

Minutes
Cascade Charter Township
Planning Commission
Monday December 6, 2021
7:00 P.M.
2870 Jacksmith Ave SE

ARTICLE 1. Chairman Rissi called the meeting to order at 7:01 P.M.
Members Present: Noordhoek, Moxley (7:10 arrival), Noordyke, Rissi, Deering, Rapin, Korstange, and Meurlin (7:15 arrival)
Members Absent: None
Others Present: Interim Planning Director Brian Hilbrands and those listed on the sign-in sheet

ARTICLE 2. Pledge of Allegiance

ARTICLE 3. Approve the current Agenda

Motion was made by Member Noordyke to approve the current Agenda. Supported by Member Deering. Motion carried 6 to 0.

ARTICLE 4. Disclose any Conflicts of Interest

There were none.

ARTICLE 5. Approve the Minutes of the November 8, 2021 Meeting.

Motion was made by Member Noordyke to approve the November 8, 2021 meeting minutes as written. Supported by Member Korstange. Motion carried 6 to 0.

ARTICLE 6. Approve the Minutes of the November 15, 2021 Meeting.

Motion was made by Member Deering to approve the November 15, 2021 meeting minutes as written. Supported by Member Rapin. Motion carried 6 to 0.

ARTICLE 7. Acknowledge visitors and those wishing to speak to non-agenda items.

There was no one who wished to speak to non-agenda items.

ARTICLE 8. Case #21-3685/Renucci

Property Address: 5175 Buttrick Ave

Requested Action: The applicant is requesting approval of a Special Use Permit for an accessory building over 832 sq ft.

Interim Planning Director Hilbrands presented the case. The applicant is requesting a Type 1 Special Use Permit to build a barn that is 42'x60' (2,520 sq ft) and 22' tall to the midpoint of the roof. This requires a minimum 60-foot setback to the side and rear property lines; the applicant shows a setback of 350' to the nearest side property line and over 2,000' to the rear property line with 175' to the front property line. The

building is replacing a barn that burned down but there is no home on the property, which is typically a requirement to build an accessory building. The applicant received a variance from the Zoning Board of Appeals at the June 8th, 2021 meeting to permit an accessory building on the property. The applicant indicated that they intend to use the building for storage of equipment that will be used to maintain the property. The building will consist of metal roofing and wood siding and is a typical size for such a large parcel. The applicant appears to meet township standards for an accessory building so Staff recommend approval of the Special Use Permit with the two conditions: the building cannot be used for living space or to run a business and any outdoor lighting meets township regulations.

John Renucci (7150 Gladys) came forward to answer questions. Member Noordyke asked if there were any material differences between the previous barn and the one he intended to build. Renucci said that the previous barn was all wood and from the turn of the century. The foundation is in disrepair, containing many cracks, so they need to build a new one. The barn was burned down from arson so they just want to rebuild it. It will be used for the same purpose as before and the size will be similar but it will be more longitudinal than square.

Motion was made by Member Rapin to go to public hearing. Supported by Member Deering.

There was no one who wished to speak.

Member Korstange motioned to close public hearing. Supported by Member Rapin.

Motion was made by Member Noordyke to approve the Special Use Permit with the conditions listed by staff. Supported by Member Korstange. Motion carried 6 to 0.

ARTICLE 9. Approval of the 2022 Meeting Schedule

Motion was made by Member Rapin to approve the 2022 Meeting Schedule as written. Supported by Member Deering. Motion carried 6 to 0.

ARTICLE 10. Old Business

Planning Commission Bylaws Discussion: Chair Rissi said that the previous law firm that the township used thought that section 23 of the township zoning ordinance was sufficient as bylaws for the Planning Commission. Other attorneys expressed concern that the Planning Commission didn't have its own separate bylaws and the new township attorney, Foster and Swift agreed. Foster and Swift drafted bylaws and, about a week prior to this meeting, Chair Rissi, Interim Planning Director Hilbrands, and Manager Swayze got together to go through the draft, making small adjustments in wording and looking for anything that didn't match how the commission operates. These draft bylaws fit the zoning ordinance and add additional content. The bylaws have to be in agreement with the zoning ordinance; if they do not agree, the zoning ordinance will have to be amended which requires board approval.

