

Approved Minutes
Of the September 19, 2023
Conway Township
Regular Board Meeting
7:00 pm

REGULAR MEETING

Supervisor W 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.

Motion to approve the Consent Agenda, made by Whitt, supported by D Grubb. Motion passed.

Call to the public: 5 attendees spoke regarding planning commission candidates, broadband, Solar ordinance and building funds.

Motion to approve the Board Meeting Agenda with the following changes: Move item 15 to the end and add 22 – Raica. Motion by D Grubb, supported by Whitt. Motion passed.

Motion to appoint Mike Stock to the planning commission to fill the current vacancy, made by W Grubb, supported by D Grubb. Roll call: Whitt, W Grubb and D Grubb – Yes, Pushies and Crampton-Atherton – no. Motion passed.

Motion to end Mike Stock's term this year, made by Crampton-Atherton, supported by Pushies. Roll call: Pushies and Crampton-Atherton – yes, Whitt, W Grubb and D Grubb – no. Motion failed.

Motion to appoint Mike Brown to the planning commission to fill the current vacancy, made by W Grubb, supported by Whitt. Roll call: unanimous yes. Motion passed.

Motion to adjust the planning commission's secretary wage to \$150 per regular meeting, made by W Grubb, supported by Pushies. Motion passed.

Motion to postpone oath of office and disciplinary issues to next board meeting, made by W Grubb, supported by Pushies. Motion passed.

Motion to postpone new planner to next board meeting, made by W Grubb, supported by Pushies. Motion passed.

Motion to hire D&R Cleaning Solutions to clean the hall bi-weekly for \$150, made by Whitt, not supported. Motion died.

Motion to have Crampton-Atherton take over all matters related to janitorial service for the hall, made by Whitt, supported by D Grubb. Roll call: Whitt, W Grubb and D Grubb – Yes, Pushies and Crampton-Atherton – no. Motion passed.

Motion to accept the new contract from Ion Electric for the generator maintenance, made by W Grubb, supported by Whitt. Motion passed.

Motion to accept the bid from Door-Pro for door repairs, made by W Grubb, supported by Pushies. Roll call: unanimous yes. Motion passed.

Motion to adopt the resolution 230919-01 to amend the zoning ordinance to allow and regulate accessory dwelling unit, made by W Grubb, supported by Pushies. Roll call: unanimous yes. Motion passed.

Motion to adopt the resolution 230919-02 to amend the zoning ordinance to allow and regulate special event/wedding structures and venues as a special use, made by W Grubb, supported by Pushies. Roll call: unanimous yes. Motion passed.

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Motion to adopt the resolution 230919-03 expressing support to maintain local control over land, motion made by W Grubb, supported by Pushies. Roll call: unanimous yes. Motion passed.

Motion to accept the quote from Joe Raica Excavating, Inc, made by W Grubb, supported by Whitt. Roll call: unanimous yes. Motion passed.

Motion to adopt the ordinance to amend the zoning ordinance to regulate solar energy systems including final edits by attorney Mike Homier, made by W Grubb, supported by Pushies. Motion amended.

Motion to adopt the ordinance to amend the zoning ordinance to regulate solar energy systems including final edits by attorney Mike Homier, and suggestions by Sarah Porter, made by W Grubb, supported by Pushies. Roll call: unanimous yes. Motion passed.

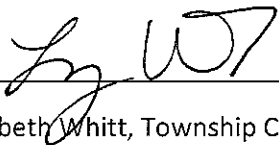
Motion to go into closed session regarding the case of Conway Land Company, LLC v. Conway Township, now pending in Livingston County Circuit court case No 22-31715-CZ, I move to go into closed session to consult with the Township's attorney regarding trial or settlement strategy in connection with specific pending litigation because an open meeting would have a detrimental financial effect on the litigation or settlement position of the Township. Made by W Grubb, supported by D Grubb. Roll call: unanimous yes. Motion passed at 8:24pm.

Motion to go into open session at 9-25pm, made by Whitt, supported by D Grubb. Roll call: unanimous yes. Motion passed.

Motion to authorize the township's attorney, Tom Meagher from Foster Swift, to proceed with litigation as discussed in the closed session, made by Pushies, supported by Whitt. Roll call: unanimous yes. Motion passed.

Call to the public: 4 attendees spoke regarding county planner, planning commission appointments.

Motion to adjourn the meeting at 9:34 pm, made by Pushies, supported by D Grubb. Motion passed.



