

LAKE TOWNSHIP PLANNING COMMISSION

Special Meeting

Unapproved Minutes

Thursday, January 14, 2010

The meeting of the Lake Township Planning Commission was called to order at 6:30 PM by Chairman Dave Szumlinski.

Pledge of Allegiance was recited.

Roll call by Lisa Konke, Planning Commission Secretary. Present were Lisa Konke, Dave Szumlinski, Deb McBride, Dale Hartsell, along with approximately 20 guests. Gerry Geppert, absent, Mary Johnson, recording secretary absent.

Dave Szumlinski suggested Lisa Konke, PC secretary, take the minutes due to Mary Johnson's absence due to illness. No objects from members present.

Minutes of the October 28, 2009 meeting were reviewed and Dave Szumlinski suggested that page 4 of the minutes with regard to the USFW be corrected to say the following: the Lake Township Draft recommends a 3 year study be done and the USFW has never done a study and are not required to do a study. The USFW does not recommend a study. Also, last sentence in that paragraph should read: The board should not put an ordinance into place against something that is a potential and/or not known. Motion by Hartsell, seconded by Konke, all ayes, motion carried.

Konke questioned as to whether the Subscription form for Planning and Zoning News that was in her packet needed to be added to Correspondence or turned over to the Township Board for approval and payment. It was asked of Val McCallum, in attendance in audience as to how to proceed with this. She suggested adding it to our agenda for the January 27, 2010 meeting. Motion by Szumlinski, to add it to the agenda for the next meeting, seconded by Konke, all ayes. Motion carried.

Val McCallum asked whether the letter from Richard Walsh was going to be added to the agenda and Konke responded by saying that she had asked Mary Johnson the previous day about adding it, and it was decided that since this was a special meeting we would add it to our agenda for the regular meeting on the 27th.

Szumlinski mentioned the notice about the MTA ruling on Mobile Home Inspections, and the fact that it would be the local Planning Boards in Michigan responsibility to make sure these were livable and compliant. The Planning Board will have to let our Zoning Administrator and Building Inspector aware of this. No need to add it to correspondence.

Correspondence:

None

Old Business:

- Szumlinski commented on the change to the Rules of Participation, with one thing being changed. It was added to #5 that the Planning Commission secretary and the Township Clerk would receive all correspondence so that it could be made available to the Planning Board members. Motion by Konke, seconded by Szumlinski, all ayes. Motion carried.
- Szumlinski updated the Board regarding the DTE packet that was presented and addressed at the October 28, 2009 meeting. It was suggested at that meeting that DTE should provide copies of all packet contents so that each member of the Planning Board has a copy and copies were available at the Township. DTE complied, and sent 6 copies.
- Szumlinski would like to bring attention to the fact that individuals do not have to give their names at meetings when addressing the Board. Page 36 of the Michigan Planning Guidebook, Open Meeting Act Requirements, states that "People attending a meeting cannot be required to register or otherwise provide their name."
- Szumlinski at the last meeting, regarding the DTE packet, it was said that we were required to put it on the website. He added that we are not obligated to do so and there is no law that says we have to. It is available at the Township Hall for viewing by anyone who wishes to have access to it.
- It is acknowledged by the Chairman, Dave Szumlinski, following the meeting that he and Lisa Konke had with Tim Lalley and Lou Colleta, that a lot of thought and effort has been put into the Wind Draft. Also, we had a meeting with DTE. Which was more of a get acquainted type meeting. The Draft is very thorough in covering all aspects of such a development. Setbacks, liability, wildlife, property, etc. When you look at this Draft, it is clear that a lot of time and dedication has been put into it. It would be his recommendation that the Draft be sent on its next step to the Lake Township Board. 2 years have been put into this and it has not been presented to the Board. Konke agreed that after the 2 meetings, the Draft was never presented for further consideration. Szumlinski was very impressed by the meeting with Tim and Lou and acknowledged all the work put into this, and can't just take all this hard work and put it aside or start changing it without sending where it should have been sent in the first place. Hartsell agreed. McBride also agreed that 2 years worth of work should not just be set aside. Dave asked of Lou if he felt this Draft was complete and Lou said what they did they did pretty extensively.
Motion to send Lake Township Wind Draft to the Township Board for

consideration by Szumlinski, seconded by Konke. All Ayes. Roll Call: Konke-Aye, Szumlinski-Aye, McBride-Aye, Hartsell-Aye. Motion carried.

