

## GARDEN TOWNSHIP PLANNING COMMISSION

### SPECIAL ORGANIZATION MEETING MINUTES

JULY 15, 2022

The Meeting was called to order at 7 p.m.

Members present: Mark Bullard, Jodi Durance, Tracy Waeghe, Frank Williams and Janet Feenstra Daasch, ex officio. Garden Township Attorney, Michael Homier was present via Zoom.

Members Absent: None Public Present: Lois Saxton, Denise Ansell, Brenda Lester, Mary Wood, Leo Bodette, Tyler Lucas, Scott Lucas, Michelle Goldi, William Goldi, Rick Rismond, Gordan Fox & Mr. & Mrs. Summer.

Mark Bullard calls meeting to order. This meeting is called to discuss and review the Interim Zoning Ordinance.

Pledge of Allegiance was completed by members and public.

Janet Feenstra Daasch stated that we only have Building & Zoning ordinance approved through July 30, 2022 from Delta County. We have to approve an interim ordinance before then or we will not have any coverage.

Mark Bullard made a motion to add a paragraph to meeting minutes on July 11, 2022 to include that illegal permits were pulled by individuals regarding solar in Delta County. The chair called for a vote. Tracy Waeghe 2<sup>nd</sup> the motion. 5 yes, 0 no. Motion passed.

Mark asked for public comment, state each one of them had three minutes.

**William Goldi, 15427 16<sup>th</sup> Road, Garden, MI 49835** - Our township just went through this Planning Committee a couple of years ago and it was decided we couldn't afford a Planning Commission. They had over 300 signatures signed. He also wanted to know how it was determined and formed? Isn't it supposed to be a commission of the people from different areas, not people living across the street from one another?

**Tracy Summer, 15405 12.75 Lane, Garden, MI 49835** – I would like to thank the members for the time and talents to be on this committee. I am grateful for your willingness to serve on this committee, 2<sup>nd</sup>- The opinion of each member of this community is valuable. Each person whether a board member or community member be respectful of each other. From what I understand, the township will be developing its own ordinance from the request of the county. We need to develop a master plan. I urge the committee to develop the plan as soon as possible.

**Leo Bodette, 15782 17<sup>th</sup> Road, Garden, MI 49835** – How will this be funded? Who is the Garden Township's attorney and how is he funded? It seems to me that we are getting back to the Wind Mill and Solar issues. I know that all members are new except for Janet and she was a big opponent of the wind mills and the solar. Is there an ongoing lawsuit against Delta County? If so, do the tax papers have to foot the bill, I don't believe they should. If there is a law suit that is fine but I don't think the tax payers of Garden Township should pay for it.

**Rick Rismond, 15370 12.75 Lane, Garden, MI 49835** - I guess getting right down to the nuts and bolts of all of this, it's my understand that if there is not an existing master plan, the committee doesn't have the authority to do so. I believe your first mission should be to come up with that plan. Once you have that plan, then you can do an ordinance. I don't believe you can have an interim ordinance until the master plan is complete. This is how it's supposed to work. The master plan directs how the ordinance is suppose to be applied. No master plan, no interim ordinance. I hear of a disagreement of solar farm and whatever, he hears that these are illegal permits. Someone quoted Chris Williams, is she an attorney? Who gave this legal advice? Is the rebate we obtain going to cover the cost of the administrator & committee?

**Tyler Lucas, 6715 00.25 Road Garden, MI 49835** – I want to read something from a member of Delta County, they have not given up Zoning, anything with Marty will have resistance with this board. They should all recuse themselves since they have law suits with Heritage in the past. Now they are using public funds to pay for lawyers.

**Scott Lucas, 5581 NN Road, Garden, MI 49835** – I have one question for the planning committee, what interest in the township do you represent? Another question geographically speaking throughout the township, the northern three quarters has no representation. So that's not a very good job there. How can the board approve a committee without the 5 requirements of the Association Township handbook? This is déjà vu, we have all been here before 10 years ago. Janet was doing the exact same thing.

**Michelle Goldi, 15427 16<sup>th</sup> Road, Garden, MI 49835** – How is the township planning on paying for the Planning Commission and everything involved with it? She is curious as to where the money is going to come from because we have no extra money for roads. Also, in the winter time when there is ice this isn't kept up adequately and is a safety concern. Also grass during the summer gets to be three feet high before it's cut in July which is a safety issue too pulling out of your driveway. She really wants to know where this money is coming from when we don't have the money to keep people safe now.

**Rick Rismond, 15370 12.75 Lane, Garden, MI 49835** – 2nd Questions- I only heard of this meeting this morning, I hope this public hearing and meeting is notified to everyone. He doesn't believe that Fairbanks Township has been notified of these changes from Delta County. He doesn't believe that we would be without Zoning from Delta County at the present time. He doesn't believe that they will pull the rug from underneath us.

**Michelle Goldi, 15427 16<sup>th</sup> Road, Garden, MI 49835** – 2nd Questions-I want to know if anyone else has talked to the people at Delta County Building & Zoning besides Janet Feenstra Daasch to confirm if that is true that it will expire on July 30, 2022? Does other townships have the same 3 months extension, she needs clarification on this.

Mark Bullard made a motion to close the public comments portion of the meeting. Frank Williams second the motion. Motion passed.

Mark Bullard questioned counsel if he had anything to guide us with? The Planning commission can recommend an interim ordinance to bridge the gap between the master plan and the permit zoning ordinance. An interim ordinance may take immediate effect without a master plan. There is a 3-year time frame to make the master plan and needs a public hearing to approve. It is permitted to have an interim ordinance until the master plan is made and approved. Counsel stated that this interim ordinance is almost the same as the current one from Delta County except for the moratorium.

Mark Bullard questioned counsel if there are any illegal lawsuits that have happened and counsel stated that Garden Township gave permission to pursue a lawsuit against Delta County. Mark asked planners if they had questions/input. Frank Williams asked if they were refused from Delta County to continue after June 30<sup>th</sup>, 2022? Janet Feenstra Daasch stated that they are still considering it, but they still haven't heard anything from them. Janet stated that because the Garden Township board approved the Planning Commission that we are going to continue with the interim ordinance process. Frank also stated by public comments wondering where the funding will come from. Janet state that the Garden Township Board has to figure out where the funding will come from. If people have questions with regards to funding, they should go to Garden Township Board meeting.

Mark Bullard stated he is unwilling to approve the ordinance until he has more time take in the information with the pending lawsuit against Delta County.

Janet Feenstra Daasch made the motion to approve to pass the interim ordinance with the few changes made. No second motion was approved. Mark Bullard made a motion to reschedule public hearing for July 22, 2022. Frank Williams Second the motion. 5 yes, 0 no. Motion passed.

The next meeting date was set for July 22, 2022 at 7:00 p.m. Frank made a motion to adjourn, Tracy Waeghe seconded the motion. 5 yes 0 no, Motion passed. Meeting adjourned at 8.17 p.m.

Tracy A. Waeghe/Secretary