Elizabeth Whitt, Township Clerk



Gabi Bresett, Township Deputy Clerk

**RESOLUTION TO ADOPT AN ORDINANCE TO AMEND THE ZONING
ORDINANCE TO ALLOW AND REGULATE ACCESSORY DWELLING UNITS**

Resolution No. 230919-01

Conway Township

WHEREAS, the Conway Township Board of Trustees has previously adopted the Conway Township Zoning Ordinance (“Zoning Ordinance”) pursuant to its powers under the Michigan Zoning & Enabling Act (“MZEA”);

WHEREAS, the Planning Commission has initiated the process to adopt the attached Ordinance No. 2023-03 adding a new Section 6.27 to the Zoning Ordinance to allow for and set regulations for accessory dwelling units pursuant to its authority under the MZEA and Article 4 of the Zoning Ordinance (“Amendments”);

WHEREAS, the Planning Commission held a public hearing on February 14, 2022, and recommended the Board approve and adopt the Amendments at its February 14, 2022, meeting;

WHEREAS, staff for the Livingston County Planning Commission (“LCPC”) reviewed the Amendments on March 1, 2022 (LCPC #Z-18-22) and the LCPC recommended approval at its March 16, 2022, meeting;

WHEREAS, the Planning Commission considered the recommendations and comments of the LCPC at its August 14, 2023, meeting, and recommended approval to the Board without further change;

WHEREAS, the Board desires to approve and adopt the Amendments, as recommended by the Planning Commission;

WHEREAS, authority is provided to the Board to amend the Zoning Ordinance per section 401 of the of the MZEA, MCL 125.3401 and Article 4 of the Zoning Ordinance;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board hereby amends the Conway Township Zoning Ordinance by adoption of Ordinance No, 2023-03 as presented.
2. The Amendments shall take effect 7 days after publication of notice of adoption.
3. All other ordinances, policies, and procedures that are in conflict with the Amendments herein adopted are repealed.

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

Upon roll call vote the board members voted as follows:

W. Grubb: Yes
Whitt: Yes
D. Grubb: Yes
Crampton-Atherton: Yes
Pushies: Yes

The Supervisor declared the resolution adopted at a regular meeting of the Board held on September 19, 2023.


Elizabeth Whitt, Clerk

**RESOLUTION TO ADOPT AN ORDINANCE TO AMEND THE
ZONING ORDINANCE TO ALLOW AND REGULATE
SPECIAL EVENT/WEDDING STRUCTURES AND VENUES AS A SPECIAL USE**

Resolution No. 230919- 02

Conway Township

WHEREAS, the Conway Township Board of Trustees has previously adopted the Conway Township Zoning Ordinance (“Zoning Ordinance”) pursuant to its powers under the Michigan Zoning & Enabling Act (“MZEA”);

WHEREAS, the Planning Commission has initiated the process to adopt the attached Ordinance No. 2023-04 adding a new Section 13.10(W) to the Zoning Ordinance to allow and set regulations for special event/wedding structures and venues pursuant to its authority under the MZEA and Article 4 of the Zoning Ordinance (“Amendments”);

WHEREAS, the Planning Commission held a public hearing on December 13, 2021, and recommended the Board approve and adopt the Amendments at its December 13, 2021, meeting;

WHEREAS, staff for the Livingston County Planning Commission (“LCPC”) reviewed the Amendments on January 4, 2022 (LCPC #Z-07-22, LCPC #Z-08-22, LCPC #Z-10-22) and the LCPC recommended “no action, encourage further review” as to the substantive regulations in proposed new Section 13.10(W) at its January 19, 2022, meeting;

WHEREAS, the Planning Commission considered the recommendations and comments of the LCPC over the course of several meetings, and on August 14, 2023, the Planning Commission recommended approval of the Amendments to the Board without further change;

WHEREAS, the Board desires to approve and adopt the Amendments, as recommended by the Planning Commission;

WHEREAS, authority is provided to the Board to amend the Zoning Ordinance per section 401 of the of the MZEA, MCL 125.3401 and Article 4 of the Zoning Ordinance;

NOW, THEREFORE, BE IT RESOLVED that:

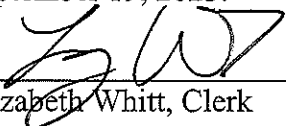
1. The Board hereby amends the Conway Township Zoning Ordinance by adoption of Ordinance No, 2023-04 as presented.
2. The Amendments shall take effect 7 days after publication of notice of adoption.
3. All other ordinances, policies, and procedures that are in conflict with the Amendments herein adopted are repealed.

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

Upon roll call vote the board members voted as follows:

W. Grubb: Yes
Whitt: Yes
D. Grubb: Yes
Crampton-Atherton: Yes
Pushies: Yes

The Supervisor declared the resolution adopted at a regular meeting of the Board held on September 19, 2023.


