

APPROVED MEETING MINUTES
Regular Monthly Meeting
Grass Lake Charter Township Board
May 14, 2019

The regular monthly meeting of the Grass Lake Charter Township Board was called to order on Tuesday, May 14, 2019 at 6:30 p.m. at the Township Hall by Supervisor Stormont.

Board Members Present by Roll Call: Bray, Loveland, Zenz, Stormont, Butterfield and Brennan.
Absent: Lester

Also Present: Fire Chief Jones, Assessor DeBoe, and approximately 22 public.

Pledge to Flag was recited.

Agenda Additions/Approval: Bray moved to approve the agenda as printed. Supported by Brennan. Motion carried.

Public Comment: – Bobbi Harper – comments attached. Carl Wells – comments attached. Mary Anderson-Dingeldey – proposal attached. Star Warren-Crowdis – comments attached. Susan Stewart – comments attached.

Closed Session Minutes: Loveland made motion to approve the April 17, 2019 Closed Session Meeting Minutes. Supported by Brennan. Roll Call Vote – Ayes – Loveland, Brennan, Zenz, Stormont and Butterfield. Absent: Lester. Abstain: Bray.

Minutes: Zenz made correction to Special Meeting Minutes under New Business Paragraph 1 and 3 to add the words “of the Open Meetings Act” and Paragraph 2 remove the words “rescinded the motion to go into closed session” and add the words “Motion by Stormont to rescind the previous motion to go into closed session, supported by Brennan. Motion Carried.” Loveland made motion to approve the Special Meeting Minutes of April 17, 2019 with corrections. Supported by Butterfield. Motion Carried. Loveland made motion to approve the April 9, 2019 Regular Board Meeting Minutes and April 23, 2019 Work Session Meeting Minutes. Supported by Butterfield. Motion carried.

Presentation of Bills: Butterfield made motion to pay General Fund Bills in the amount of \$86,855.77 and Fire Fund Bills in the amount of \$315,711.35. (\$300,846.00 balance of new Fire Truck). Supported by Brennan. Roll Call Vote: Ayes – Butterfield, Brennan, Bray, Loveland, Zenz and Stormont. Absent: Lester. Motion Carried.

Treasurer’s Report: Motion by Bray to accept and file Treasurer’s report as prepared. Supported by Zenz. Motion Carried.

County Sheriff Report: None.

Assessor Report: Accepted and filed as prepared by Assessor DeBoe.

Zoning Administrator Report: No report was received.

Planning Commission Report: Brennan reported final site plan should be ready from Adams for Cedar Knoll Project. Bohne Road Gravel renewal is on agenda. Zenz asked if a decision was made on parcels with dual zoning, Brennan stated that a new chapter was being written for Zoning Book and all parcels can remain with both zones on them. Hopefully the language will be ready for this meeting also.

Chief Building Official Report: Accepted and filed as printed.

Whistlestop Park Report: Minutes from WSP Board of Directors April 5, 2019 meeting was received.

Recreation Board Report: Howe had received an email from the Renagades Baseball/Softball expressing much gratitude for hosting a tournament at the park and how smoothly everything went. Board is pleased with the work Howe is doing.

Township Office Committee Report: Nothing new, no meeting was held.

Correspondence: The Township received dividend from the Par Plan. Village let Township know that Michigan Avenue from East to West will be milled and resurfaced and a culvert replacement on Lakeside Drive.

Officer Deland arrived at this time.

Old Business: a) – **Mt Hope Road Township property sale - update** – Stormont has spoken to the Owner and Engineer and the plans are very close to completion so a purchase agreement will be coming soon. b) – **Ordinance Enforcement Office – update** – Three (3) applications were received. Interviews will be held the week of May 20, 2019. Brennan, Loveland and Stormont will interview. c) – **Draft Amendment to Village sewer contract** – Village Manager is working on the amendment, it should be available by next week.