- Konke added that there is no denying the time and effort put into this Draft. And that there are parts of it that are a problem for some and not for others. But it is not fair for us to start taking this Draft apart when it is clearly a completed project as it is. Whether some areas are not accepted by some people, it is not fair to change what we don't know isn't acceptable.
- Konke asked Val McCallum what paperwork or forms need to be filled out to send the Draft to the Board and Val replied that first the Draft needs to go to the Huron County Planning Commission and that we need to make a recommendation to send the Draft to the County Planning Commission.
- Motion by Szumlinski to send the Lake Township Wind Draft Ordinance to the Huron County Planning Commission, seconded by Hartsell, all ayes. Motion carried.

New Business:

- Deb McBride, new Planning Board member introduces herself. Has lived in the area over 40 years. Owns insurance agency in Elkton. Hopes to be able to serve the residents as impartially as possible and think across the board.
- Szumlinski suggested tabling election of officers due to Gerry Gepperts absence until the next regular meeting January 27, 2010. Motion to table Election of Officers by Szumlinski, seconded by Hartsell, all ayes. Motion carried.

Public Comments:

Szumlinski reminded everyone of the Open Meetings Act item mentioned earlier and that no one is required to identify themselves. And brought up the comments that were made about the DTE packet having to be on the website/internet. He also stated that it does not have to go on the website/internet as we do not own the website/internet. If it was read here it is public record, it's available to anyone because of FOIA. But the law does not say it has to go on the website/internet.

Bob McLean asked where this information came from and Szumlinski replied the Michigan Planning Guidebook, page 36, and the Township did not own the website and it does not have to go on the website.

Ron Krzeminski asked whether the Planning Board was aware that construction has started on a \$1.7 billion coal plant that in Bay City. And why we would want to screw up our eco system to get these electrical power plants going.

Mrs. Krzeminski stated that there have been other references to

Denmark and they are the leader in wind turbines, generating 19% of their electricity from turbines. And yet they have not shut down any fossil fuel coal plants. There hasn't been any CO2 emission reduction. They don't seem to be a benefit. She says, Germany added fossil fuel plants because wind energy is unreliable. She would like to know why would we go with a system that is not reliable or efficient.

Bob McLean replied that it had decreased emissions 1.8% max. Although no one had an actual number.

Szumliniski says that it would seem if you were using 100% coal, then turbines come in and they use 20%. Usage should decrease somewhere.

Bob McLean replied that isn't so. Wind turbines can ramp up and down depending on wind speed as where coal plants haven't got the advantage of being able to adjust to the demand.

Mr. Krzeminski stated that a turbine has to spin at 15-20 revolutions per minute to generate electricity into the grid.

Tim Lalley asked that now that we are sending this Draft on to the Township Board that we support this ordinance.

Szumliniski stated he takes no stand one way or another to this ordinance. And that he feels comfortable with as much work that has gone into it that it should be forwarded. He's not saying it's a bad ordinance or a good ordinance. And according to Lou, who stated tonight that he felt it was as complete and extensive.

Lalley asked for Konke and Szumliniski to expand on the DTE discussions they previously had. Specifically property values.

Szumliniski answered that we did not ask them about that.

Lalley asked what was their feedback on sound levels.

Szumliniski replied it was more of a general meeting in that we didn't go into specifics or go page by page.

Lalley stated that he didn't feel that the Township Board would pass this ordinance when it comes back to them from the County. And that it would end up coming back to our Planning Board.

Szumliniski replied that it was not this Boards intention to discuss the Draft further until when and if it comes back to this Board. He stated he will not judge this ordinance.

Lalley asked what we discussed during the DTE meeting.

Konke replied that the meeting was shorter than the one that she and Dave had with Tim and Lou. It was general information and commented that she only had one page of notes. Transmission lines, company background and history. Setbacks were discussed.

Szumliniski commented that they brought up the fact that setbacks are specific to the area that is sited and are unique to different areas. Wildlife was also discussed.

Konke stated DTE emphasized that each development is unique to itself and each has different circumstances.

Lalley asked why DTE was not at this meeting and are they out of this now.

Konke replied that she had not been in contact with them except for an email to thank them for meeting with us. They did say they would provide some sound charts that were not so complicated to understand.

Lalley has questions for DTE and feels they should be at our meetings to answer questions as they are our developers. He senses that they have cast us off and don't feel they need to be here anymore.

Szumliniski stated that we had not personally invited them. He doesn't feel that by DTE needs to be here to pass this ordinance onto the next step. And that if at anytime this Board feels that they are needed at one of our meetings, we will inform them.

Lalley asked if they were informed of tonight's meeting.

Szumliniski answered that he didn't feel the need to inform them. He stated the Board didn't have any questions for them at this time and had no knowledge of questions others may have had.

McBride asked Lalley if he felt it would be beneficial to have DTE at this meeting.

Lalley responded yes.