Member Moxley joined the meeting at 7:10 p.m.

Member Deering shared that she thinks the content of these bylaws include information she wished she had known when she joined the Planning Commission. Chair Rissi agreed and said that he is working on a document that includes this kind of information so that future board members are better prepared and know where to look for information.

Member Moxley said that he had a point of confusion in the section regarding members that are on more than one board. He asked if, when they vote on a case with one board, are they to abstain from voting on the same case with the other board. Chair Rissi said that if it was the Zoning Board, for example, the member would vote on the case with the Planning Commission and then abstain when it came to the Zoning Board because the case would always come to the Planning Commission first. Cases that go to the Zoning Board of Appeals are only going there because they've already gone to the Planning Commission first and are appealing the Planning Commission's decisions.

Member Meurlin joined the meeting at 7:15 p.m.

Member Meurlin said that this bylaw draft does not match what Mike Homier from Foster and Swift suggested and doesn't accomplish what they want the bylaws to do. The current bylaws are found in chapter 23 of the zoning ordinance and he believes that this bylaw draft only restates chapter 23 with some small variations. He saw moving the bylaws out of the zoning ordinance as a way to give the Planning Commission more flexibility in how they self-govern. He said it is rare that you would ever see the bylaws in the zoning ordinance because that needs to go through hearings and is more difficult to change than a separate set of bylaws.

Chair Rissi said that, with the provisions currently drafted, they can change the bylaws as needed, as long as they don't conflict with the zoning ordinance. Member Meurlin said that any changes to the bylaws would conflict with the zoning ordinance as they are basically the same. Chair Rissi disagreed, saying that there are many things they can add without conflicting. Member Meurlin said that Mr. Homier suggested they work on creating bylaws where they don't have to worry about conflicting. He referenced the memo he and Chair Rissi had received about the Open Meetings Act where there was much discussion about how the Planning Commission couldn't take action unless they were authorized under their charter or the zoning ordinance; they saw this as blocking progress and as a situation they could mitigate with new bylaws.

Member Meurlin said that, since the Roundhill subcommittee will most likely be suggesting changes to the zoning ordinance, this can be one of those changes and the Planning Commission will be able to change their procedural bylaws as they see fit. Then the commission would be subject to the law of the state of Michigan rather than the law of the zoning ordinance.

Member Rapin said that he sees rule 11 as the way the bylaws can be changed over time. This would pull the bylaws out of the ordinance so that they wouldn't have to be consulted every time they want to make a change.

Chair Rissi said that the commission still has to be in compliance with the zoning ordinance but that what Member Meurlin is saying is that the commission can create bylaws and then ask the Township Board to get rid of section 23 as the bylaws would be replacing it. He then asked Member Meurlin why the lawyers would write these bylaws but then not agree with what was written and tell them they should be doing something else.

Member Meurlin said that he had asked them the same question and the lawyers said that the commission had to start somewhere and turn the draft into bylaws that would meet their needs. Member Meurlin said that he likes to have information from experienced sources when considering an unfamiliar problem. He wanted information on what other townships are doing, then to integrate the suggestions that make sense for Cascade, eventually taking them to the Board of Trustees, with the Roundhill investigation recommendations.

Member Korstange stated that she had noticed there were memos and documents brought up at Planning Commission meetings and were referenced as if everyone had received them when that was not in fact the case. She feels out of the loop when this happens and she doesn't believe that's how the Planning Commission should operate. Member Meurlin admitted that it was a process flaw and, if he is the one getting the information, he sends it to Chair Rissi. Chair Rissi said that he didn't send out the Open Meetings Act memo because it was related to the Roundhill Subcommittee and it was discussed there. The reason the Rules of Conduct information wasn't sent out was because they haven't gotten it onto the agenda yet. Member Meurlin said that he sends information to Chair Rissi and maybe he should note on the information that Chair Rissi should send it out to the other members.

