

Minutes of the regular meeting of the Georgetown Township Mineral Mining Board, held Wednesday, February 20, 2019

Meeting called to order at 7:47 p.m. by Chairperson Tim Smit

Members Present: Tim Smit, Richard VanderKlok, Jessica Ulberg, Jeannine Bolhouse, Donna Ferguson, Josiah Samy

Members Absent: None

Public Present: Mannette Minier, Mining Official; Todd Stuve, Exxel Engineering; Denise Dekker

#190220-01 – Minutes of the Mineral Mining Board meeting held on [January 29, 2018](#)

Moved by Richard VanderKlok, seconded by Donna Ferguson, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

#190220-02 – (ML1901) renewal of (ML1401) Cedar Valley Associates, Inc., 8879 24th Ave., for property located at 9522 and 9426 28th Ave., and 2735, 2511 and 2321 Fillmore, described as P.P. # 70-14-04-200-023, -007, -025, -013 and 70-14-03-100-014, in a (RR) Rural Residential district, Georgetown Charter Township, Ottawa County, Michigan ([application](#), [plan of operation](#), [reclamation plan](#), [end use plan](#), [compliance letter](#), [engineer's letter](#), [addendum](#) to review)

The mining official presented a [staff report](#).

Moved by Josiah Samy, seconded by Richard VanderKlok, to approve a Mineral Mining License **(ML1901) renewal of (ML1401) Cedar Valley Associates, Inc.**, 8879 24th Ave., for property located at 9522 and 9426 28th Ave., and 2735, 2511 and 2321 Fillmore, described as P.P. # 70-14-04-200-023, -007, -025, -013 and 70-14-03-100-014, in a (RR) Rural Residential district, Georgetown Charter Township, Ottawa County, Michigan, to expire on June 30, 2024, as shown on the following:

1. [Application](#),
2. [Plan of operation](#) dated 8-22-2014,
3. [Reclamation plan](#) dated 8-22-2014,
4. [End use plan](#) dated 8-22-2014,
5. [Compliance letter](#) dated August 28, 2014,

And with the following conditions:

1. Sidewalks shall be provided the entire distance along Fillmore from 28th Ave. to the northern property line of lot 104 (which may include a connection to the interior sidewalks rather than duplication along the right-of-way of Fillmore). The developer shall provide the sidewalks adjacent to the streets along all common area, landscape buffer areas and park areas.
2. Lot 104 shall not have driveway access to Fillmore.
3. All required permits must remain in effect for the duration of the project.
4. The hours of operation are be limited to 7:00 a.m. to 6:00 p.m. Monday to Friday, 8:00 a.m. to 3:00 p.m. Saturday, and no Sundays or holidays (as stipulated on the site plan).

5. The haul route will originate at the two new access driveways to Fillmore and will go east on Fillmore as shown on the site plan dated 8-22-2014 and will continue east on Fillmore traveling about to the entrance to the Jenison Plant #16. All roads within the site are to be maintained in a manner that controls dust and prevents debris from being carried onto public streets (as noted on the plan).
6. All berms are must be maintained.
7. No future residential development approvals are implied by the approval of this reclamation plan and the applicant must obtain approval as required by all other Township ordinances for any future residential development (including but not limited to rezoning and plat approval).
8. Approval from the Ottawa County Road Commission **was** already provided prior to mining operations commencing.
9. All entrances and exits to the site shall be securely locked during hours when mining operations are not permitted.
10. All vehicles used to transport excavated material shall be loaded in a manner so that the material cannot be unintentionally discharged from the vehicle. Vehicles shall be cleaned of all material not in the load-bed prior to entering the public streets.
11. If materials excavated from the site are deposited or spilled upon the public roadway, it shall be the responsibility of the licensee, without requiring any action or request by the township, to immediately remove the spilled or deposited material.
12. The licensee shall comply with all soil erosion, wetlands and floodplain rules and regulations of the State of Michigan, Ottawa County and the township.
13. Fueling of vehicles on any site shall comply with statutes, rules and regulations enforced and implemented by the Michigan Department of Environmental Quality.
14. A statement **was** submitted regarding compliance with the minimum standards and requirements of section 26-83 of this article and with the other standards, requirements, conditions or plans which are applicable under this article to the site in question.
15. If filling of an excavated area is necessary during reclamation, only inert material, as defined by the Michigan Solid Waste Management Act (Act No. 641 of the Public Acts of 1978, as amended) shall be used.
16. Upon termination of mining operations, the license shall be responsible to reclaim the site in accordance with reclamation plans approved by the review board. If the licensee fails to reclaim the site as required by the approved reclamation plans, the township may come upon the site and reclaim the land in accordance with those plans and may use the proceeds of the performance guarantee required by this article to defray the costs of the reclamation.
17. Upon the cessation of all mining operations (or any phase of operations, as applicable) except stockpiling, and within a reasonable period of time, not exceeding 12 months thereafter, all tanks, buildings, stockpiles, and equipment shall be removed from the site unless the building or structures can lawfully be used on the site for other purposes as permitted by applicable laws or ordinances.
18. Storage and stockpiling of mined products after cessation of mining activities may be permitted by the review board by annual license granted for that limited purpose. In no event shall any additional materials be allowed to be added to these stockpiles and a license granted for storage or stockpiling of mined products shall not interfere with or excuse reclamation as otherwise required under this article.
- 19. No crushing on the mining site shall be allowed.**
- 20. No materials shall be allowed to be brought onto the site.**
21. A DEQ Permit was submitted and must remain in effect for the duration of the project.
- 22. A written agreement between the applicant and the involved property owners regarding potential well problems was submitted to the Township prior to the mining operations commencing.**

- 23. The Mining Board strongly encourages the applicant to work with the Township and Ottawa County for the development of the Bend in the River Park Plan for the area that borders the river.**
- 24. The applicant must comply with all elements of the Township Engineer's previous review as per the Mining Board.**
- a. The width of the Lowing Comstock Drain was provided by the applicant's engineer and is about 100 feet with 50 feet on each side was provided. The developer shall and agrees to deed the strip of property to P.P. # 70-14-04-200-010 to insure that a nonconforming parcel is not created.
 - b. The Township has received the MDEQ Permit and approval from the County Water Resources Commission will be provided during the platting process.
 - c. Fences or berms shall be added to the gates or the gates will be shifted. Either fencing or berm shall be added along the road on the east side to limit access to the site. Keep out signs shall be posted.
 - d. The berms shall be maintained to prevent unsightliness. Stockpiles shall be constructed in phases 1 and 2 rather than 3 and 4.
 - e. The engineer signed the plans.
 - f. Addressed.
 - g. Addressed.
 - h. The access driveways will be swept each day after operation if needed.
 - i. Addressed.
 - j. The silt fence will be extended along the north berms.
 - k. Addressed.
 - l. Copies of soil borings should be provided. No dewater shall take place without approval from the Mining Board or Mining Official. Certification that the ponds are constructed as shown on the drawing shall be provided in a reasonable amount of time.

MOTION CARRIED UNANIMOUSLY.

#190220-03 – Public Comments

There were no public comments.

#190220-04 – Election of Officers

Moved by Donna Ferguson, seconded by Jessica Ulburg, to elect the same officer as the Planning Commission: Tim Smit, chairman, Josiah Samy, vice-chairman, and Donna Ferguson, secretary.

MOTION CARRIED UNANIMOUSLY.

#190220-05 – Other Business

- A. [2019 Fall Annual mining inspections](#) were presented.

#190220-06 – Adjournment

The meeting was adjourned at 8:05 p.m.