

## **NOTICE OF ELECTRONIC MEETING**

In response to the new guidelines and restrictions handed out by MDHHS the

Rutland Charter Township Board Meeting

To be held on:

January 13, 2021 at 7:00pm

Will be held virtually on ZOOM. The Agenda and Meeting Packets can be viewed on the website at: [www.rutlandtownship.org](http://www.rutlandtownship.org) or they can be picked up at the Township Hall Monday thru Thursday from 9:00am to 3:00pm.

**To participate in the meeting, please join:**

**Internet**

<https://zoom.us/j/6973995475?pwd=Zjh4NUdKRThBeGF2eHhNL3AyTUJQQT09>

**You can also join using your phone.**

(312) 626-6799

**Meeting ID: 697 399 5475**

**Password: 461919**

**AGENDA**  
**RUTLAND CHARTER TOWNSHIP**  
**REGULAR BOARD ZOOM MEETING**  
**January 13, 2021**

**7:00 PM**                      Open Meeting  
                                    Pledge of Allegiance  
                                    Roll Call  
                                    Approval of Agenda

**GUESTS:**

**OPEN COMMENTS:**

**CONSENT AGENDA**

\* All items listed with an asterisk (\*) are considered to be routine by the Township Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board Member or a Citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- \* Approval of the Minutes from the Board Meeting held on **December 9, 2020**
- \* Building and Zoning Monthly Report

**SUPERVISOR:**

**CLERK:** Clerk's Report Vouchers/Payroll

**TREASURER:** Treasurer's Monthly Report

**TRUSTEES:**

**COMMISSIONER'S REPORT:**

**UNFINISHED BUSINESS:** Accept Ordinance #2021-176 for Second Reading and Adoption. An Ordinance to Amend various sections of Chapter 220 (Zoning) of Rutland Charter Township Code of Ordinances pertaining to special land uses in the AG/OS Agricultural/Open Space Preservation District and temporary use of a recreation vehicle as a dwelling

**NEW BUSINESS:**

**OPEN COMMENTS:**

**ADJOURNMENT:**

Respectfully Submitted:  
Robin J. Hawthorne, Clerk

Rutland Charter Township

# Regular Board Zoom Meeting

December 9, 2020 / 7PM

Meeting called to order by Supervisor Watson at 7pm. Pledge of Allegiance.

## Roll Call Members Present:

Gene Hall (Home), Sandy James (home), Sandy Greenfield (Home), Larry Watson (Twp Hall Office), Robin Hawthorne (Home), Brenda Bellmore (Home), Matt Spencer (Home)

## Others Present:

Les Raymond, Anita Mennell, Dave Jackson, Jim Brown, Sophie Bates, Nickie Haight, Audrey Burton joins later

## Approval of Agenda:

Motion by James to accept the agenda, second by Greenfield. All ayes, motion carried.

## Guests:

None

## Open Comments:

None

## Consent Agenda:

Motion by James to accept the consent agenda, seconded by Bellmore. All ayes, motion carries.

## Supervisor:

Reappoint Nicole Haight to the Joint Planning Commission (3 year term) - James makes a motion supported by Hawthorne to reappoint Haight to the JPC for a 3 year term. All ayes - motion passes.

Appoint Gene Hall to the BIRCH Fire Board to replace Marlin Walters - Hawthorne makes a motion supported by James to appoint Hall to the BIRCH Fire Board. All ayes - motion passes.

## Clerk:

Hawthorne reports that everything is running smoothly.

## Treasurer:

Greenfield shares that her Treasurer's Monthly Report is in the board packets. She says tax bills went out December 1st and most are being paid by mail or drop box as she asked.

## Trustees:

Hall would like to thank RCT residents for their confidence in him. Bellmore and Spencer welcome him, along with the rest of the board.

James has a question on the building and zoning report. She asks if the \$50 permit fee for moving an 8x8 shed is for moving it somewhere else on the same property. Raymond says yes.

James also asks about a home across from the gravel pit and wonders if it is in compliance. Watson asks where and who lives there. James does not know who the owner is but they are on State Rd and have brought in horses. Watson will look into it and find out if they are in compliance.