Member Noordyke asked where they were in the process of getting the email address for the commission that they had requested 18 months ago. Interim Planning Director Hilbrands said that he hasn't heard anything from Manager Swayze recently that was related to getting the email address. Member Noordhoek said that he had asked Manager Swayze about it multiple times and hadn't gotten any update. Members Noordhoek, Noordyke, and Korstange all said they would reach out to Manager Swayze again on the next day and encouraged the other Planning Commission members to do the same. Member Korstange said that last she heard it was an issue of switching servers and Member Noordyke said he is in that business and it takes less than 48 hours.

Member Korstange said that she likes this draft of the bylaws as it is general but also gives some structure. She thought they should see if the Township Board would remove the section in rule number one that references chapter 23 of the zoning ordinance and that, other than some things that should be added, not getting too detailed would be a

benefit so that there are less restrictions to work around. She also thinks they would be very informational for new members.

Member Meurlin said that he doesn't want his bylaws written as rules. He said they should be in articles and sections; Chair Rissi and Member Korstange agreed with him. He said that the way the attorney wrote the bylaws makes them even less flexible than chapter 23 such as in 2.2 where it says that 'the Planning Commission shall consist of nine members representing all major interests in the township. Member Meurlin does not believe that nine members can represent all major interests. Member Deering recommended striking the word 'all' and the commission was in agreement.

Member Meurlin brought up the second sentence in the zoning ordinance that states that 'unexcused failure to attend three consecutive regular meetings or 50% of the meetings in a 12-month period shall be considered nonfeasance' and noted that the attorney took out the word 'unexcused' when drafting the new bylaws. Chair Rissi said that it states that it's up to the Chair to initiate any action on this and Member Meurlin pointed out that it says 'you shall' and doesn't give the Chair an option. Member Meurlin suggested changing the 'shall' to 'may'. Member Korstange requested the decision to remove a member due to excessive absences come to the commission for their opinion and approval so it doesn't all fall on the Chair.

Member Deering pointed out section 6.2 that is more lenient on attendance. She said that it is "or 50% or more of the regularly scheduled meetings in a calendar year, subject to review and possible recommendation for removal from the township board. Exceptions may be made for absences." Member Meurlin, Chair Rissi, Member Noordyke, and Member Korstange all expressed agreement that they should use section 6.2 and strike section 3.3 except for it's first sentence.

Section 4.1 says 'we must perform all of the actions required by law,' and Member Meurlin questioned if the commission is currently abiding by that now with respect to their planning responsibilities. He said they are doing great with the material that the Planning Department brings to the commission for project approvals but under the Planning Enabling Act of Michigan have planning responsibility that is their first duty. This brings up the master plan/township plan/strategic plan for the township and means that the Planning Commission has to approve the plan where the Township Board could then disapprove of what this commission submitted and suggest changes, sending it back to the Planning Commission. If an agreement can't be reached, members of the Planning Commission are also subject to removal by the board but that requires a process to be carried out. This is how the Planning Commission previously got into the conversation about a strategic plan, though not with approval from the board. When the strategic plan was identified as the 'Township Board Strategic Plan' January of 2021, the citizens did not approve of this naming and it was changed to 'Cascade Township's Strategic Plan'. He suggests that the word "must" being used means that they are not carrying out their duty of assisting with the creation and execution of the strategic plan.

