutes of Special Meeting March 26, 2015 with corrections.

**Approval of Agenda:**

The following items were removed from the agenda: quarterly report and schedule closed meeting with Mike Homier.

Motion by Kolarik                      Seconded by Reisbig                      CARRIED

Move to approve agenda as amended.

**Communications:**

Motion by Kolarik                      Seconded by Platte                      CARRIED

Move to place communications on file.

**Public Comment:**

Danby Township Assessor Cheryl O'Connor stated that she received a land split from Jason Pohl (Section 10) and that she will be meeting the Audit of Minimum Assessing Requirements (AMAR) on May 12, 2015.

**Unfinished Business:**

None

**New Business:**

**Zoning Violations -**

Zoning Administrator Jeanne Vandersloot is to follow up with Kristina Sedore to inquire about a trailer with hay bales around it which could be a possible zoning violation. The trailer would have to be moved to back of the lot if used as living quarters.

**Planning Commission (PC) Presentation of Special Use approval for Superior Asphalt -**

The Township Board reviewed the PC resolution approving a special land use for mining operation by Superior Asphalt in Danby Township. The discussion regarding the PC resolution was opened up to the public.

1) *Hours of Operation (page 4 of resolution)*

Monday thru Friday - General hours of operation are restricted to 7:00 am to 7:00 pm.

Saturday - General hours of operation will be restricted to 7:30 am to 3 pm.

Original requested hours of operation were from 7:30 to 4:00 pm however, Treasurer Kolarik asked Jeff Kresnak of Superior Asphalt if the Saturday hours of operation could be pushed back to noon, Jeff stated that because the nature of the mining business and the limited number of days (bad weather, winter.) where mining could actually occur, the best he could do is 7:30 am to 3:00 pm with the option of hours being extended upon request due to extenuating circumstances as reasonably determined by the Zoning Administrator.

Sunday & National Holidays - Closed

Stone Crusher - general hours of operation are restricted to 8:00 am to 5:00 pm on weekdays and will not be operated on weekends or national holidays. Danby Township resident Eric Berry inquired if there would be a need for a fugitive dust plan to cover the operational hours of the stone crusher. Mr. Kenneth Vermeulen of Barnes & Thornburg LLP (Legal Counsel for Superior Asphalt) stated that stone crushing is contracted out for 2 weeks at a time and that the MDEQ Air Permit goes along with the portable crusher. The board requested that wording be placed in the resolution that requires the township be provided with the identity, address and contact information of all contractors or third party operators being used, this would include the air permit number issued by MDEQ. Jeff Kresnak asked the public to call the MDEQ if dust is an issue with regards to stone crushing.

2) *Property Values*

Danby Township resident Scott Wheeler stated he was worried about property values being negatively impacted by the mining operation and asked how or if this was going to be monitored. Danby Township Assessor Cheryl O'Connor stated she has been and will continue to watch the market values in Pearl Barr.

Motion by McCormack

Seconded Kolarik

CARRIED

Move to approve special land use for mining operation by Superior Asphalt in Danby Township with the discussed changes to Saturday hours of operation with the additional protocol to request additional hours if needed and to supply stone crushing Contractor information to the township.

Roll Call Vote:

Yeas: Kolarik, Reisbig, McCormack, Pohl, Platte

Nays: NONE

Motion carried to adopt resolution approving a special land use for mining operation by Superior Asphalt in Danby Township.

ADOPTED

Bill Brown adjourned the Planning Commission Special Meeting at 8:35 pm.

**Commissions & Committee Reports:**

**Road Issues** - Supervisor Pohl stated that road brining has started for all dirt roads.

**Planning Commission**

Next scheduled meeting May 20, 2015.

**Officer Reports:**

**Fire Runs** - There were 3 fire runs for March for a total of 5 for 2015.

**Bills** - Clerk Platte presented the bills with the additions of AT&T in the amount of \$91.66, and Liz Kolarik in the amount of \$229.59.

Motion by Reisbig                      Seconded by Kolarik                      CARRIED

Pay bills as presented by Clerk Platte with the additions of AT&T in the amount of \$91.66, and Liz Kolarik in the amount of \$229.59.

**Treasurer's Report** - Treasurer Kolarik - no opportunity to present report.

**Cemetery Business:**

None

**Public Comment:**

Treasurer Kolarik told the attending Planning Commission members that she appreciated the time and effort the commission put into the Superior Asphalt special land use application.

**Announcement:** Next regular scheduled meeting for May 28, 2015.

**Adjournment:** Supervisor Pohl adjourned the meeting at 8:50 pm.

Daniel R. Platte  
Danby Township Clerk