

Rutland Charter Township

Regular Board Zoom Meeting

January 13, 2021 / 7PM

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

Roll Call Members Present:

Gene Hall, Sandy James, Sandy Greenfield, Larry Watson, Robin Hawthorne, Brenda Bellmore, Matt Spencer

Others Present:

Les Raymond, Joel Ibbotson, Kevin Prins, Ted DeVries, Celeste Dykhouse, Kim Bosma, Robbin and John Nichols, Sophie Bates, Jim Daniels, John Smith, Stacy Graham, Ken DeCamp, Larry and Jennifer Hayes, Stacy VanDam, Nickie Haight

Approval of Agenda:

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

Guests:

Kim Bosma gives an update on the Hastings Public Library: She explains that they are currently only using the drive-through. They will open when restaurants are able to open for indoor dining. They hope that will be February 1. They are working on an app that would hold a visitor's library card information on it so that a physical card is not needed. The library applied for a \$10,000 grant for internet and more hot spots.

Open Comments:

Joel Ibbotson comments that he is happy with the RCT online survey about the Master Plan. He likes to see that they are interested in the thoughts and ideas from residents.

Consent Agenda:

Motion by Hawthorne to accept the consent agenda, seconded by Greenfield. All ayes, motion carries.

Supervisor:

Watson shares that the board must officially make a motion to appoint Rick Argo as Code Enforcement Officer for Rutland Charter Township. Greenfield makes a motion, seconded by Hawthorne to appoint Rick Argo as the Rutland Charter Township Code Enforcement Officer, all ayes, motion passes.

Clerk:

Hawthorne sadly informs the board that Marlin Walters has passed away. Walters was on the RCT Board for many years and will be greatly missed. Hawthorne says they are taking donations in the RCT office. Hawthorne also mentions that it is time to figure out the time and day for the 2021 Road Meetings, once Watson is back in the office.

Treasurer:

Greenfield shares that her Treasurer's Monthly Report is in the board packets. No one has questions.

Trustees:

Spencer asks the board's policy on when to get bids or when not to get bids for work done for the township. Hawthorne and Greenfield discuss that there is no set policy, they look at each case and discuss it at board meetings. Spencer feels there should be a set policy. He is not happy with the way the Halifax contract was voted on at last

month's meeting. Bellmore says the board is able to make suggestions. Spencer said they were not given that option last month. Hawthorne says they did have a choice on the vote last month. She says they could have suspended the Halifax contract and asked for bids but they did not do that. Bellmore says they should have known about the Halifax contract expiring before they came to last month's meeting. Watson agrees it should go for bid but he says he has to go out searching for people to make bids. Spencer says it sets a bad precedent if the board is picking and choosing who to hire without taking bids.

Watson makes a motion that all work for RCT has to go up for bid. Hawthorne says that is a waste of time and money. Bellmore mentions how costly that will be just to post in the paper. Watson says maybe not everything needs to have bids. Hawthorne says they already do that. She explains that Halifax had a contract that was expiring and the board had to vote to renew it or not. The board could have chosen to get bids instead of approving the renewal. Hawthorne and Greenfield discuss how they have a plumber they use and an electrician they use, and an IT guy they use. When something small breaks down in the office, they call for service from the people they have had luck with in the past, that will show up right away to fix the problem. Spencer says this is exactly why he thinks there should be a set policy for when to get bids.

The board discusses more options for getting bids. Ibbotson comments that the newspaper outreach is dwindling and the board might have more luck asking for bids through social media. James says it is the board's legal obligation to use the Banner. James also says she understands what Spencer is saying but she worries about the expense. Hawthorne says the policy they follow can be written and voted on and she will try to find one.

Commissioners Report:

None

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

Hall asks if the board is to vote on all 3 amendments at once or each separately. Hawthorne says all in one vote.

Watson asks for discussion. Greenfield has concerns about the rural retreat definition. She would like to see some important additions. Hawthorne agrees the proposed text amendment for rural retreats is too vague. Hawthorne points out that there are 20 standards for campgrounds but none for rural retreats. Greenfield does not want to be in a situation with this ordinance text like they have been with the existing "junk" ordinance and it being too vague.

Greenfield wants to add a limit to the amount of people that can be at a retreat at a time. She would also like a background check and information on file about the live-in caretaker.

James says she would still like to see the acreage fenced in. She respects the Planning Commission but thinks that they need to spend more time on the rural retreat text amendment.

Hall also has a problem with how vague the rural retreat proposed text is. He is not sure he even agrees with the short amount of text that is written. He would like to see the Planning Commission add more parameters.

James reminds everyone that this definition stays with the land if a special land use permit is issued.

