

**Watertown Township**  
2630 South Sandusky Rd  
Sandusky, MI 48471  
Tuesday, December 7, 2021 – 6:00 pm

The Watertown Township Board meeting was called to order by Supervisor, Scott Franzel at 6:00 pm. All present rose and recited the Pledge of Allegiance.

PRESENT: Cambridge, Dixon, Franzel, Ross and Coats

ABSENT: Diaz

GUESTS: Matt Cole, Scott Kenny, Al Stoutenburg, Clint Stoutenburg, Mike Smith, Jim Pomillo, Eric Levine, Jason Radloff, Gary Heberling, James Hacker, Jim Cambridge and Rick Pangburn.

**MINUTES**

Franzel requested approval of the November 2, 2021 Regular Meeting Minutes.

\*\*\* Dixon made the motion to accept the November 2, 2021 Regular Meeting Minutes with the correction of Pine Street to Pinetree Lane under Correspondence 2B and the correction of the meeting date of November 12, 2021 to November 2, 2021. Coats supported. Ayes: Cambridge, Dixon, Franzel, Coats and Ross. Nays: None. Motion carried.

Franzel requested approval of the November 2, 2021 Closed Meeting Minutes.

\*\*\*Cambridge made the motion to accept the November 2, 2021 Closed Session Meeting Minutes as presented. Dixon supported. Ayes: Cambridge, Dixon, Franzel, Coats and Ross. Nays: None. Motion carried.

**ADDITIONS OR CORRECTIONS TO THE AGENDA**

Franzel requested that

- Comcast Letters and Legal Summons be added under Correspondence
- Planning Commission Final Solar Ordinance Meeting Recognition be added under Planning Commission
- Recognition of Gary Fetting's work on Solar Ordinance be added under Planning Commission

Ross requested that

- Dividend Check be added under Clerk's Report

\*\*\*Dixon made the motion to accept the agenda as amended. Cambridge supported. Ayes: Cambridge, Coats, Dixon, Franzel and Ross Nays: None. Motion carried

**OFFICIAL GUEST:**

1. Public Officials – Gary Heberling, Commissioner
  - A review of retiring employee positions is in progress.
  - Commissioners passed a resolution that millage requests will be reviewed by the Board of Commissioners.
  - Negotiations with Michigan State University Extension regarding recent budget cuts continue.

**PUBLIC COMMENT**

- Mike Smith expressed concern with the possible conflict with a foreign corporation setting up an industrial solar complex and then sells all liability of the contract to Detroit Edison and leaves without any liability for the project.

- Jim Pomillo, Samsung Representative is willing to meet to discuss concerns about the solar project. Samsung is a Korean company not Chinese. He also clarified the company's position on the drafting of the solar ordinance.

### **CORRESPONDENCE**

1. Second opinion from Attorney about Exclusionary Zoning
  - Franzel reported that the second legal opinion regarding the solar ordinance and exclusionary zoning is as follows:
    - o Present proposed ordinance setbacks are not considered exclusionary.
    - o The clause limiting the amount of land available for Solar System development be limited to 6% of the total Township acreage may be considered exclusionary. Township Attorney, Kyle O'Mara considers this is a separate issue but confirmed that it may be considered exclusionary.
2. Samsung – Jim Pomillo Letter
  - Franzel confirmed with the Board that everyone received this correspondence.
3. Comcast Letter
  - Franzel reported Comcast announced a rate increase.
4. Legal Summons
  - Received a summons from Adam Flory. The matter has been resolved by the township's insurance company.

### **ROAD COMMISSION**

1. Welcome to Watertown Township Sign Agreement
  - Franzel reported he received an estimate of \$302.00 for the purchase and install of Welcome to Watertown Township. A Zoned Community. Permits Required Signs. The Township will be responsible for 100% of the cost.