Member Meurlin said that Mr. Homier believes that the Rules of Conduct should be added into the bylaws. He said that the ex parte communications are in there and he hadn't had time to see what was missing for the Rules of Conduct that are in the draft. Chair Rissi stated that he spoke to Interim Planning Director Hilbrands and they would be working on those at the December 20 meeting or the first meeting of the year in January, like the commission normally does. Member Meurlin said that the ex parte communications and the section on conflicts of interest are in both documents and questioned if Chair Rissi was suggesting those pieces are taken out of the bylaws and added to a new document called the Rules of Conduct. Chair Rissi suggested referencing a separate document so that, if the ex parte communication rules or the Rules of Conduct are changed, they can just amend the exhibits rather than the bylaws. Member Meurlin stated that it's as easy to amend the bylaws as it is to amend the Rules of Conduct but the Rules of Conduct provide a different role than the bylaws. He said he wouldn't generally put a section on conflicts of interests in the bylaws, they would go in a separate document because that is always the most fought over provision, according to Mr. Homier. Member Rapin said that he would be in favor of pulling the conflicts of interest section into its own document that is referenced here. Member Korstange asked if most companies have a separate document that has to be signed on a yearly basis. Member Meurlin said that she is correct and every company he has either worked for or counseled has had a separate document. Member Korstange suggested in 3.3, removal from office, it be mentioned that violating the rules of conduct is a reason for removal from office, in addition to the other reasons to be removed from office.

Chair Rissi asked if the way to begin a member's removal from office should be a majority of members asking the chair to make a recommendation to the board for the member's removal. Member Korstange said that she thought the Planning Commission should make a recommendation as a whole. Chair Rissi said that the reason he thinks it should be worded differently is because some members may not be comfortable publicly complaining about another member. Member Korstange said that she feels that would be ex parte communication and any member should be able to stand in front of the commission and tell them that they have a problem with them, otherwise they shouldn't be a commission member; Member Meurlin agreed. Chair Rissi shared his concern that there will eventually be a group of shy members who have a problem with someone on the commission but won't confront the person. Member Korstange said that would make it the Chair's job to support the person and bring it up anonymously. Member Korstange said that she didn't know if it was allowed but maybe they could ask the member in question to leave the room while they talked about it or go into something like a closed session but she feels that anyone who wants to bring up a complaint about another member should feel confident enough in what they're saying to state it in front of the other members and on the record. Member Meurlin suggested they may be allowed to go into closed session. Chair Rissi said that he didn't believe there's anything in section 23 about going into closed session. Member Meurlin said that they are subject to the Open Meetings Act but that, at the township level, it can be

in closed session if the employee requested it. There was then conversation on if Commission members are township employees and if they are afforded the ability to go into private session. Member Meurlin said that there is a notion in corporate law that directors and commissioners require a super majority to ask someone to leave; the person can stay in the meeting if they want to answer questions and convert members to their side of the story but members don't have to stay when they're being recommended for removal. Member Korstange said that she thought it would be largely unfair for members to come to the Chair to complain about one person in private, then the Chair go to the board requesting removal without hearing their side of the story. Chair Rissi said that, if it were him, he would bring it to the Planning Commission for their opinion before taking it to the board but Member Meurlin said some chairmen may not. Chair Rissi summarized that the Planning Commission would make the recommendation to the Township Board to have a member removed, specifying the reasons.

Member Meurlin shared that, when they come back to conflicts of interest in the Rules of Conduct, he believes that the document is not specific enough when it comes to what qualifies as a conflict of interest and thinks it should be broader, also considering immediate family's interest as being a conflict of interest for the commission member. He noted in section 4.4 (A3) that it says all others are to decide if a member of the Planning Commission has violated their code of conduct in relation to any professional licenses they hold; he sees this as inappropriate. He also pointed out that there is something in the Legal Code of Ethics that explains using the same rules in the larger community. Member Korstange shared that she didn't want to be held professionally responsible for the actions of the commission like when they talked about COVID earlier in the year and doesn't believe anyone's professional licenses should be affected by the decisions of the committee as a whole. It was decided that the best course of action would be to strike section 4.4 (A3).

Section 5.4 was the next section of the bylaws that Member Meurlin wanted to discuss. He believes that the agenda should be written by the Chairperson of the Planning Commission. He said that this circles back to members of the Planning Commission not being part of the planning division of Cascade. Chair Rissi said that he believes the Planning Commission is relying on staff input to create the agenda because the Planning Commission Chairperson's fulltime job is not being the Chairperson. Member Rapin said that he could see it stating it was, 'developed in consultation with the Planning Chairperson. Chair Rissi read the section saying, "Developed by the Planning Director and the Planning Commission Chairperson." Discussion was held regarding the correct wording. Member Korstange suggested it read, "May be developed by the Planning Director, then amended and approved by the Planning Commission Chairperson."