New Business: a) – **Resignation Letters – Planning Commission Members** – Motion by Brennan to accept the resignations of Robert Doerr and Roger Memmer effective April 18 and April 19, 2019. Supported by Bray. Roll Call Vote: Ayes – Brennan, Bray, Loveland, Zenz, Stormont and Butterfield. Absent: Lester. Motion Carried. b) – **Appointment of Planning Commission Members** – Motion by Stormont to appoint James Ducey and Nancy Prindle to the Planning Commission effective immediately. Supported by Brennan. Roll Call Vote: Ayes – Stormont, Brennan, Bray, Loveland, Zenz and Butterfield. Absent: Lester. Motion Carried. c) – **Resignation Letter – Township Board Member** – Motion by Stormont to accept the resignation letter of William Lester from his position on the board as a Township Trustee effective May 14, 2019. Supported by Bray. Roll Call Vote: Ayes – Stormont, Bray, Loveland, Zenz, Butterfield and Brennan. Absent: Lester. Zenz has prepared a time schedule for the appointment of new person for the position, must be filled by June 28, 2019. d) – **Wetland Delineation – Sports-n-Trail Park** – Stormont has received a letter from the DEQ about some wetland issues that still remain open. He had contacted ASTI Environmental about giving an updated “Wetland Delineation and Jurisdictional Assessment” the cost would be \$2,500.00. Bray made motion to table this issue until the board is able to review the original DEQ letter. Supported by Brennan. Motion Carried.

e) – Brick Repair @ Whistle Stop Depot – Some bricks are in need of repair at the Depot and also some drain tile work and clean-up. Motion by Zenz to approve the quote received from Jon Clark for \$ 3,110.00 with funds coming from the Capital Funds for Whistle Stop. Supported by Loveland. Roll Call Vote: Ayes – Zenz, Loveland, Bray, Stormont, Butterfield and Brennan. **f) – New Used Furniture** – Motion by Bray to purchase 8 used desk units for the price of \$700.00. Funds will come from the Capital Funds of the Township Hall. Supported by Brennan. Roll Call Vote: Ayes – Bray, Brennan, Loveland, Zenz, Stormont and Butterfield.

Fire Department Report: April report accepted as prepared by Chief Jones.

Old Business: Chief mentioned that the County Radio system is up and running, a pager test will be done on Wednesday, hopefully the fire system will go live the 1st week of June. Law Enforcement will be first. New Truck is going through final testing and will be ready for pick-up on Friday, hopefully put into service the 2nd week of June.

New Business: none.

Public Comment: **Bobbi Harper** – finished reading comments. Susan Stewart – finished reading comments.

Adjournment: Motion by Bray to adjourn the meeting at 7:35 pm, supported by Brennan. Motion Carried.

Respectfully Submitted, Catherine Zenz, Township Clerk

Attached: 5 Citizens comments

May 14th, 2019 Grass Lake Township Board Meeting.
Public Address to the Board.
737 Lakeside Drive,
Grass Lake. MI. 49240.

I would like to further clarify my comments regarding my interaction with Barry Butterfield on April 17th at the emergency Board Meeting. Firstly Barry I don't know you or your family. Prior to September 27, 2018, we had never exchanged a single word!.

On Thursday September 27, 2018 at The MDEQ hearing at the Grass Lake High School Hall, I handed out several personally labeled invitations in a sealed envelope to Township officials for the upcoming Friends Of Grass Lake Event on October 13th - "Harvest Moon, Bonfire, Band, Brews & Chews". I handed an invitation to Bill Lester, Jere Hinkle and Jim Stormont. All three gentlemen were very respectful, as I, to them. I had hoped by reaching out to Township officials and inviting them to the Friends Of Grass Lake Events that we could find friendship and common ground. I invited every single person listed on the Grass Lake Township website. At this point in time - the hate speech on social media by supporters of the Lester Brothers was at an all time high. I felt by handing an invitation in person was good outreach for the group. Jim Stormont, did in fact attend.

When the MDEQ meeting had come to a close, I walked outside into the hallway and I saw Mr Butterfield. I said, "Hey Barry would you Like to come to our Halloween Party?" I reached out to hand him the invitation; he then tried to slap the invitation out of my hand. He yelled at me and I quote "I don't want anything to do with you people, Ive been living here for 50 years". Stepping back to avoid physical confrontation, I replied 'Barry I don't understand why you are so angry, how does this affect you?' He continued to yell and gesture aggressively towards me. Rather than continue the confrontation, I walked away. Grass Lake resident Michael Kelly was present and saw and heard the whole episode. He was so concerned that he stepped in, in order to stop any possible violence.