\*\*\*Dixon made the motion to approve the purchase and installation as presented. Cambridge supported. Ayes: Cambridge, Coats, Dixon, Franzel and Ross. Nays: None. Motion carried

2. Roadside Ditch Agreement
  - Franzel reported the estimated cost of roadside ditch improvement, from Scott Campbell, is \$3,000. The Township will be responsible for 33% of the cost or approximately \$1,000. Ditch cleanout will be on the West side of Banner Road, starting at Cooper Road and running north approximately 2,500 feet.

\*\*\*Coats made the motion to approve the request made by Scott Campbell as presented. Franzel supported. Ayes: Cambridge, Coats, Dixon, Franzel and Ross. Nays: None. Motion carried

### **TREASURER**

Coats requested approval of November 2021 checks number 16670 thru 16697 for a total amount of \$7,562.90.

\*\*\*Cambridge made the motion to approve the paid bills as presented. Franzel supported. Ayes: Cambridge, Coats, Dixon, Franzel and Ross. Nays: None. Motion carried.

### **CLERK**

Ross:

1. Requested a motion to approve the monthly bills to be paid.

\*\*\* Cambridge made the motion to approve the bills to be paid as presented. Dixon supported. Ayes: Cambridge, Coats, Dixon, Franzel and Ross. Nays: None. Motion carried.

2. Ross reported the township received a Workers' Compensation – Work Safe Year – Dividend Check in the amount of \$86.10

### **CEMETERY REPORT**

Ross presented the Cemetery Activity Report through November 2021 as submitted by John Harding, Sexton:

- There was a standard burial – Weekend rates.
  - There was a Cremation Burial. Weekend rates.
1. Missing Cemetery Map
    - No Update
  2. Database Progress Update
    - No Update
  3. Broken Treetop Update
    - Franzel reported that the broken treetops have been removed and all trees on the roadways have been trimmed.
  4. Tree Removal
    - Discussion was held on future tree care, public planting of trees and relocation of newer planted trees. Franzel and Dixon will work on relocating the new planted trees.

### **SEWER REPORT**

Dixon reported that:

- Meters were read on November 27<sup>th</sup>.
- As there are over a 100 meter locations, he created a naming system for them.
- 3 pads displayed errors and will be replaced when weather allows. Their usage cost was averaged.
- There were inaccessible reader pads. Inaccessibility to reader pads may be due to obstacles blocking the pad or that the pad is inside of homes. During the pandemic inside home reading isn't done. The usage cost will be estimated and a homeowner reporting system established.
- The grant application that was discussed at the November 2021 meeting was not submitted due to delays in receiving the engineering estimates.
- He is requesting approve to purchase a desktop computer to install the 811 mapping software on. When Wi-Fi is installed at the hall, this computer will also be used for township business and networked to the copier/printer.

\*\*\* Franzel made the motion to authorize Dixon to purchase a desktop computer and software at a cost of not more than \$2,000. Coats supported. Ayes: Cambridge, Coats, Dixon, Franzel and Ross. Nays: None. Motion carried.

### **PLANNING BOARD**

#### 1. Review of Solar Ordinance

Dixon and Franzel reported that:

- The Solar Ordinance was passed on from the Township Planning Commission to the Township Board for review and consideration.
- If approved, the Ordinance will go on to the County Planning Commission on Thursday, December 16<sup>th</sup> for their review and consideration.
- Township Attorney Kyle O'Mara recommends that the Township Board have a special meeting as soon as possible to address the solar ordinance status and keep on the established timeline for the project. By unanimous consensus, the Township Board will have a special meeting on Thursday, December 16<sup>th</sup> at 5:30 p.m.
- If approved, the ordinance will be summarized and published in the newspaper. After 7 days, the ordinance will be in effect.

Ordinance discussion was held and included:

- The removal of the No Restricted Use Pesticides Clause.
- Adding a clause zoning land with solar panels as Commercial Land not Agriculture Land.
- Ordinance setbacks.

- Removal of the clause limiting the amount of land available for Solar System development be limited to 6% of the total Township acreage.
- Removal of the zoning classification of Agriculture/Residential on Large Solar Energy Systems.

