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HEARING REQUESTED

September 19, 2019

_____, Wheatland Zoning Board Chair
Wheatland Township Zoning Board of Appeals
2359 Wheatland Rd.
Pittsford, MI 492719629

PETITION FOR ADMINISTRATIVE APPEAL AND REQUEST FOR HEARING ON BEHALF OF INFORMED CITIZENS OF WHEATLAND TOWNSHIP

Dear Zoning Administrator,

My name is Nicholas Klaus, and my law firm, Klaus Law PLLC, has been retained by various residents of Wheatland Township, and the Informed Citizens of Wheatland Township, in order to request a hearing and file this petition for administrative appeal of:

1. The May 17, 2018 Wheatland Planning Commission resolution and recommendation that the Township Board adopt then proposed Wheatland Township Ordinance Section 16.25 Wind Energy Facilities;
2. The June 12, 2018 Wheatland Township Board amendment and adoption of Wheatland Township Ordinance, Section 16.25 Wind Energy Facilities;
3. The July 18, 2019 Wheatland Township Planning Commission, that recommended approval of the conditional use permit pertaining to Crescent Wind LLC; and,
4. August 13, 2019, Wheatland Township Board adoption of approval of conditional use permits pertaining to Crescent Wind LLC.

The above-mentioned actions of the Wheatland Township Planning Commission and Wheatland Township Board were improper and illegal for the following reasons:

- 1. The May 17, 2018 Wheatland Planning Commission resolution and recommendation that the Township Board adopt then proposed Wheatland Township Ordinance Section 16.25 Wind Energy Facilities was improper**

According to witnesses, to the May 17, 2018 Wheatland Planning Commission meeting, the decision and vote on the resolution regarding Ordinance 16.25 did not take place until after the meeting had already been adjourned. Indeed, regardless of what the minutes of the meeting may deliberately imply, several witnesses will attest that the vote on the ordinance did not take place *until after the meeting had been adjourned*, and after the public had begun filing out of the meeting. Therefore, the deliberation and vote on the matter did not take place at a public meeting, as required by State law. As such, the vote was improper and illegal.

Under the Michigan Zoning Enabling Act, MCL 125.3101, et seq., all township meeting, including planning commission meetings, must comply with the Michigan Open Meetings Act

(OMA). The OMA requires that all deliberations and decisions of a public body be conducted at a public meeting. Indeed, Wheatland Township's own ordinance Section 4.02(B) states that meetings shall comply with the Michigan Township Rural Zoning Act (now the Zoning Enabling Act), which incorporates the OMA. Therefore, the requirements of the OMA have been adopted as policy/law of Wheatland Township. Because of this, the Township Planning Commission has violated their own law and policy, as well as that of the State.

2. The June 12, 2018 Wheatland Township Board amendment and adoption of Wheatland Township Ordinance, Section 16.25 Wind Energy Facilities was improper due to the board members conflicts of interest

According to witnesses that were present, at the June 12, 2018 Wheatland Township Board meeting, several Township Board members had an actual or potential conflict of interest, relating to energy contracts and/or leases with private stakeholders in the proposed amended Wheatland Township Ordinance, Section 16.25. As a result, those members were required to recuse themselves from deliberation and decision-making on the matter. Because those members failed to recuse themselves from the process, and did not abstain from deliberating and voting, the amendment cannot have force of law, and should be ruled void.

3. The July 18, 2019 Wheatland Township Planning Commission, recommendation for approval of the conditional use permit pertaining to Crescent Wind LLC was improper for the following reasons:

A. At the July 18, 2019 Planning Commission Meeting, the Commission did not have the necessary quorum to make, deliberate, and/or adopt such a resolution recommending the approval of conditional use permits for Crescent Wind LLC;

At the July 18, 2019 Planning Commission meeting, the question was asked by a member of the public, as to whether or not any of the members had a conflict of interest with regards to the proposed resolution to recommend approval of the Crescent Wind LLC plan to the Township board. According to the meeting minutes, 4 members had a conflict of interest. Commissioner Williams, however, who did have a conflict of interest, improperly cast the deciding vote. Regardless, because 4 members had a conflict of interest, and thus could not deliberate or vote on the matter, the Commission did not have the necessary quorum to take up the matter. See *Exhibit A -- July 18, 2019 Planning Commission Meeting Minutes*.

While it may be true that, at the outset of the meeting, with all seven Planning Commission members present, there was, *at that time*, a quorum. However, as soon as the issue of the Crescent Wind LLC conditional use permit was taken up, that quorum was destroyed, and no longer applicable, in light of the various conflicts of interest of the various Commissioners. Therefore, without a proper quorum, a proper vote could not be made. See *Wheatland Township Planning Commission Bylaws, Section 3: Conflict of Interest*. Moreover, those members that did have a conflict of interest, did not take the appropriate steps to formally abstain, and thereby extricate themselves from discussion and deliberation of the matter. As such, the Planning Commission violated their own policy, and thus the vote approving the resolution, was in improper, and thus null and void.