### **Commissioners Report:**

Dave Jackson reports that the COVID numbers are high. He says Commissioners have just been working on paperwork and reports. They plan to address the jail in the coming year with some new board members. He and Watson discuss that there are two new commissioners. Jackson welcomes Gene Hall and wishes everyone Happy Holidays. James says to send best wishes to Dan Parker in his fight with COVID.

### **Unfinished Business:**

#### **Resolution #2020-265 2021 Rutland Charter Township Budget**

Hall asks what the reserve amount will be after expenses in 2021. Hawthorne and Greenfield answer there will be more than one year of operating capital. They point out on page 5 where the figures are.

Greenfield makes a motion, seconded by Bellmore to approve Resolution #2020-265 the 2021 Rutland Charter Township Budget.

Roll Call Vote: Hall - Yes, James - Yes, Greenfield - Yes, Watson - Yes, Hawthorne - Yes, Bellmore - Yes, Spencer - Yes. Motion passes.

### **New Business:**

#### **Accept the Recommendation from the Planning Commission Public Hearing and Accept First Reading of Ordinance #2021-177 - Proposed Text Amendments for Chapter 220 (Zoning) of the Rutland Charter Township Code of Ordinances**

Hall asks if there could be a situation that is compliant but will not be if this is changed. He wonders if they would be Grandfathered-in or if they would have to come into compliance. Raymond answers that there is no such thing as Grandfathered-in, it is called Legal Nonconforming. Raymond says he does not know of any that would fall in that category. He explains that this change does not zero in on certain districts. Hall asks what the point of the change is. Raymond says that the way section C is currently worded, a person could live in an RV year round. The change eliminates that section.

James asks what Rural Retreat means. Could anyone run this or just on private property. Raymond says it has to be a Special Land Use Permit.

Hawthorne reminds board members that the word "sewerage" is changing to "sewage".

Bellmore makes a motion, seconded by Spencer to accept the Recommendation from the Planning Commission Public Hearing and Accept First Reading of Ordinance #2021-177 - Proposed Text Amendments for Chapter 220 (Zoning) of the Rutland Charter Township Code of Ordinances

Roll Call Vote: Hall - Yes, James - Yes, Greenfield - Yes, Watson - Yes, Hawthorne - Yes, Bellmore - Yes, Spencer - Yes. Motion passes.

#### **Resolution #2020-263 - 2021 Township Board Meeting Dates and Holiday Schedule**

Greenfield makes a motion, seconded by James to approve Resolution #2020-263 - 2021 Township Board Meeting Dates and Holiday Schedule. All ayes, Motion passes.

#### **Resolution #2020-264 - 2021 Township Board Compensation**

Bellmore makes a motion, seconded by Hall to approve Resolution #2020-264 - 2021 Township Board Compensation.

Roll Call Vote: Hall - Yes, James - Yes, Greenfield - Yes, Watson - Yes, Hawthorne - Yes, Bellmore - Yes, Spencer - Yes. Motion passes.

**Appoint the 2021 Attorney of Record, Craig Rolfe, and 2021 Engineer of Record, Prein & Newhof, and Auditor of Record, Siegfried Crandall P.C.**

Both Greenfield and Hawthorne comment that they have been happy with all of these. Greenfield makes a motion, seconded by James to appoint the 2021 Attorney of Record, Craig Rolfe, and 2021 Engineer of Record, Prein & Newhof, and Auditor of Record, Siegfried Crandall P.C.

Roll Call Vote: Hall - Yes, James - Yes, Greenfield - Yes, Watson - Yes, Hawthorne - Yes, Bellmore - Yes, Spencer - Yes. Motion passes.

**Hallifax Services Sexton / Grounds / Janitorial Contract**

Spencer asks if Hallifax Services is still doing the snow plowing too. Watson answers yes but says he would not be against splitting up some of the work and taking bids. Watson also thinks 5 years is too long for the contract and Spencer agrees.

Hall asks how the new bid compares to the last and Hawthorne says it is the same. Greenfield comments that maybe 3 years is more appropriate. She says that they have been happy with the service for the most part. She says they have had to occasionally ask for certain things to get done because Nancy was used to Mike handling those things.