Moving to section 5.4, the last sentence, Member Meurlin suggested changing it to, "provided the same does not violate any applicable law." Member Noordyke agreed on the change from 'comply' to 'does not violate'. Member Meurlin explained that this

change was important because they don't need to comply with the rules and look for listed reasons that the commission can take action, they just can't violate other laws.

In section 5.5, Member Meurlin said that the two sections that bother him are D and G. D regarding, "no person can speak more than once during public comment, excluding any comments made at a public hearing" and G regarding, "the planning commission will generally not respond to public comments but reserves the right, at its sole discretion, to make inquiries, correct factual errors or provide any other information as appropriate." Member Meurlin thinks that, regarding D, if a person speaks, then everyone else who wants to speak, the person should be able to make a subsequent point in opposition to what they said earlier, they should have the chance. Member Korstange disagreed saying that it is a public hearing, not a public discussion or debate. Member Meurlin then said, "But that's where, I think again, if you were at the last board meeting, and you had a shotgun, we would have fewer board members today. And that's not me." Many members expressed that they didn't think that was an acceptable comment. Member Korstange replied, "I don't think you need to say that out loud." Member Rapin said, "I don't think that's funny. I don't think it's appropriate for this conversation. It's very inappropriate." Member Meurlin said, "I agree, it's very inappropriate, I wasn't the one, I was pissed royally, but I was not pissed the way the other people were." Chair Rissi said, "Ok, let's get back on track here a minute. Let me just back-" Member Meurlin said that, "This goes to the notion of repeatedly asking questions, and making comments, and sitting in front of a stone face group of individuals who do not respond at all." Members Rapin and Korstange both expressed their desire to keep both sections D and G. Member Rissi suggested adding an H that said, "The Planning Commission may choose to respond to questions asked in public comment and those will be answered" in some yet to be determined way. Member Korstange asked if they were referencing questions asked in the public comments or if they were referencing questions asked by the commission that took them past their time. Chair Rissi clarified that Member Meurlin's concern is that people will come to the meeting and ask questions and the Planning Commission is not obligated to answer. He is looking for an avenue for those questions to get answered. He is suggesting a provision that says questions will be answered, not necessarily right there at the meeting as discussion and research may need to occur first. The frustration comes from people asking questions at the meeting and never hearing anything back. Member Korstange and Chair Rissi worked out a rewording that said, "If requested, questions asked during public comment may not be answered at the public meeting, but will be followed up upon in a timely manner." Member Rapin said that he's seen Chair Rissi and former Chairs respond to inquiries even though it says they 'may' respond but he believes this wording would set an unrealistic expectation from residents that they will always get a response. Member Meurlin said that if this provision is included people will continue to get upset. Chair Rissi asked if this was already outlined in section 23. Members Rapin and Korstange suggested that the Planning Commission needs to focus on creating bylaws for themselves and not base their rules entirely on negative experiences with other boards. Member Meurlin said that the Planning Commission can

