

BLENDON TOWNSHIP

Board Meeting

MINUTES

12-17-18

1. At 7:00 pm Chairman Bill VandenBerg called the meeting to order.
2. Greg Golembiewski offered the invocation.
3. The Pledge of allegiance was recited
4. Roll call: Present; Jim VanderVeen, Phil DeLange, Robin Overway, Greg Golembiewski, & Bill VandenBerg. Absent with Notice:

Attendees:

- Kirk Scharphorn Jr., Zoning Administrator
- Kurt Gernaat, Fire Chief

5. Approval of the Agenda

Motion by Greg Golembiewski, supported by Jim VanderVeen to approve the agenda with the following changes:

- Remove the FD Black Helmet Ceremony from new business and place it right after approval of the agenda
- Add an Executive session under Tabled business item a. and go into closed session for that to discuss the attorney's recommendations regarding Opel Growers.
- Add item G. to new business: Extension on the Moratorium of Farms with Entertainment SLU
- Add item H. to new business: Approval of the names submitted for the Parks committee
- Add item I. to new business: Approve the supervisor's nominations for committees and boards

Motion carried - Unanimous

6. Fire Chief Kurt Gernaat explained the process of removing firefighters from probation and promoting them to Firefighter status called the "Black Helmet ceremony" Probationary firefighters Jordan DeJong, Alan Finnie, Justin Regnerus, and Colton Overway were recommended by Captains Miller and DeJong for promotion to Firefighter status and recognized and promoted by Chief Gernaat.
7. Approval of the minutes of the November 19th, 2018 Township Board meeting.
Motion by Phil DeLange, supported by Greg Golembiewski to approve the minutes from the November 19th, 2018 township board meeting as presented.
Motion carried - Unanimous

8. Approval of the invoices dated November 20, 2018 – December 17, 2018

Motion by Jim VanderVeen and supported by Phil DeLange to approve all of the invoices with the exception of the one for Al's excavating so that it could be discussed under General Business

Motion carried - unanimous

9. Treasurers Report – Greg Golembiewski gave the Treasurer's report for information

10. Clerk's Report – Robin Overway submitted the clerk's report for information

11. Supervisor's Report – Bill Vandenberg gave the Supervisor's report and added his public apology for expending township funds without having approval to do so (Al's Excavating invoice).

12. Opportunity for public comment – No comments were heard from the public at this time

13. Monthly Reports

- Fire Department activity report – no report given
- Police activity report – no report given
- Assessor report – received for information
- Cemetery Sexton report – no report given
- Building Report – received for information. Kirk Scharphorn also stated that the township should be receiving a year-end report in the next couple of weeks from PCI
- Building & Grounds report – no report given
- Zoning Administrators report – Kirk Scharphorn gave a quick verbal report on some of the issues that he has been dealing with
- Planning Commission minutes – received for information and Jim VanderVeen gave a quick synopsis of the items addressed at this past month's PC meeting.
- ZBA minutes – No ZBA meeting held in past month

14. Tabled business

- Opel Growers

Motion by Greg Golembiewski, supported by Phil DeLange to remove this item of business from the tabled business.

Motion carried – unanimous

At 7:40 pm Jim VanderVeen made a motion to go into closed session with Kirk Scharphorn and Kurt Gernaat to be invited into the closed session with the purpose of discussing the letter from Legal Counsel regarding Opel Growers and their operation of a logistics business along with their greenhouse business. Motion was supported by Greg Golembiewski and the board moved into closed session

At 7:54 the board came out of closed session with Jim VanderVeen making a motion to acknowledge that as of 7:56 pm the board was now back in open session. Robin Overway supported this motion and the board voted unanimously to go back into open session.

Motion by Jim VanderVeen, supported by Greg Golembiewski to adopt the following 5 points discussed in closed session and that we appoint our Zoning administrator Kirk Scharphorn to enforce these recommendations:

- That we send a 90 day notice to Opel Growers advising them to cease conducting any non-ag related business on their premises.
- That the township board recognizes and supports the Right to Farm Act of the state of Michigan and recognizes that most of what Opel Growers does is covered under this act
- That Semi trucks and trailers hauling supplies not related to the Ag business of Opel Growers are not allowed to come and go from the premises.
- That our attorney's note is subject to Attorney –Client privilege and will remain confidential
- That the township board will ask the planning commission to see if they think we should consider a "Special Land Use" permit to allow for a trucking company to exist in an AG or R1 district.

The neighbors to Opel growers asked a couple of questions that were addressed by members of the board and Kirk Scharphorn, and the board voted.

