

APPROVED MEETING MINUTES
Regular Monthly Meeting
Grass Lake Charter Township Board
November 10, 2020

The following meeting was held in person and also electronically using Zoom.

The regular monthly meeting of the Grass Lake Charter Township Board was called to order on Tuesday, November 10, 2020 at 6:32 p.m. by Supervisor Stormont.

Board Members Present by Roll Call: Bray (ZOOM), Bednarski-Lynch, Loveland, Zenz, Stormont, Butterfield and Brennan.

Also Present: Assessor Diane DeBoe, Park Manager Jim Howe, Zoning Administrator Lammers, and approximately 5 Public (Zoom and in person).

Pledge of Alliance

Approval of Agenda: Motion by Brennan and supported by Butterfield to approve agenda as printed. Motion Carried.

Consent Agenda Approval: Motion by Zenz to accept the consent agenda items as printed. Supported by Butterfield. Motion Carried. Zenz asked what CPI was for 2020 (1.9) Technical issues - Bray was unable to be heard.

Monthly Bills: Motion by Butterfield to pay the General Fund bills in the amount of \$63,991.26 and Fire Fund bills in the amount of \$23,005.73. Supported by Bednarski-Lynch. Roll Call: Yeas – Butterfield, Bednarski-Lynch, Loveland, Zenz, Stormont and Brennan. Absent – Bray. Technical issues Bray - was unable to be heard. Nays – None. Zenz gave report of election #'s – we had just under 80% turnout. More absentee voters than in person voters. Only one verbal complaint to her but some on social media. Overall a very good day.

Treasurer's Report: Brennan made motion to accept and file the Treasurer's report as presented. Supported by Zenz. Motion Carried. Technical issues - Bray was reconnected by phone to be heard.

Old Business: **a) – Mt Hope Road property closing - update** – Stormont stated that he has all information and will be forwarding to American Title and then should be able to have a closing within a week after information is given to American Title. **b) – Gravel Mine Ordinance revision #7 – update** -The Planning Commission has reviewed the comments from Jackson County Planning Commission and they will make the decision at their November 19 meeting if they will approve and incorporate the comments or disapprove, if approved they will send to the Township Board for introduction and then final. Loveland had question to Brennan about Target Trucking being granted a 5 year SUP, he had met all the one year requirements from previous renewal that the Planning Commission had asked, thus the Planning Commission was good to grant a 5 year renewal for the SUP. **c) – Quinn property update – Curtis Road** - The civil infraction citation is ready to be issued but the owner passed in 2019, so working on getting an address and name to issue the citation to. **d) – Village sewer/water contract - update** – Loveland and Brennan have attended the meetings and an amended Intergovernmental Contract was presented to all board members for review. Hopefully this can be adopted at the December board meeting.

e) – Grass Lake Charter Township Web site maintenance update–support person – A verbal agreement with Jim Howe for a trial basis of 3 months for him to keep the web current and add updates as department heads needs information posted.

New Business: **a) – Resolution – County Designated Assessor** – After reviewing the resolution the board and DeBoe have some questions that would need to be answered before moving forward with adopting the resolution. ie: duration of retainer fee, having DeBoe review the entire document for anything she sees. **b) – Posting Planning Commission & Township Board mtg minutes-information** – Stormont presented information from the Open Meetings Act and from MTA for boards information. **c) – 2021 Budget – update-set next meeting** –Stormont has a lot of numbers ready to be entered, Zenz will be working all next week on budget. The November work session will address the budget items. **d) – LRUA/SCMUA – update** – still looking at sending sewage to the City of Jackson, all members must participate in order to make this work. The numbers are still being worked out. **e) – Village Board Meeting – Request Form** – Stormont presented a hall request form for anyone using the hall. Some items need to be added before this would be considered for adoption. The Village used the hall for one of their meetings but is working towards making their meetings be possible with ZOOM and meet at the Village Hall. **f) – Establish protocol for “No permits pulled”** – the current Municipal Civil Infraction Ordinance needs updating and the protocol that DeBoe has been working on needs to be added to the beginning of this ordinance.