be more or less responsive depending on who the chairperson is and Member Korstange corrected him, saying that she thinks it is more based on who the commission members are; Member Meurlin conceded. Member Korstange urged that she believes the intent of this section in the Planning Commission bylaws may not be the same intent as it has with other boards; this just makes it so the Planning Commission doesn't have to respond to some crazy and out-there situations. Members held an unofficial show of hands to see if most members were on board with section G; the only member not in favor was Member Meurlin. Member Noordyke asked Member Meurlin what he would specifically want tweaked so that he would agree. Member Meurlin said that he wouldn't have a problem with the commission not responding at the time but that he would eventually expect a response. Member Noordyke suggested Member Meurlin try to find solutions to problems this commission has rather than problems he perceives other boards as having. Chair Rissi suggested adding, "The Planning Commission, at its discretion, will make a good faith effort to respond to inquiries in a timely manner." Member Meurlin approved of that addition. Member Rapin thought that was repetitive as it already says, "At our sole discretion, to provide any other information it deems appropriate." Member Meurlin said that it isn't repetitive because he is experiencing what he has felt at the board level repeatedly. Chair Rissi encouraged adding the extra sentence so they could all be in agreement and Member Korstange reemphasized to Member Meurlin that this section is to protect the Planning Commission from getting involved or giving answers to questions they don't have the authority or information to answer. Member Noordyke referenced past situations where residents have come to complain about traffic lights or speed limits that aren't at the discretion of the Planning Commission, they're controlled by the road commission and there is nothing the Planning Commission can tell them that will do anything other than making them angry. Member Meurlin turned that back around to the complaints about the safety of turning onto a specific street and a lack of available parking spaces in front of the library where the Planning Commission organized activities but wouldn't consider that it was their responsibility to maintain the safety of the pedestrians and other drivers. Member Noordyke agreed with Member Meurlin but said that his explanation was more specific to an intersection that needed a traffic light and didn't have any relation to what the township was doing. They hashed out other potential responses until Member Meurlin said that this is so in line with what he sees happening at other boards and Members Noordyke and Korstange said that the reason for this seemed to reference negative past experiences rather than current issues the Planning Commission is facing. Member Rapin made the case that the provision should stay as originally written because this commission's participation shouldn't be different than the other boards and commissions in the township; he isn't against the change but thinks that it should be changed across the board if the change is to be made and Member Korstange agreed. Chair Rissi said that he has thought about this a lot because the Planning Commission offers five minutes for members to speak during public comment, whereas the Township Board offers three minutes and this makes sense as cases that come to the Planning Commission are often more complex and are about new projects that people haven't heard about before. Cases that go to the Board of Directors have generally

already been up for people to see and ask questions on multiple times before they meet on it. Chair Rissi agrees with Member Rapin but also feels like there needs to be space for each board to have small differences that make them more efficient. Member Meurlin said he also agreed with Member Rapin but, if they were trying to make themselves more in line with the Township Board, they may as well, “all leave and resign.” Member Korstange suggested changing G so that the default is to respond rather than not to respond. Chair Rissi suggested making it, “Where appropriate, the Planning Commission will make a good faith effort to respond to questions in a timely manner, at its discretion.” Member Meurlin stated that this information is not found anywhere in section 23 but it is in the text block at the head of the agendas for the Board of Trustees.

Member Meurlin said that there is not a provision as to when they may have closed meetings but it does mention closed meetings in 7.2. Chair Rissi said that he’d like to understand when the Commission is allowed to go into a closed meeting because he doesn’t believe they are allowed to. Member Meurlin said that there is a section in the Open Meetings Act that tells when a group can go into a closed meeting, such as when there is an employee evaluation, but the Planning Commission doesn’t do those. Chair Rissi asked staff to ask the attorney if there are times the commission is allowed to go into closed meeting and, if so, what those times are. Interim Planning Director Hilbrands agreed to check with the attorney. Member Meurlin shared two situations where this may be applicable, such as if the township is being sued with respect to a development that the Planning Commission approved or if they were planning to take disciplinary action against a Planning Commission member.

Member Meurlin said that there was in the purposed budget he heard mentioned tonight some discussion on Planning Commission expenses. He asked Member Noordhoek if he remembered anything about it. Member Noordhoek said they were more talking about adding positions and redirecting positions in the Planning Department. Member Meurlin said that, as a private citizen, not as a Roundhill Committee Member, he recommends that the Planning Director must be appointed or approved by the Board of Trustees. Chair Rissi said it already said that and then Member Meurlin found the section. Chair Rissi clarified that this draft says that it is to be done ‘in consultation with the Planning Commission’ and currently it is not. Chair Rissi stated that this section came from Manager Swayze and Interim Planning Director Hilbrands confirmed that he was correct. Member Meurlin expressed displeasure about a conversation he previously had with Manager Swayze where he said Manager Swayze told him that the Township Manager has full authority to appoint a Planning Director without any consultation.

