

ESCANABA TOWNSHIP PLANNING COMMISSION MEETING MINUTES

June 1, 2020

The Escanaba Township Planning Commission meeting was called to order by Chairman Jack Penegor at 7:42 pm through telephone dial in teleconference.

ROLL CALL: Present : Ray Hughes, Theresa Chenier, Tom Rymkos, Jack Penegor, Dean VanLoon, Norman Fleury, Barry King. Cliff Barron

PUBLIC PARTICIPATION:

K.Knauf-Wycoff- stated she received documents through the FOIA to review if Planning Commission complied with OMA. The mentioned documents were turned over to her legal council. The township needs to have bylaws with expectations of conduct and should be present at every meeting.

P.Lesiner- Would like previous minutes recording reviewed to clarify statement made at 8:15 by Atty Burkhart that regarding solar there will be a public hearing and an amendment.

R.Barron- Agenda is missing setting up meeting to amend. Would like to add to set time for hearing

M.Luft- Even if the community has to allow solar in the area, it does not need to be at such an extreme extent.

T.Norton- asked to be added to the agenda to speak to the commission

J.Roberts- has experience in several fields which include: real estate, public hearings ,construction, assist prosecution with fraud cases, and others. After reviewing the process she concludes that solar to the area should have been rejected a long time ago. Why is Orion in this area? Who went to them?

C.Barron motion to approve agenda with addition of T. Norton. B.King second. Motion approved by all.

Motion to approve March 2, 2020 meeting minutes made by B.King T. Rymkos second. Yea votes: King, Rymkos, Barron, Fleury, Penegor NAY Chenier, VanLoon. Majority passes approval.

Motion to approve May 4, 2020 meeting minutes made by B.King N. Fleury second. Yea votes: King, Rymkos, Chenier, VanLoon, Barron, Fleury, Penegor. Motion to approve by all.

PLANNING COMMISSION COMMENTS:

C.Barron-Would like to proceed with Solar amendment. Disapproved of conduct during last teleconference meeting of May 4, 2020. Need to work together as a commission.

T.Chenier- Suggested Agendas be received by members 7 days prior to meeting. This allows for time to prepare. Lawsuits are a concern if members are not informed on procedures and guidelines. Herself and Dean VanLoon have both enrolled in webinar education through the MTA. They are both near earning certification. MTA suggested the township obtains a Citizens Planner through CUPPAD. They would address several issues to verify that the township is current with the bylaws, ordinances and policies with e-mailing and texting. CUPPAD charges \$60 per hour rate. The first 10 hours are free. Escanaba Township membership dues are \$696.00. Making the first 10 hours already paid for. Chenier has reached out to CUPPAD feels their assistance would be beneficial to the township.

C.Barron made motion to hold a workshop session on solar project on Monday June 22, 2020.Pending MTA attorney advise. N.Fleury second.

D.VanLoon- Why vote on a motion when there needs to be bylaws in place?

T.Rymkos- Without bylaws we can conduct meetings but under current conditions he is not comfortable with meeting until we are sure we can. This would not be a work session, it would be a Special Meeting with Public Comment

L.Trombley-Robitaille-An example of by laws were sent via email to members. The Planning Commission needs to be able to go over bylaws. Bylaws need to be evident.

J.Penegor- Township attorney not available immediately(per A.Gareau) so Jack will make a call to the MTA attorney tomorrow(June 2, 2020) and will inform members of his findings regarding bylaws and permission to hold meeting or workshops

Verbal Roll Call on before mentioned motion to have a workshop-(Special Meeting) session June 22, 2020

King YES Rymkos NO Fleury YES Chenier NO VanLoon NO Barron YES. Chairman Penegor YES, which breaks the tie. Motion Passed to hold Special Meeting June 22, 2020, if Jack finds it to be permissible.

T.Rymkos- Suggestion to have sample bylaws documentation prepared and sent out by secretary.

Theresa Chenier and Cathy Culliton will work together to present sample of bylaws for commission to review then adopt bylaws for the township. A packet of various information and guidelines will be made for each member and presented at the next regular scheduled meeting July 6, 2020 or sooner if assignment is completed earlier.

ZONING REPORT: A.Gareau will have 2 permits at next public meeting.

BLYTHE UPDATES: A.Gareau will continue to monitor process with LaBumbard property.

OLD BUSINESS: R.Barron request to have whole Flat Rock School property zoning changed to C-3. Jack stated there is a 3 year moratorium and since last request was denied January 4, 2018 the issue needs to wait 3 years from that date to be considered again.

NEW BUSINESS: Larry Begalle at 4869 County 416 20th Rd Gladstone would like to construct a 24'x24'garage and portable storage for RV and boat. A.Gareau- There is a zoning split on property of RR and AP. No current dwelling on property. Jack said he will need an application, site plan with clear definitions and specific details

T.Norton: She has requested through the FOIA for the township bylaws from Atty Burkhart office and was informed May 27, 2020 there are no bylaws On May 29, 2020 from Clerk P.Beauchamp she was informed after a diligent search, bylaws do not exist. Norton stated to the commission per the Planning & Zoning Act, there must be bylaws. The township website needs to be updated more frequently. There are minutes missing of July and Aug 2019.

PUBLIC PARTICIPATION; W. Bovin requested explanation of the proposed tax collection if Orion Solar project were to be constructed, of the amounts of \$10M and \$3M. His concern is that it leads to the appearance of a bribe. Jack clarified that \$10 M paid out thru 25 years assists the County more than the township and Gladstone Schools. The school tax collected would be given to the State of Michigan and redistributed including other districts, not just Gladstone. Jack also mentioned there is opportunity for CBA(Community Benefits Agreement) for help to our township.

R.Barron- there have been financial impacts this year

BOARD MEMBER COMMENTS:

T.Chenier- Would like to explain reason behind vote to not approve March 2020 minutes was due to the commission had left off with a Special Meeting planned to review and discuss the Ad Hoc findings on March 17, 2020, which was cancelled due to the COVID-19 Gov Executive Orders. This needs to be completed. We need to gain trust of our community.

D.VanLoon- Ad Hoc Report needs to be reviewed at next meeting to complete motion started in March.

R.Hughes- Conflict of Interest policy was passed by the Board. This covers Board and Planning Commission and should be added to the bylaws.

B.King-stated we have been dealing with solar stuff over a year now. Only a small amount of people are opposed. It will benefit the whole township. It is not just about Flat Rock. We need to get it done and over and let the courts decide.

Motion to adjourn made by B. King Second by T.Chenier All YEA votes. Meeting adjourned at 9:31 pm

Next Planning Commission meeting scheduled July 6,2020 at 7:30 pm.