Spencer and Bellmore think they should do a 1 year contract and then put it up for separate bids. Spencer does not think time restraints should stop them from getting quotes.

Hawthorne and James say the Sexton job is more than just the lawn at the cemetery. They also do the digging of graves at the cemetery and the grounds at the township hall. They also say the janitorial is great from Hallifax Services.

Watson says that just because it has also been bid as one, does not mean it cannot be changed. Bellmore says maybe just give the Sexton job to Hallifax Services and get bids for other parts.

James feels that 3 years is a good idea. She says it is too hard to get all areas covered if it is split up. She says since there have not been a lot of problems with Hallifax Services they should continue to give them business. Hall agrees that if the service has been good maybe a change is not needed.

James makes a motion, seconded by Greenfield to renew the Hallifax Services Sexton / Grounds / Janitorial Contract for 3 years as written.

Roll Call Vote: Hall - Yes, James - Yes, Greenfield - Yes, Watson - Yes, Hawthorne - Yes, Bellmore - No, Spencer - No. Motion passes.

**Guests:**

Audrey Burton from the Library Board joined the meeting to give an update. She shares some staffing updates: the Library has a new hire that has been a great addition, they have extended employees vacation from 2020, and their employees are being very innovative while continuing to serve the community. She says Wi-Fi is still available to an extended area around the library, and they have had LED lighting installed for safety. They held 5 virtual events in November. Greenfield says the pre-order process was smooth and Burton replies that the drive through and pre-ordering have been well received.

**Open Comments:**

None

**Adjournment:**

Motion by Bellmore to adjourn, seconded by James, all ayes. Meeting adjourned at 7:40pm.

Submitted by Nickie Haight, Recording Secretary

STATUS	DATE	COST	TYPE	DESCRIPTION	PARCEL #	ADDRESS/NAME	PERMIT #
CASH	11/19/2020	\$ 50.00	ZONING	FENCE	13-120-005-00	105 N M-37 HWY	PZ200124
CASH	11/24/2020	\$ 135.00	ELECTRICAL	SINGLE FAMILY ADDITION	13-023-006-15	1532 S TANNER LAKE	PE200086
CHECK 1005 AFTERSHOCK ELEC	12/10/2020	\$ 160.00	ELECTRICAL	COMMERCIAL INSTALL -800 AMPS	13-014-018-30	384 HAYNES LOOP DR SPENCER, MATTHEW	PE200090
CHECK 1023	11/10/2020	\$ 308.00	BUILDING	6X10 SUNROOM TO EXISTING	13-070-023-00	1689 IROQUOIS TRL BLACK, TAMARA	PB200086
CHECK 1023	11/10/2020	\$ 50.00	ZONING	6X10 SUNROOM TO EXISTING	13-070-023-00	1689 IROQUOIS TRL BLACK, TAMARA	PZ200119
CHECK 2561	11/10/2020	\$ 1,045.00	BUILDING	NEW 2005 SQ FT SINGLE FAMILY	13-006-008-90	1693 McCANN RD CORAL HOMES	PB200085
CHECK 2561	10/14/2020	\$ 145.00	ELECTRICAL	ELECTRICAL NEW SINGLE FAMILY	13-006-008-90	1693 McCANN RD CORAL HOMES	PE200072
CHECK 2561	11/10/2020	\$ 50.00	ZONING	NEW 2005 SQ FT SINGLE FAMILY	13-006-008-90	1693 McCANN RD CORAL HOMES	PZ200120
CHECK 2742	11/19/2020	\$ 50.00	ZONING	ADDITIONS (1) 12X26 & (1) 8X14	13-070-017-00	1741 IROQUOIS REESIDE, DAVID	PZ200122
CHECK 2742	11/19/2020	\$ 231.00	BUILDING	ADDITIONS (1) 12X26 & (1) 8X14	13-070-017-00	1741 IROQUOIS REESIDE, DAVID	PB200089
CHECK 38417 CONSOLIDATED ELEC	12/8/2020	\$ 150.00	ELECTRICAL	NEW SINGLE FAMILY DWELLING	13-225-001-00	3584 SCENIC TRL ALLEN EDWIN	PE200088
CHECK 38418 CONSOLIDATED ELEC	12/8/2020	\$ 150.00	ELECTRICAL	NEW SINGLE FAMILY DWELLING	13-225-002-00	3646 SCENIC TRL ALLEN EDWIN	PE200089
CHECK 4206	12/8/2020	\$ 50.00	ZONING	SMALL FENCED AREA FOR DOGS	13-010-023-00	522 N AIRPORT RD HADEN, CHRISTINA	PZ200125
CHECK 4676	11/24/2020	\$ 250.00	ELECTRICAL	SERVICE UPGRADE - COMM --800	13-018-002-00	606 S WHITMORE RD PORRITT, TODD	PE200087
CHECK 7969 WOODS BUILDERS	11/10/2020	\$ 543.00	BUILDING	54X40 NEW SPLIT LEVEL DWELLING	13-197-061-00	1747 PINEHILL DR SCARLA, WILL	PB200087
CHECK 1176 CHERRY VALLEY	12/22/2020	\$ 90.00	ELECTRICAL	SERVICE TO NEW POLE BARN	13-250-002-00	1478 FAIRVIEW DR HOLT, TIM & LENDA	PE200091
CHECK 5764 MORGAN ELEC	12/29/2020	\$ 90.00	ELECTRICAL	SERVICE UPGRADE	13-060-096-00	2836 AGAMING ST MATHEWS, ELDON	PE200092