Chair Rissi brought up rule 10 regarding ex parte communication. The commission agreed to strike it from this document and add it as a separate document with the Rules of Conduct. Chair Rissi made a note that ‘rules’ will be changed to ‘articles’ going forward.

Chair Rissi asked the commission if, when Staff bring another draft to the next meeting, will they approve that draft if they all agree with it at that time so that they have a set of functional bylaws and then work on their Rules of Conduct and Conflict with an ultimate goal of a much broader change, if they choose to do so, related to section 23, as they currently only have section 23. Member Korstange said that they hashed through a large amount of the document and would like the next meeting to only contain minor changes such as with wording since they had a deep discussion of it at this meeting. Member Meurlin requested that, when the lawyers look at the document with these edits, they are also asked what else would normally be included in the document that the commission has forgotten. Member Korstange said that this information can be useful in the future when they have more time but that would currently just slow things down. Member Meurlin offered to research what other townships have for bylaws and email the Chairman who will send it to the other members if he notes any glaring omissions.

Member Rapin asked if section 23 is going to be pulled out of the ordinance so that the Planning Commission bylaws are a separate document and Chair Rissi said that his understanding that it will not be pulled out until the Planning Commission makes a recommendation to the Township Board to have it removed. Chair Rissi said that it's more complicated than just removing that section as it references other boards as well, not just the Planning Commission, so it may need to be re-written if the bylaws are in disagreement with the section. He also said that he doesn't think the board will pull out section 23 right now because the bylaws don't currently conflict with anything in section 23 and there isn't any reason to make a change. Member Rapin tried to clarify the timeline by asking if, at the next meeting they approve the draft of the bylaws, will they then need to try to get section 23 removed or are they okay with approving it regardless. Member Meurlin said that he thinks they will end up needing to deal with it and redraft section 23, eliminating the provision they have in the draft bylaws because they want to be able to easily approve the changes and not worry about section 23. Member Rapin said that he feels they may have to deal with both at the same time. Chair Rissi said that there might be a way to get the Township Board to approve it by saying that they have the ultimate approval over the bylaws. Member Meurlin shared that he believes they are only giving themselves more flexibility with holding meetings and public participation so there shouldn't be a reason the Board of Trustees would have a problem with it. Member Korstange said that she believes it's difficult to have hidden sections, such as section 23, where they would have to have two different documents that needed to be updated when changes are made and she doesn't think the board would want that either.

ARTICLE 11. Any Other Business

Roundhill Subcommittee: Member Noordyke asked when they would get a detailed report on the Roundhill Subcommittee findings.

Member Meurlin suggested they share the report they unanimously approved at the last Roundhill subcommittee meeting. He said he recently spoke with Treasurer Pierce

who asked about the committee's report and recommendations for further action. Member Meurlin said that the recommendations would come from the whole Planning Commission, not just the subcommittee, and it had not been presented to the Commission yet. Treasurer Pierce requested that it quickly comes before the commission and recommendations are made. Member Meurlin suggested that this be put on the agenda for the next meeting to have recommendations at least in regards to the process and changes that need to be made to it. He said it could be changes to the process such as the definition of a 'minor change'.

Member Korstange said that she could not give any recommendations until she saw a report.

Chair Rissi agreed with her and said that that was why they have a subcommittee meeting on Friday, so that they can discuss the topic and decide what they were going to bring to the December 20th meeting.

Member Meurlin believed that they should be able to distribute a final interim Roundhill report shortly following the Friday meeting. Chair Rissi said it would then be emailed out to the rest of the commission members and they would be able to assemble their own thoughts and opinions on suggested changes.

Member Noorddyke requested the report also include recommendations from the subcommittee members as they are much more actively involved in the situation and have been acquainting themselves with the case for some time now.

Member Korstange agreed with him and said the rest of the committee would like to hear the subcommittee's recommendations in the report.

Chair Rissi said that it is not currently formatted with recommendations but they made their opinions on it clear and can reformat the report.

Strategic Planning Surveys: Member Noordhoek encouraged everyone to fill out the strategic planning surveys that went out and encourage other residents to fill them out as well.