Barry, you are supposed to be a Trustee of the Township - the whole Township, not just the people who support the Lester Brothers. Your behavior and subsequent vote to appeal, was based on bias and your dislike of The Friends of Grass Lake Township. You should have recused yourself. On September 27th, I reached out to you respectfully in friendship. Your behavior towards me was abusive and highly inappropriate.

You made the public accusation on April 17th, that I harassed you. Which I completely refute and I can provide you with eye witness accounts by several Grass Lake residents who were present in the hallway and who support my testimony. I also reported the Incident to Jim Stormont directly after the Incident. I also reported the incident to Richard Murphy and many other residents.

Page Two:

I would also like to mention that your wife Carol Butterfield, continues to incite hatred towards "The Friends of Grass Lake Township" on the Grass Lake Open Forum and Grass Lake Forum on Face Book. She regularly refers to the group as "The Haters" and "The Friends are taking over". She also made libelous comments about myself regarding the mentioned incident of which she was not present. And I quote:She wanted him (Barry) to take a flyer from her and he said no thank you. And she kept at him and he told her no thank you again. She's mad because he wouldn't go to the Friend's Party. He was not rude. Her words". Not my words! The words "No Thank You" were never spoken, and I didn't attempt to offer the invitation - not "Flyer", a second time after it was nearly slapped out of my hand. And I wasn't angry, I was shocked!. While I welcome freedom of speech, Carol's comments were highly inappropriate for the wife of an elected Township Trustee. This further demonstrates your family's bias towards a large group of Grass Lake tax paying residents.

I also enclose screen shots of comments made by your wife & daughter Lisa Butterfield Lewis who recently suggested that the Township should shut down Dale Fisher's business as retaliatory action for his opposition to Mr Lester's gravel pit. And I quote: ".....That group better start raising money cause Lester can do it.....I would also shut down their business neighbor who is in a residential placeI guess the Township needs to be fair to everyone and shut Fisher down Lol". Again highly inappropriate for the daughter of a Trustee!

I also include some facebook screen shots of other Lester Brothers supporters inciting hatred towards The Friends Of Grass Lake Township - Tom Niehaus, John Dakin, Brent Jones, Mike Stevens, Brandon Root, Jeremy Rice, Eric Jones and more. While I understand that The Board has no control regarding negativity and hate speech on Social Media, most of you know these people, they are your friends, your relatives and your coworkers. Please ask them to stop this negative behavior. It creates division and discrimination in our community.

Mr Butterfield, I would like an apology sir, I also ask that your wife and daughter cease and desist from making negative and hateful comments about The Friends Of Grass Lake Township on a Public Forum / Social Media. I have no problem with people debating the issue but inciting hatred and retaliation is not good for our community. I also ask that you withdraw your vote for the Gravel Pit Appeal based on your demonstrated bias.

If you are unwilling to do this, then, I ask, that you resign from your position as Trustee. Please respond to my letter in writing. Thank you.

Yours Sincerely,



Bobbi Harper,
3436 Betrasha Lane,
Grass Lake. MI. 49240

May 14th, 2019 Grass Lake Township Board Meeting.
Public Address to the Board.
737 Lakeside Drive,
Grass Lake. MI. 49240.

Re: L & L Development / Lester Brothers Property on Norvell Rd, Grass Lake.

Please add my comments to the public record.

Dear Grass Lake Township Board,

1. Can you please explain to me, why Mr Lester is moving large amounts of top soil on his property with out a special use permit?
2. Several residents have witnessed the dumping of plastic bottles, metal pipes and other refuse on this property. The burial of waste material is a part 115 violation. Can the board send an official out to this property to inspect any possible violation?.