Elizabeth Whitt, Clerk

A RESOLUTION EXPRESSING SUPPORT TO MAINTAIN LOCAL CONTROL OVER LOCAL LAND USES INCLUDING, BUT NOT LIMITED TO: SHORT-TERM RENTALS, INDUSTRIAL SOLAR INSTALLATIONS, INDUSTRIAL WIND TURBINE INSTALLATIONS AND SAND AND GRAVEL MINING

RESOLUTION NO. 230919-23

Conway Township
Livingston County, Michigan

WHEREAS, it is the experience of Conway Township that local townships, such as Conway Township and its surrounding municipalities, are best able to determine which uses should and should not be in their local communities and what plans are best and reasonable for each neighborhood rather than having these decisions forced onto townships by the state government; and

WHEREAS, it is within the authority of the legislature of the State of Michigan to propose and attempt to pass into law bills that strip away local community control over local land uses including, but not limited to short-term rentals, industrial solar installations, industrial wind turbine installations and sand and gravel mining; and

WHEREAS, the Board of Conway Township is committed to keeping control local over community land for the best protection of that land and local communities;

NOW, THEREFORE, the Board of Conway Township resolves as follows:

Section 1. Conway Township is opposed to the legislature of the State of Michigan proposing and passing bills that take away or otherwise limit local control over local land uses, including, but not limited to short-term rentals, industrial solar installations, industrial wind turbine installations and sand and gravel mining.

Section 2. Conway Township is opposed to the construction, operation, maintenance, repair, replacement and decommissioning of industrial wind facilities, industrial solar facilities, sand and gravel mines and similar uses in our community unless these projects comply with township ordinances and regulations.

Section 3. Conway Township supports the longstanding right of local community self-determination as provided by the laws and constitution of the State of Michigan.

Section 4. As the members of the Board of Conway Township, we resolve to maintain the duties and responsibilities bestowed upon us as elected representatives by our constituents to execute their will to the best of our abilities in these matters.

Section 5. The Board of Conway Township directs the Township _____ to email or mail, as appropriate, a copy of this Resolution to those parties identified on the attached Exhibit A.

The foregoing resolution offered by Board Member W. Grubb

Second offered by Board Member Pushies

Upon roll call vote the board members voted as follows:

Grubb, B: *Yes*

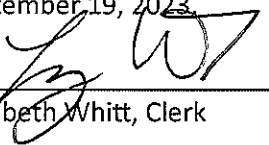
Whitt, E: *Yes*

Grubb, D: *Yes*

Pushies, G: *Yes*

Crampton-Atherton, A: *Yes*

The Supervisor declared the resolution adopted at a regular meeting of the Board of Trustees held on September 19, 2023.


Elizabeth Whitt, Clerk

Conway Township, Livingston County

EXHIBIT A

Sean McCann, Senate chair, ENERGY and ENVIRONMENT COMMITTEE

SenSMcCann@senate.michigan.gov

Senator Sean McCann

Post Office Box 30036

Lansing, MI 48909-7536

Dan Lauwers, vice chair ENERGY and ENVIRONMENT COMMITTEE

<https://www.senatorndanlauwers.com/contact/>

Senator Dan Lauwers

P.O. Box 30036

Lansing, MI 48909-7536

Helena Scott, chair ENERGY, COMMUNICATIONS, and TECHNOLOGY COMMITTEE

helenascott@house.mi.gov

Helena Scott

Michigan House of Representatives

P.O. Box 30014

Lansing, MI 48909-7514

Tyrone Carter, chair REGULATORY REFORM

tyronecarter@house.mi.gov

He chaired the committee discussing Aggregate Mining (gravel pits)

Tyrone Carter

Michigan House of Representatives

P.O. Box 30014

Lansing, MI 48909-7514

Your Michigan State House Representative and your State Senator whomever they might be.

Abraham Aiyash (sponsor of the "takeover" bill)

abrahamaiyash@house.mi.gov

Abraham Aiyash
Michigan House of Representatives
P.O. Box 30014
Lansing, MI 48909-7514

Governor Gretchen Whitmer

<https://somgovweb.state.mi.us/GovRel.../ContactGovernor.aspx>

Governor Gretchen Whitmer
P.O. Box 30013
Lansing, Michigan 48909

When you go to Governor Whitmore's page, there will be a place for you to attach a file. (the resolution)

PLEASE SIGN IN:

Conway Township

Board of Trustees

Monthly Meeting

Sept 19, 2023

Name	Email Address (optional)
SMITH, Donald, R.	
Steve Smith	
Jim Dannenmiller	
Bob Carusi	
JIM CHOATE	
Mike Adams	
Doug HELDERMAN	
Eric Petersen	
Tracy Petersen	