**\$ 3,547.00**

Zoning Compliance				\$ 2,127.00
Special Land Use				\$ 1,170.00
A.S.P.R.				\$ -
<b>ESCROW</b>				
<b>TOTAL</b>			<b>250.00</b>	<b>3,297.00</b>

\$	250.00	Building Permits
\$		Electrical Permits
\$	-	Violation
\$	-	

**\$ 250.00 TOTAL**

**RUTLAND CHARTER TOWNSHIP**

**BARRY COUNTY, MICHIGAN**

**NOTICE OF ORDINANCE SUBMITTAL**

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CHARTER TOWNSHIP OF RUTLAND, BARRY COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that proposed Ordinance #2021-176 appended hereto was introduced for first reading by the Rutland Charter Township Board at its December 9, 2020 meeting.

This proposed ordinance will be considered for adoption by the Township Board at its scheduled regular meeting on January 13, 2021 commencing at 7:00 p.m. at the Charter Township Hall (which may be held as an electronic meeting in accordance with any applicable State Emergency Order or Township policy relating to the Covid-19 pandemic and public gatherings).

Rutland Charter Township will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to Rutland Charter Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township.

Township Attorney format note---this proposed ordinance is prepared in "legislative format": existing content proposed to be deleted is shown lined-through; new content proposed to be added is shown in bold type.

**CHARTER TOWNSHIP OF RUTLAND**

**BARRY COUNTY, MICHIGAN**

**ORDINANCE NO. 2021-176**

**ADOPTED:**

**EFFECTIVE:**

An Ordinance to amend various sections of Chapter 220 (Zoning) of the Rutland Charter Township Code of ordinances pertaining to special land uses in the AG/OS Agricultural/Open Space Preservation District, and temporary use of a recreation vehicle as a dwelling.

THE CHARTER TOWNSHIP OF RUTLAND

BARRY COUNTY, MICHIGAN

ORDAINS:

SECTION 1

AMENDMENT OF § 220-2-2 (DEFINITIONS)

§ 220-2-2 of the Rutland Charter Township Code (Definitions) is hereby amended to add a definition for the term "Rural Retreat" reading as follows:

"RURAL RETREAT --- A facility owned and operated by a non-governmental entity for the purpose of providing a secluded rural setting in which indoor and/or outdoor programs and activities are offered for the physical relaxation and/or spiritual renewal of individuals, families, or other affiliated groups of people. This land use may include, for registered participants, temporary lodging accommodations and food-beverage services, and educational, recreational, and therapeutic programs and activities. This land use may also include a year-round or seasonal residence for a manager-caretaker of the facility."

SECTION 2

AMENDMENT OF § 220-4-3 (SPECIAL LAND USES IN AG/OS  
AGRICULTURAL/OPEN SPACE PRESERVATION DISTRICT)

§ 220-4-3 of the Rutland Charter Township Code (Special Land Uses in AG/OS Agricultural/Open Space Preservation District) is hereby amended to re-letter existing subsection W of same to be subsection X, and add a new subsection W reading as follows:

"W. Rural Retreat."