B. The Planning Commission did not provide adequate notice of the meeting to all residents within 300-feet of effected properties;

Under law of the State of Michigan, the Planning Commission is required to provide notice, via mail, to all assessed residents within 300 feet of a subject property by a proposed zoning change or special or conditional use, etc.. MCL 125.3103(2) At least two assessed residents, within 300 feet of the subject property, were not given proper notice: Mr. John Jones, at 1481 N. Somerset, Hudson, MI 49247; and Ms. Rachel Bleich, at 13340 Stewart Rd., Hudson, MI 49247. Therefore, because the notice of the meeting was improper, the vote was illegal and invalid.

C. One or more of the Planning Commission members that voted on the resolution had a conflict of interest.

During the vote on the Crescent Wind LLC conditional use permit at the July 18, 2019 Planning Commission, only three members initially voted in favor the resolution to recommend approval of the permits. Because they did not have the votes to pass the resolution, Commissioner Williams voted in favor. However, because Williams had a conflict of interest, his vote was improper, and should not have been counted. As such, the vote approving the resolution and recommendation was tainted, and improper, and should not have been recommended to the Township Board. Indeed, pursuant to the Wheatland Township Planning Commission bylaws, Commissioner Williams committed “malfeasance in office” where he failed to “abstain from participating in planning commission deliberations and voting on a request.” See *Wheatland Township Planning Commission Bylaws, Section 3: Conflict of Interest*.

4. August 13, 2019, Wheatland Township Board adoption of approval of conditional use permits pertaining to Crescent Wind LLC.

A. The Wheatland Township Board members did not abstain from deliberation of the conditional use permits and did not properly resolve their conflicts of interest.

While the Township Board attempted to make a shrewd end-around conflict of interest issues, the deliberation and vote on the conditional use permit(s) was improper and illegal. In order to absolve themselves of their conflict of interest, during the vote on the conditional use permits, the Board voted on each section separately, with various members recusing themselves from *voting*, at various times. See *Exhibit B – August 13, 2019 Wheatland Township Board Meeting Minutes*

However, what should have happened, in order to comport with the law pertaining to public bodies and conflicts of interest, actual or potential, was for those members with any such conflict to recuse themselves, and abstain, from *any deliberation and vote*. Indeed, this is the implied policy of the Township, where the body of ordinances is silent but the Planning Commission Bylaws state that a member with a conflict “shall declare a potential conflict of interest and abstain from participating in planning commission *deliberations and voting*.” See *Wheatland Township Planning Commission Bylaws, Section 3: Conflict of Interest*.

Again, where the Wheatland Township ordinances are silent on conflict of interests, one can assume that the policy is the same as that of its companion municipal body, for the purposes of this issue. It would be nonsensical to assume that while the Planning Commission, which is responsible for making recommendations to the Board, has certain restrictions regarding conflicts of interest, designed to ensure against malfeasance, that the Board does not share in those same rules and restrictions regarding the same.

Therefore, to the extent that those Board Members with conflicts of interest did not abstain from the entire proceeding regarding the application for conditional use permits for which they had a direct or indirect financial interest, the Board vote must be ruled null and void, until such time that the conflicts can be resolved.

B. The Wheatland Township Board did make any determinations pursuant to Wheatland Township Ordinance, Section 16.06

Pursuant to *Wheatland Township Ordinance, Section 16.06*, after the Wheatland Township Planning Commission sends a matter to the Board, the latter “shall determine” whether or not a proposed conditional use permit will comport with the master plan, among other factors. At the August 13, 2019, Board meeting, they made no determinations as to factors A-H., of Section 16.06, whatsoever. Perhaps this was due to the fact that the Board members were aware of their various conflicts of interest, and the requirement that they abstain from precisely those deliberations that would determine factors A-H. Regardless, the use of the word “shall” in the ordinance, imposes a duty on the Board to make such deliberation and determination. In order for the vote on the conditional use permits to be proper, the Board was required to make such determinations. However, in this instance, in order to do that properly, those Board members with conflicts were required to recuse themselves from making such determinations. Nevertheless, because the required determinations were never made, the vote to approve the permits was improper where the Board failed to adhere to the law of the Township. As such, the approval must be ruled null and void.

Conclusion

As a result of the aforementioned improprieties and illegalities committed on behalf of the Wheatland Township Planning Commission and Wheatland Township Board, I respectfully request the Wheatland Township Zoning Board of Appeals determine that: 1) the amendment to the Wheatland Township Ordinance, Section 16.25, as approved by the Board and Planning Commission, was improperly adopted, and therefore void; and, 2) The conditional use permits approved by the Planning Commission on July 18, 2019, and the Wheatland Township Board on August 13, 2019, are illegal, improper, and therefore void.

I further request that a hearing be held on this matter, and that I be permitted to present on behalf of my clients.

