

Approved Minutes
Of the January 17, 2023
Conway Township
Regular Board Meeting
7:00 pm

REGULAR MEETING

Supervisor Grubb called the meeting to order at 7:00 p.m. with the pledge of allegiance to the American flag.

Roll call: Clerk Elizabeth Whitt, Supervisor William Grubb, Treasurer Debra Grubb, Trustee George Pushies, Trustee Amy Crampton-Atherton

Consent Agenda approved by roll call: D. Grubb, W. Grubb, Whitt – yes, Crampton-Atherton, Pushies – no. Motion approved.

Call to the public: 5 attendees spoke regarding using technology, lawyer, ability to speak during meetings and solar farming concerns.

Motion to approve the Board Meeting Agenda with the following amendments: add items 11 –Surf Internet, 16 – Moratorium Resolution, 17 – Notifier to website. Motion by Whitt, supported by D. Grubb. Motion Approved.

Motion to instruct the Planning Commission to conduct two open to the public workshops consisting of the current committee and the Planning Commission for the purpose of a line by line, item by item review of the draft solar ordinance and amend the ordinance language to address the committee's recommendations and the people of Conway Township concerns/issues/recommendations before the February 2023 Planning Commission meeting. Made by Pushies, supported by Crampton-Atherton. Roll call: Whitt, D Grubb, Pushies, Crampton-Atherton – yes, W Grubb – no. Motion approved.

Motion to retain the current committee for any/all future Master Plan and Ordinance revisions, indefinitely made by Pushies, supported by Crampton-Atherton. Roll call: Pushies, Crampton-Atherton – yes, Whitt, W Grubb and D Grubb – no. Motion failed.

Motion to purchase or dedicate a laptop computer with the appropriate Microsoft software program for the sole purpose of recording and transcribing any/all Conway Township public and private meetings made by Pushies, supported by Crampton-Atherton. Roll call: Pushies, Crampton-Atherton – yes, Whitt, W Grubb and D Grubb – no. Motion failed.

Motion to terminate any/all contractual relationship with the law firm of Cooper Riesterer PLC and Mrs. Abbey Cooper, with immediate effect made by Pushies, no support, motion died.

Motion the retain the law firm of Foster and Swift including but not limited to Mr. Michael Homier as general/specialized counsel for Conway Township made by Pushies. Roll call: Pushies, Crampton-Atherton – yes, Whitt, W Grubb and D Grubb – no. Motion failed.

Motion to forward any/all billable hour attorney statements from any firm conducting business with the Conway Township by email to all Board of Trustee members every month made by Pushies. Roll call: unanimously yes. Motion approved.

Motion we accept the bid from Timbertec to remove trees, stumps and trimming of specified trees at Coughran Cemetery contingent on stump grinding, made by W Grubb, supported by Whitt. Motion tabled.

Motion we accept and sign Surf Air Wireless LLC's METRO Act Agreement made by W Grubb, supported by Crampton-Atherton. Motion approved.

Supervisor called 10-minute recess at 8:25pm.

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Supervisor called the meeting back to order at 8:33pm.

Resolution 230117-01 regarding expenditure of American Rescue Plan Act funds for Broadband presented by W Grubb, no support, resolution died.

Motion to enter a closed session for the board to consult with its attorney about trial or settlement strategy regarding pending litigation in the Livingston County Circuit Court titled Conway Land Company, LLC v. Conway Township, Case No 22-31715-CZ, because discussing these subjects in an open meeting would have a detrimental financial effect on the litigation position of the township, made by Whitt, supported by Crampton-Atherton. Roll call: unanimously yes. Motion approved.

Board moved to closed session at 8:45pm.

Motion to close closed session and re-open the regular meeting, made by W Grubb, supported by Crampton-Atherton. Roll call: unanimously yes. Motion approved.

Regular meeting open at 9:17pm.

Motion to reduce the following Budget items: 102.702 – Office assistant Salary from \$18,000 to \$100; 262.900 – Supplies from \$7000 to \$2500; 265.801 – Lawn Mowing from \$2900 to \$0; 265.802 – Landscaping from \$3500 to \$0; 265.930 – Equipment Maintenance from \$15000 to \$10000; 265.935 – Building Maintenance from \$18000 to \$10000, Made by W Grubb, supported by Whitt. Roll call: Roll call: unanimously yes. Motion approved.

Motion to increase the budget amount for 265.146 – Equipment Office from \$9000 to \$25000, made by W Grubb, supported by D Grubb, Roll call: Whitt, W Grubb, D Grubb, and Crampton-Atherton – yes, Pushies – no. Motion approved.

Motion to increase the budget amount for the following Professional Fees, 266.103 – Attorney from \$25000 to \$45000; 266.721 – Planning Commission from \$3000 to \$37,200; 266.960 – Engineer from \$0 to \$1800, made by W Grubb, supported by Whitt. Roll call: Whitt, W Grubb, and D Grubb– yes, Pushies and Crampton-Atherton – no. Motion approved.

Motion to increase the budget for 275.000 Drains at Large from \$40,000 to \$50,000, made by W Grubb, supported by Whitt. Roll call: unanimously yes. Motion approved.

Motion to appoint Steve Weiss to the Board of Review, made by W Grubb, supported by Crampton-Atherton. Motion approved.