7:55 Officer Shackelford arrived at this time.

Not on agenda but discussion on the Marijuana problems was discussed in length. Being State allowed makes it very difficult for local jurisdictions in regards to enforcement. Currently odor seems to be are only hope. Needs Administrative Search warrant’s or write a citation due to the odor. Shackelford suggested having Ken Stecker from the Michigan Prosecuting Attorney’s Office to come and give a presentation to the board about the issues.

Fire Department Report: October report received and filed. **a) – Fire Station exterior painting – update** – this has been completed and a job well done.

Public Comment: Zenz thanked Stormont for his 16 years of service as Township Supervisor and 12 years on the Planning Commission. He will be missed, DeBoe and other members reiterated same. Zenz stated light refreshments are available after the meeting. **Joe DeBoe** –Thank you to Zenz for an election well done, Thank you to Loveland and Brennan for working on Intergovernmental contract and to Stormont for years of service and the working relationship with the Village. Festival of lights will be December 5 with parade and lighting of Christmas tree at the Whistlestop Park. Bobby Harper and Ruth McDaniels were unable to be heard due to technical issues, asked them to please send their comments in writing to the office to be added to the minutes.

Adjournment: Motion by Bednarski-Lynch to adjourn the meeting at 8:24 pm, supported by Brennan. Motion carried.

Respectfully Submitted, Catherine N Zenz, Township Clerk

From: Harper <harper@harper.biz>
Sent: Wednesday, November 11, 2020 11:07 AM
To: Jim Stormont
Cc: Cathy Zenz; Tom Loveland; Tom Brennan; Scott Bray; John Lesinski; Doug Lammers; Friend Mike Wilczynski; tim.minotas@sierraclub.org
Subject: Public Comment Tuesday November 10, 2020
Attachments: PCComplaintLetter101220.Pdf; BohneRdSignatures101210.pdf; PCMinutesScreen Shot 2020-10-19 at 4.28.50 PM.png

Good Morning Jim and township board and incoming supervisor - John Lesinski,

Here are my written comments for last night's board meeting due to the audio issues, please include as part of the public record:

I would like to followup regarding the complaint letter signed by 42 Grass Lake residents regarding the Planning Commission's approval of a 5 year Special Land Use Permit (SUP) for the Bohne Rd Gravel Pit. The board was supplied with 7 copies of the letter and signatures, I hope you all had a chance to read through the 13 points raised.

Doug Lammers and Tom Brennan glossed over the differences between the old gravel pit ordinance and the new ordinance. There is a huge difference between a 200 foot set back and a 100 foot set back from the property line. Just ask Debi Eniex, whose house literally shakes from the pit work. Just ask Ellen Price whose house is coated inside and outside with thick dust. There is also a yearly review required on the new ordinance. The new ordinance is actually enforceable meaning that citations can be issued for violations. The township can litigate with this new ordinance. The old ordinance is unenforceable: For example the two after work violations on Wed July 29th, 2020 and Saturday August 1, 2020 had no absolutely no consequences for Target Trucking what so ever. The second entrance via Tom Zenz's Farm that has been used for years, again no consequences!

Why not give Target Trucking a short term SUP - 6 months? Then the pit would fall under the new ordinance that the Planning Commission had worked on for most of this year? This option was not even discussed. The Jackson County PC approved the new ordinance on September 10th, 2020. This approval was not discussed. I very much doubt that Doug Lammers and Jere Hinkle were not aware of this approval. 5 more years under an old unenforceable ordinance after 17 years of noise and dust, demonstrates a lack of empathy and care by the Planning Commission members. We have one Gravel Pit in town and they continue to operate on an old ordinance when a new one has been created. It makes absolutely no sense! Surely you all understand how this all looks?

Jim Stormont's comment about the elected Board members making the final approval for SUP's is NOT common practice. The surrounding 15 township Boards ALL make the final decision regarding SUPs. Grass Lake stands alone! Non elected Planning Commission members should not have the final say.

