

22 June 2021 7:00 P.M.

9773 Mt. Hope Road

Munith, MI 49259

Call to Order and Pledge: 7:00 p.m.

Present: Lance, Morency, Walz, McAlister, Kitley, and 9 residents. Also attending: Jackson County Sheriff Deputy Jim Moore.

Public Comment: Richardson talked about the bills that are being voted on in Senate and House regarding our governance of gravel pits and short-term rentals. He has encouraged people to contact their representatives to address these bills # **429 Gravel Bill is now in the House and HB 4722 Short-Term Rentals is being voted on.** As a township, we do not want to lose our rights to govern these processes.

Consent Agenda: Kitley motioned with support from Walz to accept the consent agenda as presented. Aye/all; no/none. Motion carried. Kitley motioned with support from Morency to pay the bills as listed on the Post Audit report in the amount of \$600. Roll call vote: Yes/ Walz, Kitley, Lance, Morency, McAlister. No/none. Motion carried. There was a police report for May given by Deputy Moore. Deputies assigned to Waterloo Township responded to 31 complaints, 19 traffic stops. Michigan State Police responded to 22 calls for service. Deputy Moore is trying to meet with local business owners to introduce himself.

Correspondence: None

Special Order: Aggregate Industries Permit Renewal: Rob Hayes and Matt Brewer gave a report on progress at the extraction site. In 2020 they extracted 422 thousand tons of material. Lance motioned with support from McAlister to approved the Aggregate Industries permit renewal for 1 year with the following conditions:

1. The new permit will apply to the parcel containing the site plant, the two parcels added in 2013 as 'phase I' and 'phase II', the two parcels north of Green road containing the Freshwater Lake, and the recently approved Green Road property. Additional parcel info available below:
 - a. Phase I – 28.67 acres +/-, south of Green Road
 - b. Phase II – 21.56 acres +/-, north of Green Road
 - c. Green Road and the adjacent setback area – approximately 17.79 acres
 - d. Parcel #s involved in this permit:
 - i. 10-12-200-001-01 (site plant and reclaimed DNR area – DNR owned)
 - ii. 10-01-426-001-00 (parcel containing north end of freshwater lake – State owned)
 - iii. 10-01-476-001-00 (parcel containing south end of freshwater lake – State owned)
 - iv. 10-12-200-001-02 (Doan Concrete – DNR owned)
 - v. 10-12-100-001-00 (phase I is in this parcel – MDNR owned)
 - vi. 10-01-451-001-00 (phase II is in this parcel – MDNR owned)
2. This permit will be valid until 7/1/2022.
3. All requirements and conditions imposed by the Planning Commission in its recommendation of approval to the Board in April 2013, for the special use permit for phases I & II, as amended, resolution # R-13-11-20-1 continue to be met.
4. All requirements and conditions imposed by the Planning Commission in its recommendation of approval to the Board on March 16th 2021, for the special use permit for the Green Road project, as amended, resolution # 2021-03-16-01 continue to be met.
5. All requirements and conditions imposed by the Township Board in its resolution # 2021-03-23-1 for the Green Road project, as amended, continue to be met.
6. Aggregate Industries is to comply at a minimum with all provisions of the Waterloo Township Zoning Ordinance and Sand and Gravel Extraction Ordinance as amended.
7. All haul routes remain at existing locations (as of November 20th, 2013).
8. All processing plants and stockpile locations shall remain at their existing locations.
9. Any 'primary feeders' installed to sort material for the conveyor will be located at a low level and very near to a mining face in order to minimize any noise levels coming from the unit.
10. Monitoring of wells 2, 3, 4, 5, 6, 7, the freshwater lake, Pond Lilly, and Clear Lake all continue on a monthly basis.