Motion to appoint Brett Cordes to the Zoning Board of Appeals, made by W Grubb, supported by Pushies. Motion approved.

Resolution 230117-02 to extend the term of the Moratorium on Commercial Solar Energy Systems, offered by W Grubb, seconded by Whitt. Roll call: unanimously yes. Resolution carried.

Motion to add the Notifier (text Messaging Option) to our website contract. The one time set up fee is \$50, the annual fee is \$400, made by Whitt, supported by Crampton-Atherton. Roll call: unanimously yes. Motion approved.

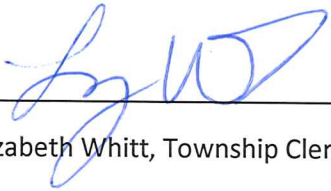
After clarification from contractor, the tabled motion was presented by W Grubb to accept the bid from Timbertec to remove trees, stumps and trimming of specified trees at Coughran Cemetery, pending re-quote including stump

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grinding, supported by D Grubb. Roll call: Whitt, W Grubb, D Grubb, and Crampton-Atherton – yes, Pushies – no. Motion approved.

Call to the public: 8 attendees spoke regarding using technology, ability to speak during meetings, preparedness o board meetings, conduct of Supervisor and solar farming concerns.

Motion to adjourn the meeting at 10:18pm, made by Pushies, sported by D Grubb, motion approved.



Elizabeth Whitt, Township Clerk



Gabi Bresett, Township Deputy Clerk

**RESOLUTION TO AUTHORIZE EXPENDITURE OF
AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR BROADBAND**

Resolution No. 230117- 01

CONWAY TOWNSHIP

WHEREAS, the Conway Township Board of Trustees has chosen to accept ARPA payments from the federal government.

WHEREAS, the share of Fiscal Recovery Funds allocated to the Township is \$ _____;

WHEREAS, one of the eligible categories specified in the ARPA for the use of Fiscal Recovery Funds is to make necessary investments in broadband infrastructure;

WHEREAS, the Township has determined the building of broadband infrastructure is a necessary investment which will increase access to quality internet over the long term;

WHEREAS, Surf Broadband Solutions has proposed to install broadband in the area of the Township depicted on the map attached to this Resolution which is designed to provide service to unserved or underserved households or businesses that are not currently serviced by a wireline connection that reliably delivers at least 25 Megabytes per second (“Mbps”) download speed and 3 Mbps of upload speed (the “Project”);

WHEREAS, upon completion of the Project, the broadband installed shall reliably deliver minimum speeds of 100 Mbps download and 100 Mbps upload speed;

WHEREAS, the Township wishes to enter into a contract with Surf Broadband Solutions for completion of the Project at a Township cost and contribution of \$330,000;

WHEREAS, it is anticipated the Project will be completed in the calendar year 2023.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board approves expenditure of Fiscal Recovery Funds from the ARPA in the amount of \$330,000.
2. The Supervisor and Township Attorney are directed to review and approve a specific contract with Surf Broadband Solutions which shall include the above approved Project standards and terms.

The foregoing resolution offered by Board Member W Gumb.

Second offered by Board Member none

Upon roll call vote the board members voted as follows:

Grubb, B:

Whitt, E:

Grubb, D:

Pushies, G:

Crampton-Atherton, A:

The Supervisor declared the resolution adopted at a regular meeting of the Board of Trustees held on January 17, 2023.

Elizabeth Whitt, Clerk

**RESOLUTION TO EXTEND THE TERM OF THE MORATORIUM ON
COMMERCIAL SOLAR ENERGY SYSTEMS**

Resolution No. 230117- 02

CONWAY TOWNSHIP

WHEREAS, the Township approved General Law Ordinance No. 27, known as an Ordinance To Place A Temporary Moratorium On Commercial Solar Energy Systems ("Ordinance"), on March 15, 2022;

WHEREAS, the Ordinance places a temporary moratorium on the acceptance of applications and issuance of permits and approvals for the operation of solar farms in accordance with Zoning Ordinance Section 6.26(F) within the Township, which period is set to expire on March 10, 2023;

WHEREAS, the Township has made and continues to make diligent efforts during the temporary moratorium towards amending its zoning ordinance regulations relating to commercial solar energy systems, but it has become clear that additional time is needed to complete their efforts;

WHEREAS, the Ordinance provides the Board may extend the temporary moratorium by resolution;

WHEREAS, the Board does wish to extend the temporary moratorium through June 30, 2023, to allow the Township Planning Commission and Board additional time to amend the zoning ordinance;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board hereby extends the term of the temporary moratorium relating to commercial solar energy systems established by the Ordinance to Place a Temporary Moratorium On Solar Farms, General Law Ordinance No. 27 through June 30, 2023.
2. All other ordinances, policies, and procedures that are in conflict are hereby repealed

The foregoing resolution offered by Board Member W. Grubb
Second offered by Board Member Whitt

Upon roll call vote the board members voted as follows:

Grubb, B: yes
Whitt, E: Yes
Grubb, D: Yes
Pushies, G: Yes
Crampton-Atherton, A: Yes

The Supervisor declared the resolution adopted by the Conway Township Board at a regular meeting held on January 17, 2023.



Elizabeth Whitt, Clerk