Could you please answer my questions in public and in written form

Thank you

Carl G. Welch
2284 Mt Hope Road
Grass Lake, MI 49240

Proposal Submitted at May 14, 2019 GLCT Trustee Meeting

TO: GLCT Trustee Members: Scott Bray, Tom Brennan, Barry Butterfield, Bill Lester, Tom Loveland, Jim Stormont, & Cathy Zenz

PROPOSAL: Change Planning Commission's Role in Special Use Permit Final Decisions

ISSUE: Since the beginning of the Bohne Road Gravel Pit imbroglio, it has been made clear that the intent of having the Planning Commission make the final decisions on Special User Permit (SUP) based on more time to research the ramifications of a Permit has not worked. In light of the events surrounding the last Bohne Road SUP extension and the controversy over the L & L Development application for a SUP to operate a gravel pit on Norvell Road, there has been increasing mistrust of township officials by a growing number of tax paying residents.

DISCUSSION: The current government structure of appointed Planning Commission members making the final decision on Special Use Permits, causes more mistrust. The current members of the Planning Commission have repeatedly ignored and/or dismissed concerns presented by tax paying residents. This is evidenced by lack of response to written concerns submitted prior to and during the October 2017 meeting. Chairperson, Jerry Hinkle, testified to his bias at April 18, 2019, Planning Commission meeting when he stated he worked for businesses not the people. (The meeting was videotaped and is available for review). The best service to the Grass Lake Township electorate you can perform is by changing the structure so the Planning Commission makes recommendations to the elected Trustees who then vote on the Special Use Permit approval or denial similar to local governments (listed below).

BLACKMAN TOWNSHIP

LEONI TOWNSHIP

LYNDON TOWNSHIP

SCIO TOWNSHIP

SYLVAN TOWNSHIP

LENAWEE TOWNSHIP

LIBERTY TOWNSHIP

NAPOLEAN TOWNSHIP

SHARON TOWNSHIP

WATERLOO TOWNSHIP

May 13th, 2019

Jim Stormont
Grass Lake Charter Township Supervisor

Mr. Stormont,

Please answer my questions in a public forum such as a Grass Lake Township Board meeting and in writing to me personally. I request for this document be added to the meeting minutes.

I was appalled at your 360 degree change of mind April 17, 2019 Special Meeting regarding appealing Judge McBain's decision. This was after making these statements publicly and in the press.

- "Once the decision is made, the township would accept the judgement and would not appeal." At a previous Grass Lake Township Board meeting and MLive, April 9th, 2019.
- "There's nothing for Grass Lake Township to do at this point. It's up to L & L now depending on what they want to do," Township Supervisor Jim Stormont said. "As far as the township is concerned, this is over." MLive, April 9th 2019.
- Similar remarks were also made personally by you to several residents of Grass Lake.

My questions for you are....

1. What changed your mind to go forward with the appeal?
2. Did you receive pressure from individuals or other entities?
3. How is the Township paying for this appeal? What is the estimated cost of the appeal?
4. Why; with all the written documents and evidence presented to the Planning Commission by the Friends of Grass Lake and almost 275 Grass Lake Residents did the planning Commission approve the SUP for the proposed mine?
 - a. What evidence did they have to make an educated decision that the Grass Lake Residents weren't aware of?

b. Why wasn't there a response from each member of the planning commission when asked why they voted the way they did?

I met with you and other members of the Township Board for two and one half hours, a few months ago. In that time many issues were discussed and many areas for improvement were identified, can you tell me specifically what improvements were not made or are in progress? You stated many times in the discussion that you have "Too much on your plate", then why not have a 40 hour work week instead of a 32 hour work week for Township staff? Do you have enough staff for the workload?

Many Grass Lake residents, not just myself do not feel the Township Board is acting in the best interests of the residents or Township. There is clear appearance of personal bias, and family or business relationships that color the decisions that are being made. After many personal discussions with you; I do not believe you made this decision without undue and possibly inappropriate pressure put on you.

The decision to appeal the Circuit Courts decision, expending what has to be public funds is not the best use of taxpayers' dollars that was clearly stated before would not happen.

Star Warren-Crowdis RN BSN MSHA

Questions Prepared for May 14, 2019 GLCT Trustee Meeting

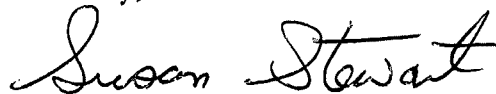
TO: GLCT Trustee Members: Scott Bray, Tom Brennan, Barry Butterfield, Bill Lester, Tom Loveland, Jim Stormont, & Cathy Zenz

Attached is a copy of a letter submitted and time stamped to the Grass Lake Township office on January 17, 2019. I would like to request you mail the answers to my home address (you have it on my resume I submitted for a Planning Commission position). Also, please include the answers as part of the public record. I understand you have a lot on your plate but it's been 4 months since these were submitted and I have not received any type of response.