11. Aggregate Industries will send quarterly well monitoring updates to the Waterloo Township Engineer so that the well monitoring sites can be closely followed. If necessary, the Township Engineer will contact the Township board and Aggregate Industries in order to discuss any concerning levels and take appropriate action.
12. Regular inspections will be made by the township engineer for at least the purpose of monitoring the extraction depth to ensure that it is maintained at a level at least 10 feet higher than the water table (as projected by the frc&h 2012 report).
13. Any changes to the signed copy of the lease agreement between Aggregate Industries and the DNR must be communicated to the township for review.
14. Reclamation activity is carried out according to the document provided to Waterloo Township by Aggregate Industries on December 6th, 2013, entitled "The Reclamation Plan".
15. Any changes to the reclamation plan are to be communicated to the township, as outlined in the Township Sand & Gravel Extraction Ordinance, as amended.
16. No water will be discharged offsite by the operation.
17. The existing Reclamation Surety Bond #929570818 shall remain in effect, with the following details:
 - i. The "penal sum" in the first paragraph remains Nine Hundred Sixty Thousand \$960,000.00).
 - ii. The amount required to "reimburse the Obligee for costs and reasonable expenses and fees", in the last paragraph on page one, shall remain One Hundred Thousand Dollars (\$100,000.00)
 - iii. In the second paragraph, the "effective" date should be June 17, 2013, and the "Renewal" date should be July 23, 2020, and amended date of February 23, 2021 to include the mining of Green Road, its right of ways and setbacks.
 - iv. The "aggregate liability" under the first paragraph on the second page shall remain One Million Sixty Thousand 1,060,000.00).
18. Waterloo Township must be sent a notice of intent to cancel the insurance policy not less than twenty (20) days before the cancellation thereof. Failure of the operator, or any persons, firm or corporation named in the policy to maintain the insurance shall be cause for immediate cessation of operations.
19. Aggregate Industries will maintain with Waterloo Township a \$20,000.00 replenishable escrow account in which the township can withdraw applicable funds. This account shall be replenished upon notification from Waterloo Township once the balance drops to \$5000.00.
20. *Community Benefit Royalty*: Consistent with Applicant's Application, Applicant will voluntarily compensate Waterloo Township for such extraction activities as stated in the November 25, 2020 application for an extraction permit, a royalty in the amount \$0.20 per ton of processed material from the Project (estimated payment of \$180,000). Applicant shall report the quantity of material and associated revenue and provide a monthly report of the royalty to the Township. During the duration of the Project, Applicant shall pay royalty amounts monthly and make checks payable to "Waterloo Township."
21. *Grit and Gravel Bike Ride*: As presented during the Planning Commission's February 16, 2021 meeting, Applicant must coordinate with "EPIC Races" to ensure that the annual Grit and Gravel bike race may be conducted as normally scheduled, through an alternative route, agreeable to EPIC races, while Green Road is closed for Project activities.
22. *Right of Way – Green Road*: Prior to all Project operations, Applicant must provide the Township a road closure notice for Green Road from the Jackson County Department of Transportation that the portion of Green Road to be mined is not a public right of way and is closed to public access as well as access to the impacted portions of the road.

Aye/all; no/none. Motion carried.

Old Business: Walz stated that the Parks and Recreation Committee got rained out on their May 26 painting and planting at the Munith Park. They are still looking for help in maintaining and watching the park in Munith. They are still planning a monarch waystation and rain garden to make it a natural beauty area around the walking path.

New Business: Morency spoke of Planning Commission progress on the short-term rental ordinance. There was no action on Article 11 and have no additions to the Topics list.

Kitley motioned with support from Walz to accept the following amendments to the current budget: \$50 to 101-247-702-000 Board of Review, \$2,000 to 101-254-702-000 Deputy Treasurer, \$2,000 to 101-371-702-000 Building Inspectors, \$5,000 to 101-420-702-000-----

Extraction, for a total of \$9,050 all to come out of 101-265-970-000 Capital Improvement. Roll call vote: Yes/Lance, Morency, McAlister, Walz, Kitley. No/none. Motion carried.

Kitley motioned with support from McAlister to purchase new flags, poles and brackets for the Munith Main Street for an amount not to exceed \$2,000 with Henrietta Township having committed to paying half the amount. Roll call vote: Yes/Morency, McAlister, Walz, Kitley, Lance. No/none. Motion carried.

Walz motioned with support from Morency to pay \$1,480 for bins from Omni Source to use for the September 11, 2021 household and metals collection at the township from 11:00 a.m. to 4:00 p.m. Roll call vote: Yes/McAlister, Walz, Kitley, Lance, Morency. No/none. Motion carried.

Lance Motioned with support from McAlister to have a presentation by representatives of the Jackson County Transportation Department to speak of Road Proposal costs at a public meeting to be held here at the Township at 6:30 p.m. on Thursday evening July 22, 2021. Aye all; no/none. Motion carried. Everyone is invited to attend and ask questions.

Other Business That Comes Before the Board: Morency motioned with support from McAlister to give pay increase to both Treasurer and Clerk to \$20,000/year. Roll call vote: Yes/Lance, Morency, McAlister. No/none. Abstain: Kitley, Walz. Motion carried.

Lance motioned with support from McAlister to formally accept and support the Waterloo Township MTA Principals of Governance. Aye/all; no/none. Motion carried. All Board members will sign the form.

Public Comment: Wendy Walz read a letter she wrote in response to comments at previous meetings. She feels we need a Strategic Planning Committee, to focus on getting internet in our area, allowing a business to be a marijuana growth facility, spot zoning issues, business growth that will keep our children from moving to other areas after graduation, etc. Garth Hannewald stated his approval of her statement. The letter in its entirety is available to view at the township, or you can request a copy be sent via email and it may be posted on our Facebook page.

Adjournment: Walz motioned with support from McAlister to adjourn at 7:50 p.m.

The next Planning Commission meeting will be Tuesday, July 20, 2021 at 7:00 p.m. The next regular board meeting at July 27, 2021 at 7:00 p.m. Minutes will be published in the Stockbridge Community News at the end of each month, on our website waterlootwpmi.com and on our Facebook page at: [waterlootownshipmichigan](https://www.facebook.com/waterlootownshipmichigan).

Submitted by: Janice Kitley, Clerk