Target Trucking was supposed to have all EGLE permits in place. But there is still an unresolved part 301 violation of the Natural Resources Environmental Protection Act. It is unlikely that this permit will be approved given the number of issues raised with EGLE regarding the illegal 10 acre lake. And what then?

Finally regarding the violations of the Open Meetings Act. Doug Lammers stated to my husband via email that all the minutes with documents were exhibited on the Grass Lake website. The Screen shot enclosed 10/19/20: shows that there are no minutes/ documents for The Public Hearing which took place on 08/20/20 and the PC meeting on 09/17/20. The purpose of meeting minutes with documents is to show transparency. The October 15th PC meeting was announced on October 15th, just 4 hours before the meeting took place (At Least 24 Hours notice is required). Given

the strong opposition to the Bohne Rd Pit surely you all can see why the residents are so angry! You aren't listening to them!

I advocate for the residents because I care. I hear and feel their pain.

Sincerely

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

Monday October 12, 2020.

To: Jim Stormont , Supervisor,
Grass Lake Township Board,
373 Lakeside Drive, Grass Lake. MI. 49240
Re: Official Complaint regarding the Planning Commission.

Jim and Township Board,

The residents of Grass Lake Township wish to make an official complaint regarding Zoning Officer: Doug Lammers and Planning Commission members: Chair: Jere Hinkle, Tom Brennan, Jim Duce, Jim Warbritton and Dale Lucas due to their lack of due diligence demonstrated at the September 17th, 2020 meeting, regarding the special land use permit for Target Trucking. Our issues are listed below:




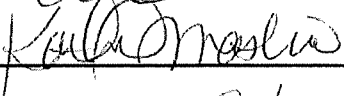
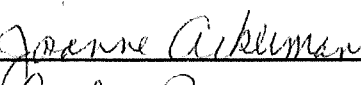
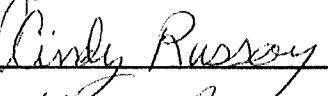
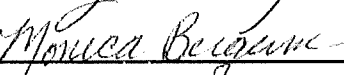
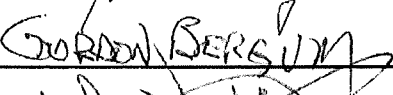
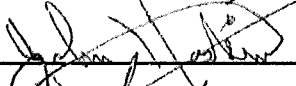

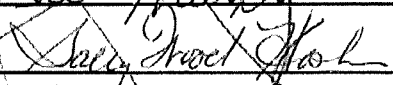
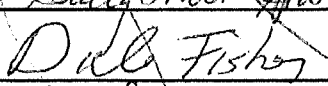
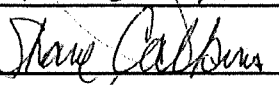
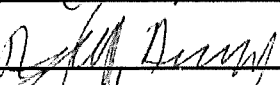
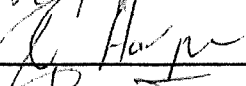
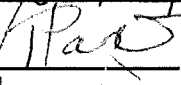
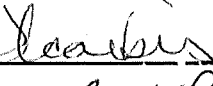
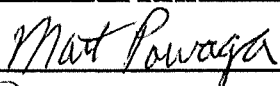
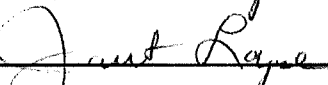
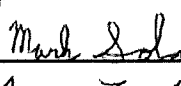