I would also like Mr. Stormont to answer in writing what the deciding factor was in regards to appealing Judge McBain's decision on the SUP for the gravel pit? I would not be asking if Mr. Stormont had not been clear on his position of letting the courts decide and then the township would be done. Mr. Stormont, what made you change your mind? And saying it was because the township did everything correct makes no sense because you only filed the appeal in response to L & L filing. If you were so concerned about the township's reputation, you would have perused an appeal regardless of what L & L did. What was it then? Please answer honestly.

Thank you for taking the time to answer these questions. I look forward to hearing from you. Can you give me an approximation of how long it will take for you to respond?

Sincerely,



Susan Stewart

Grass Lake Tax Payer

January 17, 2019

REC
JAN 17 2019

TO: Grass Lake Township Trustee Members

This letter is in regard to the January 7, 2019 Grass Lake Trustee Board responses to the questions submitted by 16 people at the December 18, 2018 Board Meeting. It was very much appreciated that the public questions and answers were distributed at the January 7 Board Meeting. The questions that were not answered completely or correctly are circled on the copy of the December 18 letter that was also submitted. It's important the request for the board of trustees to answer the correct questions completely becomes part of written public record. It's requested this letter also become part of public record in addition to your written responses. Thank you. And you are correct - questions often lead to more questions.

From the December 18 Meeting:

1. Can you explain in detail how the Planning Commission Board represent ALL interests in the community as required by state law. In other words, in what manner is each individual member contributing so that the Board as a whole is representing ALL interests in our community?

What was being asked is who represents the Village, who represents the Township, who represents Agriculture, who represents Business, who is the engineer, who is the professional and what is their profession in? All that is known is Tom Brennan is the Township Board liaison. Are the individuals' credentials part of public record?

2. What is the reasoning behind the uncommon practice of allowing the appointed (NOT ELECTED) Planning Commission the power to make decisions that affect all tax paying residents? It's a more common practice for Planning Commissions to make recommendations that ELECTED officials then vote on. Can you explain how this structure of local government benefits all members of the community?

Thank you for answering the first part of question 2. Unfortunately you neglected to answer the second part of the question which is, "Can you explain how this structure of local government benefits all members of the community?" And please explain the process to change this structure so elected officials make the final decision.

7. Can the board members be required to explain individually their reasoning for the way they voted on the special use permit for the proposed gravel pit? Can they at least be held accountable for an answer for the SUP? Why doesn't the Planning Commission have to answer to anyone or anything?

You responded that the boards decisions are "based on legal issues, attorney recommendations, and a professional Planner advice." That does not explain their individual reasoning at all, that is a vague, collective and alarming answer. Alarming because as mentioned by Joanne Ackerman during the public comment, all the letters from residents and all the data and evidence showing the severe consequences of gravel pits was ignored by the Planning Commission. Ignored just like Joanne was when she spoke at the last Planning Commission Meeting. Just like the question above "Why doesn't the Planning Commission have to answer to anyone or anything?" was ignored.

This brings up another question. Why didn't the Planning Commission include the letters, data, and evidence as a basis for their decision? Their decision was made before the hearings were held, that was obvious. Everyone that submitted something against the gravel pit was ignored by the Planning Commission. Sadly, being ignored seems to be a trend in Grass Lake Township.

The following were pertaining to questions asked during board meetings by residents but never answered by trustees.

In general:

1. Why are questions that are part of the meeting minutes never answered?
2. Why isn't someone on the board assigned to respond to the questions at the next meeting?
3. Why is the normal response, "We'll look into it.", then the topic never mention again
4. What is the typical outcome for asking questions of the Grass Lake Trustee Board?

You responded to questions about verbal complaints in general, that was not being asked. Please don't ignore questions from tax paying residents. Please read them carefully and correctly and respond completely.

Your time is appreciated.

Concerned Citizens of Grass Lake Township