SECTION 3

AMENDMENT OF § 220-17-3 (TEMPORARY USES OR STRUCTURES REQUIRING  
ZONING ADMINISTRATOR AUTHORIZATION)

§ 220-17-3 of the Rutland Charter Township Code (Temporary Uses or Structures Requiring Zoning Administrator Authorization) is hereby amended to revise existing subsection C of same to read as follows:

~~"C. Temporary use of motor home/recreation vehicle as dwelling. Upon application, the Zoning Administrator may issue a permit for a motor home or recreation vehicle to be used for temporary dwelling purposes on premises having running water and sewage facilities. Such a permit shall~~

~~not be issued for a total of more than 14 days in each six month period on lots with less than 100,000 square feet in area. In addition, a motor home or recreation vehicle may be used for temporary occupancy purposes, without such a permit issued by the Zoning Administrator, on premises in the AG/OS District or CR District with a lot area of at least 100,000 square feet, and having running water and sewage facilities. This section shall not be construed to permit long term occupancy of recreation vehicles in mobile home parks or elsewhere; and shall also not be construed to allow a campground except as provided in this chapter."~~

**"C. Temporary occupancy of recreation vehicle as a dwelling. Upon application on such form as the Township may prescribe the Zoning Administrator may issue a zoning compliance permit for one recreation vehicle to be temporarily occupied as a dwelling on a lot in any district where single family dwelling is a designated permitted use, in the circumstances of subsection 1 and subsection 2 herein:**

- 1. Where the recreation vehicle is proposed to be occupied for temporary non-commercial purposes associated with recreational activities on the subject property, or for personal visitation by the occupants with the occupant of the permanent dwelling on the subject property, subject to the following terms and conditions:**
  - a. The recreation vehicle shall not be leased or rented to the occupants for any form of monetary compensation or other non-monetary consideration.**
  - b. The recreation vehicle shall be sited on the lot in compliance with all setback requirements that would apply to a principle building or structure, as shown on a site diagram submitted with the zoning compliance permit application.**
  - c. The recreation vehicle shall be connected to a water supply and have sewage facilities for the duration of the temporary occupancy that comply with all applicable County and State health regulations, as specified with the zoning compliance permit application.**
  - d. The temporary occupancy of the recreation vehicle shall be limited to a total of not more than 14 days, cumulatively, in any six month period.**
- 2. Where the recreation vehicle is proposed to be temporarily occupied during construction of a permanent dwelling on the same lot, subject to the following terms and conditions:**

- a. Occupancy of the recreation unit shall be limited to the intended occupants of the permanent dwelling to be constructed on the same lot.
- b. All permits required for the construction of the permanent dwelling have been obtained.
- c. The recreation vehicle shall be sited on the lot in compliance with all setback requirements that would apply to a principle building or structure, as shown on a site diagram submitted with the zoning compliance permit application.
- d. The recreation vehicle shall be connected to a water supply and have sewage facilities for the duration of the temporary occupancy that comply with all applicable County and State health regulations, as specified with the zoning compliance permit application.
- e. The temporary occupancy shall be limited to a total of not more than 180 days; provided the Zoning Administrator may approve one extension of the permit for not more than 90 additional days if the Zoning Administrator determines substantial progress has been made on the construction of the permanent dwelling and the construction should be completed with due diligence by the end of the extension period.
- f. The temporary occupancy of the recreation vehicle shall cease no later than 7 days after the Building Official has issued a certificate of use and occupancy for the new permanent dwelling.”

#### SECTION 4

#### REPEAL OF CONFLICTING ORDINANCES; EFFECTIVE DATE

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed. This Ordinance shall take effect on the eighth day after publication or on such later date as may be required by law.

Robin Hawthorne, Clerk  
Charter Township of Rutland

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**“W. Rural Retreat.”**

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**b. The recreation vehicle shall be sited on the lot in compliance with all setback requirements that would apply to a principle**

**building or structure, as shown on a site diagram submitted with the zoning compliance permit application.**

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