McBride remembers the meeting at the American Legion Hall where they would have been safer wearing bullet proof vests. She asked the audience whether they felt it would have been beneficial to have DTE there. The consensus was yes.

Lalley stated that it's their obligation to answer question to the public. And that's the risk they take with the job they are trying to do in this township.

Szumliński disagreed in that it's not their obligation to be disrespected.

Mrs. Williams questioned what DTE packet we have been referring to.

Konke replied that it was the content of the packet that was read at the last meeting with the answers to the questions that Lou Colleta had previously asked of them.

Bob McLean commended the Board for passing the Draft onto the Township.

Bill Williams questioned the size of the turbines that may be in our township. Would they be bigger than Ubyly and Elktons?

McLean stated that yes they would be.

Szumliński stated that we asked DTE this question and it can't be determined until all metering and studies are complete. It can depend on what type of turbine as well as the design also.

Lou Colleta stated in response to an earlier question that in Germany, 1 ½ % of their coal emissions were reduced by wind turbines. They sold their carbon credits to other countries.

McLean commended Dale Hartsell for supporting Lalley and Colleta at the public hearing. He also commented on conflict of interest. He stated there are members sitting on the Board that must abstain from voting on this ordinance.

Clay Kelterborn thanked Chairman Szumliński for endorsing the ordinance. He would like the Planning Board to do some research about the long term plans for transmission lines in this area. And if our Board is aware of the conflict of interest that our member, Deb McBride, should not be voting on issues of wind. He requests that our Board retake our vote on passing the Draft onto the Township Board and County, and asks that Mrs. McBride abstain from that vote.

Szumliński stated he knows of no conflict of interest. He acknowledged the information and stated the vote will stand as it is until such a time that we determine there is a conflict. It will be looked into.

Dorothy Fischer stated that she does not have to abstain and that she can vote and that it is up to Mrs. McBride to determine if it's a conflict of interest for her to vote. No one can tell her that she has a conflict.

McLean offered literature pertaining to conflict of interest.

Szumliński replied that we would gather information and report on our

findings at the next meeting. The vote stands as is. Even if she were to abstain it would still be a majority vote. It's a formality.

Mr. Kelterborn wants to be certain his comment is part of the public record.

Szumliniski acknowledged.

McCallum requested that any correspondence between DTE and the Board be made available to her as the clerk, for the township files. She stated that DTE was informed of this meeting as they are on list serve that emails meeting notices and agendas. She stated that after the Draft gets sent to the County Planning Commission, they will respond. Upon their response, our Planning Board will make a summary report to the Township Board. The Township Board can either accept the ordinance, reject the ordinance, or make changes to it and adopt it how they want to. It does not have to get sent back to the Planning Board.

McLean stated that the proper and ethical thing to do would be for the Township Board to send it back to the Planning Board. He hopes that will happen.

Szumliniski addressed the literature that is put on the desk for the public to reference. The Board will not allow any items to be put on the table for the public unless it is approved by this Planning Board. Our Board will always identify on the bottom of the literature, that is was submitted by us with our knowledge. With the exception of minutes and agendas all Planning Board items will be identified.

Konke replied to the question asked earlier as to what was discussed at the meeting with DTE. Discussed were: let the data lead, renewable energy act, Cadillac Plant tour, shut down speeds. Also, Dave discussed a lot of the mechanical aspect of a turbine and its operation. I discussed sound, as this is a difficult part for me to understand. They stressed that anything they could do to better help us understand, whether is be with cross sections of turbines or sound analysis breakdowns, to let them know and they would help anyway they can.

Szumliniski stated that we did not get into the Draft much only asked them questions about different parts or elements of it.

Lalley read a letter from Dr. Swinbanks, local resident to the WERZ Board.

Szumliniski suggested Tim turn the letter into the Township Board, or hand it in to put on our agenda for the January 27th meeting.

Lalley stated he will be submitting the Swinbanks letter to the Township

Board and signed the copy that he read for addition to the agenda for the January 27 meeting.

Jeanne Henry regarding NASA research. Is concerned that the members at the County level are not up to speed on all guidelines, and that the people making the decisions there are going to understand this Draft.

Szumliniski stressed that if any questions arise that he should not know the answers to himself, he will enlist the knowledge of a member or past member that does know the answer.

McLean asked what Dave thought of the presentation at the Outdoor Center was informative.

Szumliniski stated yes.

McLean congratulated Chairman Szumliniski on the atmosphere of the meeting tonight. And doing a lot better job.

No more public comments.

Meeting adjourned at 7:55PM

Next regular Planning Commission meeting, January 27, 2010, 7:00pm

Respectfully submitted by:
Lisa Konke, Recording Secretary