There was discussion as to if the surveys were intended to be one per household or one per resident. Member Noordhoek believed that they were one per household as only one was sent to each address but Member Meurlin believed they were supposed to be one per resident as they could each fill it out online.

Member Meurlin said the township should report back to McKenna about one of the questions that asks you to pick your top three choices but, on the digital version of the survey, you are required to order all of the options, rather than just three, or it won't accept the response.

Member Korstange said that the members need to be cheerleaders for the survey and encourage residents to complete it.

Open Meetings Act: Chair Rissi shared that the answers to the Open Meetings Act questions that were referred to earlier in the meeting were a request from Member Meurlin in May, before he became a member of the Planning Commission, and the response came to him on August 16th. The email was addressed to both Chair Rissi and Member Meurlin but only sent to Member Meurlin who forwarded it to Chair Rissi later that day, until the attorney sent it to Chair Rissi on August 17th when they realized he wasn't included on the original email. The email responded to the Open Meetings Act questions that Member Meurlin had asked but it also said they were working on the bylaws issue but the bylaws didn't come until October 15th. He wanted to make sure everyone knew he wasn't holding onto information for extended periods of time.

Member Korstange agreed that she didn't think he was, she just wanted everyone to feel like they had the required information to participate.

Member Meurlin stated that, by the time the Open Meetings Act information was shared with them, the questions were irrelevant as the subcommittee had already been created and most of the meetings were already over.

Chair Rissi said that he has a list of items he was trying to shore up and have taken care of before a new chair takes his place in two meetings. He said he would send out a link that had been provided with the Open Meeting Act information that he found very useful but he had originally asked Interim Planning Director Hilbrands to include it when they talked about ex parte communication at the first meeting of 2022. He said that this information wouldn't generally be shared with another member before they came to it in discussion but it happened differently in this case since the other commission member had the information before he did.

Member Meurlin said that it also seemed that it was an Open Meetings Act response that was answering different questions than what were originally asked. Some of these had to do with the meeting that Member Noordyke chaired and some were on the authority of the Roundhill subcommittee, but they weren't questions Chair Rissi and Member Meurlin had asked of her. Member Meurlin found this to be suspicious and believed that she was getting information from a different source.

New Member Info Packets: Member Noordyke asked Interim Planning Director Hilbrands if he had a list of items to cover with the new Planning Commission member, once they were appointed, so they could quickly get up to speed. He said yes and Member Noordyke asked him to expand on what the list currently contained. He said that it would include Section 23, Rules of Conduct, the Comprehensive Plan, and Zoning Ordinance. Ideally, they'd have a meeting to go over any questions or confusion.

Member Noordyke suggested including a plat or map of the township so they have a sense of where everything is.

Member Moxley said that, when he joined the Planning Commission, the Community Development Director gave him a map of all of the PUDs in the community. Many of the other members expressed that they'd also like a copy of that. Member Deering

requested Interim Planning Director Hilbrands send Planning Commission members a copy of the PDF when he sends the rest of this information out at the beginning of the year. Member Deering requested that Interim Planning Director Hilbrands send out the whole new member document to all the current Planning Commission members at the beginning of the year, each year.

Member Deering said that she didn't believe she'd ever even seen the meeting schedule at the beginning of the year and Chair Rissi shared that the meeting schedule was supposed to be approved by the Planning Commission each year, according to section 23. Manager Swayze recently notice that this was not previously being followed and that is why the meeting schedule had come to this meeting for approval. Member Deering stated that she meant including all members on the email with new member information, not about voting on it.

Chair Rissi said that what would normally be included in the new member packet would be the meeting calendar, rules of conduct, ex parte communication information, and what should have been there but previously wasn't would be a link to section 23. Now bylaws would replace section 23 in the packet.

Member Meurlin said that this is a case where bylaws would be much better than section 23 as it would let them be more flexible.

ARTICLE 12. Adjournment

**Motion was made by Member Deering to adjourn. Supported by Member Rapin.
Motion carried 8 to 0. The meeting was adjourned at 8:55 p.m.**

Respectfully submitted,

Diedre Deering, Secretary