Motion passed – unanimous

- Al's Excavating

Motion by Jim VanderVeen, supported by Greg Golembiewski to un-table this item of business

Motion passed – unanimous

Discussion was held amongst the township board members and the breakdown of costs in the packets was reviewed.

Motion by Phil DeLange supported by Greg Golembiewski to approve payment of the \$1400 invoice to Al's Excavating.

Motion passed 4-1 with trustee VanderVeen dissenting

15. New Business

- a. Black Helmet ceremony – completed earlier in the agenda
- b. Holiday business hours

Kurt Gernaat made the recommendation to the board that; because Christmas day falls on a Tuesday and the township handbook allows for a half day of holiday pay on Christmas Eve that we should consider closing the offices for all of Christmas Eve, rather than to be open for just 3 hours in the morning. Discussion was held on the matter and the following motion was made

Motion by Greg Golembiewski and supported by Phil DeLange to close the office on Christmas Eve, Christmas Day and New Year's Day. Holiday pay will be for 4 hours on Christmas Eve, 8 hours on Christmas Day and 8 hours on New Year's Day as per the handbook, but that if an employee needs to make up the 4 hours lost, opportunity will be given to do so.

Motion passed – unanimous

- c. Consumer's Energy Franchise Renewal Ordinance

Motion by Bill Vandenberg, supported by Phil DeLange to pass ordinance #35A renewing our 30 year contract with Consumers Energy.

Motion passed – unanimous

- d. Marijuana Opt-out

Discussion was held by the board to determine the best way to go with this and the board instructed Supervisor Vandenberg to consult with Legal Counsel and bring a recommendation to next meeting

- e. Line item resolution

Resolution number 2018-12.1 was placed in front of the board and recommended for approval by supervisor Vandenberg. The Board adopted the resolution by roll call vote.

VanderVeen – Yes, DeLange – Yes, Overway – Yes, Golembiewski– Yes, Vandenberg – Yes

- f. Outdoor Events ordinance – Trustee VanderVeen gave the board an update on where the Planning Commission is at on this potential future ordinance change
- g. Extension on the Moratorium of Farms with Entertainment SLU

Motion by Phil DeLange supported by Greg Golembiewski to adopt resolution # 2018-12.2 to extend the moratorium on Farms with Entertainment facilities SLU until March 31st, 2019.

Roll call vote: VanderVeen – Yes, DeLange – Yes, Overway – Yes, Golembiewski – Yes, VandenBerg – Yes

- h. Approval of the names submitted for the Parks committee – Trustee VanderVeen went through the list of names submitted and explained in great detail why he thought that each member listed would be a good fit to serve in this capacity. The following member names were recommended noting that more may be added in the future:

- MaryBeth Gernaat
- Brad Knoth
- Pete & Dee Vander Kolk
- Don Vander Kuyl
- Bryan & Laura VanderVeen
- Troy & Jodi Rector

Motion by Greg Golembiewski supported by Robin Overway to approve the list of names for the parks committee.

Motion carried - unanimous

- i. Approve the supervisor's nominations for committees and boards

Motion was made by Bill VandenBerg to nominate Duane Gunnik to the Planning Commission. No support for the motion was garnered. Trustee VanderVeen stated that there is not officially an opening yet, as no one has officially resigned yet. The board requested more information on other interested potential candidates and recommended waiting on this appointment until there is an opening on the Planning Commission.

Motion by Bill VandenBerg to renew Bruce Costen's term on the Board of Review for 2 more years. No support for the motion was garnered. The board then discussed whose terms are up and came to the conclusion that everyone on the Board of Reviews term is up for renewal or replacement. Robin Overway stated that these positions are required to be appointed prior to January 1, 2019. It was also determined that not all of the Board of Review members had been contacted to see if they were willing to continue to serve. The board decided that a special meeting would be

needed in order to get this completed prior to January 1, 2019. The special meeting will be held on Thursday, December 27th at 9:00am.

Further discussion was held on all nominations and vacant board and committee seat. A recommendation was made to wait on all further appointments until proper contact can be made and the vacant positions can be posted and interviews can be held to determine the best candidates prior to bringing it back to the board for a vote.

16. Information / Correspondence – No noted correspondence

17. Public Comment

Kurt Elders inquired about restrictions on what can and cannot be grown in greenhouses within Blendon Township

18. Upcoming events

- Planning Commission Meeting – January 8th, 2019
- Township Board Meeting – January 21st, 2019

Adjourned at 9:22 pm

Recorded by Kurt Gernaat

Submitted by Robin Overway, Clerk