1. The Planning Commission members passed a 5-year Special Land Use permit for Target Trucking's Bohne Rd Gravel Pit without taking into consideration the current and pending violations of the Natural Resources Environmental Protection Act (NREPA) and the Clean Water Act (CWA) which is a dereliction of their duties.
2. The Planning Commission and Doug Lammers ignored evidence of two after hours work violations – Wednesday July 29, and Saturday August 1, 2020. Time stamped photos were submitted and a time stamped video was presented to Jim Stormont by Ruth Mc Daniels on Monday September 14, 2020.
3. The Planning Commission packet was supplied to members on September 17th, 2020 by Doug Lammers, the day of the meeting. This is not adequate time for commissioners to view the documents and to make an informed decision about an SUP which effects resident's lives.
4. The Planning Commission members ignored evidence presented by residents regarding the destruction of the wetlands, the second entrance via Tom Zenz's farm, the inadequate and incomplete site plan and the incomplete and unrealistic land reclamation plan.
5. The Planning Commission ignored the existence of a second 5-acre lake in addition to the current illegal 9.5 acre lake (Part 301 violation NREPA)
6. The Planning Commission ignored the fact that there is no Part 91 soil erosion and sediment plan (NREPA) and that Jason Bivens at Jackson County Health Department is conducting an investigation. The Toxicology division of MDHHS is also conducting an investigation.
7. The Planning Commission ignored the fact that they approved Target's site plan on August 22, 2019 stamped by a professional engineer which did not reflect the aerial photos. Jim Warbritton stated he had inspected the pit and the lake was "in compliance". The 3.5-acre lake was in fact a 9.5 acre lake.
8. The Planning Commission ignored the current EGLE investigation regarding a part 22 Ground water violation (NREPA) due to Big Barney's Dust Control's use of well mineral brine with out a permit and possible contamination of the shared aquifer.
9. **Doug Lammers and the Planning Commission failed to inform the public of the approval of the new Grass Lake Sand and Gravel Pit ordinance, passed on September 10th, 2020 by the Jackson County Planning Commission (District 2) just one week before the September 17th meeting. They failed to take this new approved ordinance into consideration when approving Target's SUP under the old unenforceable ordinance.**

10. The Planning Commission have failed to present meeting minutes since May, 2020. The Planning Commission failed to present publicly the new 5 additional conditions of Target Trucking's SUP. Nancy Prindle stated on September 17th, that she had not seen the new additional conditions. This lack of transparency is a violation of the Open Meetings Act.
11. The Planning Commission and Doug Lammers have failed to be "representatives of the people". The integrity of the Planning Commission has been compromised and the five male members mentioned and Doug Lammers should be replaced immediately.
12. Target Trucking's "wetland's expert" – Jerry Sosnowski does not have a wetland delineation certification which he claimed. There is no such certification. He is a licensed landscaper with no credible expertise in Hydrogeology. His testimony should have been rejected on this basis alone. His claim in The Exponent (10/07/20), stating the wetlands "...have not been worked on or drained" is inaccurate. There is no ground water elevation data to back up his claim. The Planning Commission ignored the testimony of certified professional geologist Mike Wilczynski (Pangea Environmental LLC), a recognized expert in Hydrogeology with 12 years as senior geologist at MDEQ.
13. The elected Township Board should make the final decision regarding all special land use permits which is the common practice of the 15 surrounding townships. The non elected members of the Planning Commission should not make the final decision regarding SUP's which effect resident's health, wealth and tranquility of life.
14. For reasons listed, the approval of the 5-year special land use permit for Target Trucking's Bohne Road Gravel pit should be rescinded. A new hearing with a new Planning Commission should be scheduled and if an SUP is passed it needs to adhere to the new Sand and Gravel Pit ordinance which was approved by Jackson County on September 10, 2020.

Signed and approved by the following Grass Lake Charter Township Residents:

Monday October 12th, 2020.