Hawthorne wants to send the rural retreat definition back to the Planning Commission to have standards added. Hawthorne asks Bellmore what she thinks because she is on the PC. Bellmore says she and other PC members had concerns as well.

Hawthorne reminds everyone that this discussion and vote is not about Excelling Leaders. Voting this definition into the ordinance would make it an acceptable use in all AG areas. She believes there are a couple of ways to add standards into the text. Either add to #10 or create its own under #14.

Greenfield says fencing may not be possible in all situations but definitely markers. James agrees that it does not matter who owns the property. She says she would still like to see a fence requirement. Hawthorne points out that fencing and/or shrubbery are required under campgrounds and recreations and could be added to the rural retreat definition.

Hall and Greenfield think the PC should use #10 as a basis to create a separate item number for rural retreats. Spencer says the definition of rural retreats needs to be better. He is concerned about a retreat bringing convicted felons in. Hawthorne says that kind of retreat would still have to apply for a Special Land Use permit and the PC would still have to vote. Spencer asks how they would know if the retreat was following the standards. Hawthorne explains that the retreat would have to submit a site plan that says what they will be using the property for. She says that if the standards are not met, Raymond and Argo would have a case to revoke the SLU permit. Hawthorne states that is the exact reason the definition of rural retreats must have more details and standards to enforce.

Prins shares that he has submitted all the uses already. He says his SLU permit was approved by the Planning Commission last week with a few conditions. Prins says his buy/sell agreement expires the end of January and this has been ongoing since September. He says they intend to be good neighbors. Hawthorne says she sympathizes with his time restraints, but the board cannot take that into account when making their decision about these proposed text amendments. Prins asks if they could give him a time frame. James, Greenfield, and Hawthorne all say they cannot put a time line on it but the PC can get started working on it next month. Hawthorne says the best they could hope for would be a First Reading at the February meeting and Second Reading & Adoption at the March meeting. She will need to find out if the PC would have to hold another public hearing.

Raymond would like to speak on behalf of the Planning Commission as he has worked with them on this definition. He would like to see ideas from the board to take to the PC. Hall, Greenfield, and Hawthorne say they have those details and will get them to Raymond.

Spencer has a list from a resident of some ideas for the rural retreat definition and he will send it to Hawthorne. James says she would like to see the list too. She says she was not able to be on the PC meeting last week but would like to see if there are things the resident may have thought of that the board and PC have not yet. Bellmore points out that there were letters from concerned citizens sent to the PC and the board.

Hawthorne points out again that the Excelling Leaders Special Land Use Permit is a done deal. Spencer asks how that can be and Hawthorne explains that the PC approved the permit at last week's meeting. She says that tonight is just the decision on the text amendments.

Robbin Nichols feels that the concerned residents should be able to speak tonight since Prins was able to. She says that the 8 standards were not met at the PC meeting. She says there were doubts and they just threw out the condition of background checks, because it got too complicated. She feels that is a major safety issue, since there will be people attending the retreat that have been through trauma and she does not think that it is a safe use of the property. She says insurance is one thing but that money could never replace a life. She fears that anything can trigger chaos in an unstable person. She asks how Hawthorne can call the permit a done deal when it does depend on tonight's vote. Hawthorne says the board is not addressing the Excelling Leaders permit tonight. Bellmore says this is not just about Excelling Leaders, but that Prins cannot move forward until this vote is done.

Spencer is confused and concerned as to why the process is happening the way that it is. Hawthorne says Prins applied and paid for the SLU permit and has a right to a public hearing. She explains that the board has to adopt a definition for a rural retreat before his SLU permit can move forward.

Ken DeCamp shares that he is still very concerned about safety in the area. He says residents and PC members had major concerns at last week's meeting. He says the PC could not figure out how to handle background checks so they just dropped it. He says people are going to retreats like this because they have been through trauma. He says the Excelling Leaders website is very vague about this. DeCamp thinks there should be a licensed counselor on site to handle issues, if they arise. He believes there should be a certain amount of staff required per patient. He says Prins is in such a hurry to push this permit through and the Excelling Leaders website already has dates posted of retreats starting at this property.

Ibbotson believes the township should protect all property owners' rights. He says the township has the responsibility to take into account the neighbors' safety concerns. He suggest that maybe in the future they consider having an agreement with the surrounding neighbors.

Watson asks for more discussion and there is none.

Greenfield makes a motion, seconded by Hall, to postpone the vote on Ordinance #2021-176, and to send the text amendments back to the Planning Commission for more work on the Rural Retreat definition.

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

New Business:

None

Open Comments:

None

Adjournment:

Motion by James to adjourn, seconded by Greenfield, all ayes. Meeting adjourned at 8:07pm.

Submitted by Nickie Haight, Recording Secretary