\*\*\* Cambridge made the motion to approve the solar ordinance draft with the change of

- Turning zoning of a Large Solar Energy System into Commercial Property once the permit has been approved (Ordinance Draft Page #11, Change #2),
- The setbacks of the property line of an adjacent, non-participating parcels on Medium Solar Energy System Projects from 200 feet to 500 feet (Ordinance Draft Page #9, Change #1),
- The setback of the property line of a non-participating residents & the property line of an adjacent non-participating parcel from 200 feet to 750 feet on Large Solar Energy System Projects (Ordinance Draft Page #12, Change #3),
- And removal of 6% total acreage clause (Ordinance Draft Page #17, Change #6).

No support. Motion failed.

\*\*\* Franzel made the motion to approve the Solar Ordinance Draft with the change of change of

- The Setbacks of the property line of an adjacent, non-participating parcels on Medium Solar Energy System Projects from 200 to 500 feet (Ordinance Draft Page #9, Change #1)
- Once approved, property zoning is classified Commercial on Large Solar Energy System Projects (Ordinance Draft Page #11, Change #2),
- The setback of the property line of an adjacent non-participating parcel from 200 to 500 feet on Large Solar Energy System Projects (Ordinance Draft Page #12, Change #3),
- The setback of County roadways, with areas designated for future commercial expansion from 600 to 800 feet. (Ordinance Draft Page #12, Change #4)
- The setback of State highways, with areas designated for future commercial expansion from 600 to 900 feet. (Ordinance Draft Page #12, Change #5)
- And removal of 6% total acreage clause (Ordinance Draft Page #17, Change #6).

Supported by Dixon. Roll Call Vote: Cambridge – No, Coats - Yes, Dixon - Yes, Franzel - Yes and Ross - Yes. Motion carried.

## 2. Planning Commission Solar Ordinance Work Recognition.

\*\*\*Cambridge made the motion to order pizza and pop for the next Township Planning Commission Meeting. Coats supported. Ayes: Cambridge, Coats, Dixon, Franzel and Ross. Nays: None. Motion carried.

## 3. Recognition of Gary Fetting’s work on Solar Ordinance

Dixon and Franzel held a discussion on offering Gary Fetting a stipend for research/work completed on the solar ordinance above and beyond the work of a Planning Commission Member.

\*\*\*Coats made the motion to pay Gary Fetting a stipend of \$1,500 for his fine work on the solar ordinance. Cambridge supported. Ayes: Cambridge, Coats, Dixon, Franzel and Ross. Nays: None. Motion carried.

## **WEBSITE REPORT**

Cambridge reported that she:

- Updated or achieved agendas and minutes as need.
- Added the free dumpster day community member pictures.

## **TAX ASSESSOR**

No Report

## **ZONING**

### 1. Letters to Abandon/Dangerous Building Homeowners

- No discussion or action
- 2. Land Split Application
  - Franzel reported he received a Land Split Application and disbursed the paperwork for the Board's review and processing

**PERMITS ISSUED:**

1. Pole barn
  - Franzel reported he received a permit for a Pole Barn and disbursed the paperwork for the Board's review and processing
2. Air Advantage Telecommunications Permit
  - Franzel reported that he received a check for \$500 from Air Advantage for Telecommunications. He disbursed the application and requested approval of the project.

**OLD BUSINESS**

1. Front Door Floor Issue Update  
No update.

**NEW BUSINESS**

1. Welcome to Watertown Township Signs
  - See Road Commission, Item #1
2. Highline Internet
  - Franzel reported that Bruce is working on this project

**ADJOURN**

\*\*\*Coats made the motion to adjourn the meeting at 7:26 pm. Cambridge supported. Ayes: Cambridge, Coats, Dixon, Franzel and Ross. Nays: None. Motion carried

Next Special Meeting is Thursday, December 16, 2021 at 5:30 pm.  
Next Regular Board Meeting is Tuesday, January 4, 2022, 6 pm.

Respectfully submitted

Tammy Ross, Clerk,