Supported and Signed by the following Grass Lake Charter Township Residents:

NAME: (Print)	SIGNATURE:	ADDRESS:
JAMES DOSS		11343 PHAL RD
ROB CAMPBELL		348 CLARK STREET
DEBORAH CAMPBELL		348 CLARK ST.
Katherine Mashio		900 E. Michigan Ave.
Joanne Ackerman		1916 Norvell Rd.
Cindy Russoy		2050 BARBER RD
Monica Bergum		11305 Bellman Rd.
Gordon Bergum		11305 Bellman Rd
John Hoskin		10990 PHAL RD
RICK MURPHY		11033 BELLMAN
SALLY WOOD HOSKIN		10990 Phal Rd
Dale Fisher		1916 Norvell Rd
SHANE CALKINS		2140 NORVELL RD
RICHARD RUSSOY		2050 BARBER RD.
Bobbi Harper		3436 Betruska Lane, Grass Lake LAKE
PETER HARPER		3436 BETRUSHA LANE, GRASS LAKE
Dennis Coukus		2140 Norvell Rd Grass Lake
MATT POWAGA		11100 PHAL RD
Janet Raper		643 Church St Gh.
Solo, Mark W		3800 Grey Tower Rd.
STEVEN E. SYRJA		13825 SAGER Rd.

Monday October 12th, 2020.

Supported and Signed by the following Grass Lake Charter Township Residents:

NAME: (Print)	SIGNATURE:	ADDRESS:
Mayra Ballina	<i>M Ballina</i>	12110 Harvest Dr ^{Grass Lake}
ROBERT HOFFMANN	<i>Rob Hoff</i>	13435 PHAL ROAD
Elaine Wilcox	<i>EW</i>	13586 Curtis Rd
Heidi Wenger	<i>Heidi Wenger</i>	3420 Betroska Ln
Andrew Wrenbeck	<i>AW</i>	1999 Swoosy LK Rd
Dean Paul Otte	<i>Dean Otte</i>	12204 Old Fern Ln
Bess Ohlgren-Miller	<i>Bess Ohlgren-Miller</i>	11456 Bellman GL492
THOMAS R HARDEN	<i>Thomas Harden</i>	13565 SAGER RD
THOMAS H ANDERSON	<i>Thomas Anderson</i>	13705 SAGER RD

Monday October 12th, 2020.

Supported and Signed by the following Grass Lake Charter Township Residents:

NAME: (Print)	SIGNATURE:	ADDRESS:
STAR WARREN-Crowdis	Star Warren-Crowdis	3120 Kauffman Grass Lake, MI
Kimberley Young	Kimberley Young	6600 Portage Lk Rd Lot 11 Munith MI 49259
Dorothy Brown	Dorothy Brown	6600 Portage Lk Rd Lot 11 Munith MI
STEVEN Fitzgerald Dingeldey	Steve Fitzgerald	3120 Kauffman Rd Grass Lake, MI
Mary Anderson-	Mary Anderson	12254 Old Farm Lane, Grass Lake, MI
Richard Dingeldey	Richard Dingeldey	12254 Old Farm Lane, Grass Lake, MI
Sarah Thomas	Sarah Thomas	14935 Grass Lake Rd Grass Lake, MI 49240
Shawn Thomas	Shawn Thomas	14835 Grass Lake Rd Grass Lake, MI 49240
Ruth McDaniels	Ruth McDaniels	3450 SAGE, GRASS LAKE MI 49240
DAN A. O'DALE	Dan O'Dale	3450 SAGE, GRASS LAKE MI 49240
Joe McDougall	Joe McDougall	3701 KATIMAH, GRASS LAKE MI 49240

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Back

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January 16, 2020	Go
March 16, 2020 - Cancelled	
April 16, 2020	Go
✓ May 21, 2020	Go
July 9, 2020	
January 17, 2019	Go
January 18, 2018	Go
January 19, 2017	Go
January 21, 2016	Go
January 14, 2010	Go
January 15, 2009	Go
January 17, 2008	Go

- [HOME](#)
- [CALENDAR](#)
- [DEPARTMENTS](#)
- [FIRE DEPARTMENT](#)
- [FORMS & APPLICATIONS](#)
- [FOIA](#)
- MINUTES**
- [NEWS & MEETINGS](#)
- [ORDINANCES](#)
- [PARKS & RECREATION](#)
- [TOWNSHIP BIDS](#)
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- [FAQS](#)
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- [SEWER](#)

[Classification of Property](#)
[GL Summer Youth League](#)
[Assessing Farms](#)
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