Sincerely,

Nicholas H. Klaus, Esq.

EXHIBIT A

WHEATLAND TOWNSHIP PLANNING COMMISSION

July 18, 2019 Public Hearing for Crescent Wind, LLC North Adams-Jerome Public School 7:00 pm

Christopher Pollard stood before meeting started to asked at what meeting did the Wheatland Township Board approve to move the Planning Commission meeting to a different location? The Public Notice was not posted at the North Adams School location.

The meeting was called to order by Chairperson Chris Thomsen with Tim Kelley, Mark Reister, Dick Sawdey, Bill Briggs, Boyd Allen, and Isaac Williams present for the Wheatland Township Planning Commission. Thomsen read the Public Notice from Hillsdale Daily required to be placed in the newspaper. The purpose of this meeting is to review the Conditional Use Facilities for Crescent Wind, LLC.

Those in attendance that signed in were: Christopher Pollard, Jolene Pollard, Jim Sigman, Molly and Doug Covert, Bonnie J. Shaffer, Kay Sharp, Craig Reed, Marie Stein, Diane Rutan, Tracie Clough and Nathan Tentyck, Jim and Brenda Marcum, David and Susan Ladomer, Tim Kelley, Sr., Martha Cox, Don Letherer, Laura Wilson and son Travis, Penny Swan, Nick Reister, Erin Kricher, Lyndee Williams, Tina Brown, Corey and Amy Hinkley, Linda and Dick Poulle, Rick Beard, Jack and Judy Griffiths, David Arno, Michael McNamara, Wayne Hehr, Debbie Sell, Matthew Beach, Richard Rudd, Sr., Pam Wonders, Vicky Kalnbach, Charles Kalnbach, Dan Wonders, Kevin Cole, Bob Millies, Maureen Millies, Jon Paul Rutan, Marilyn Jones, Kath der Hollander, Kim and Brian Burke, Jamie Thomsen, Maureen Sharp, Bob Vavrina, Ed Kimble, Krista Kimble, Jacob Kimble, Hannah Kimble, Jack R. Plate, and Debbie Plate.

Chairperson Thomsen introduced Rick Wilson from Invenergy (Crescent Wind, LLC). Rick gave a slide presentation about details relating to the whole project. He also introduced his team as Jim Griffin-legal counsel, Dave Loomis-Professor of Economic, Joanne Blank-shadow and sound of windmills, Mike MaRous-Realist Expert for Property Values. Jim Griffin-Legal Counselor read the whole Resolution out loud that the Wheatland Township Planning Commission would recommend for each section involved in the township onto the Wheatland Township Board for approval.

Correspondence was read. Signed letters that would like to express their support of the Crescent Wind Energy Facilities was received from Kenneth Keirns, Vickie Alber, Brian Smith, Cynthia Godfrey, Diane Rutan, Joe Letherer, Marjorie Titus, Rebekah Kalnbach, Ralph Rutan, Rick Titus, Victoria Kalnbach, Donald Letherer, David Godfrey, Doug and Molly Covert, Evan Schroeder, Elizabeth Wells, Rachael Schroeder, Dawn Black, Don Black, Heather Craig, Anthony Craig, Elizabeth Craig, Paul Stasa, Scott Abrams, Virginia Cunningham, Tamam Hamdan, Vernon Jones, III, Russell LaFollette, Paula LaFollette, Jeff Reed, Sharon Beach Reed, Mike Brasher, Nicolas Reister, Ernest Duane Wagler, Kathy Wagler, Simon Wagler, Jr., Treva Wagler, Rita Wells, Amer Grubbs, John O. Webster, Jim Marcum, Merl Luij, Richard Rudd, Sr., James Harris, Victor Graber, Paul Graber, Jerry Buckner, Michelle Soward, Russell Brix, Gerald Bump, Tim Kelley, Dean Taylor, Tess Wells, Rodney Schoenberger, Audrey Wells, Valerie Kimble, Rex Wells, Menno Graber, David Oulch, Bob Vavrina, Charles Matthew Kalnbach, Linda Addleman, Larry Addleman, and Charles Kalnbach. Received from Christopher and Jolene Pollard a letter listing reasons to not allow the windmills into the township.

Public Comments from public present: Ed Trumble from North Adam Rd. is all for the windmills. Jolene Pollard asked if underground wires will have contact at 1000ft. And go into other property owners ground without contracts. Answer-Griffin said Wind Turbines have set back requirements to restrict on neighbors property. Penny Swan from Hillsdale said 1. meeting is in violation for not following policies, 2. Too hot in here, 3. She asked how many board members have contracts? 4. Concerned about animals habitat., 5. Who is fixing all the roads? Wilson said, roads will be improved after wind project is completed, other than some may need done to allow the trucks to deliver the materials. A survey will be done with Hillsdale County Road Commission before and after project is completed to evaluate the condition of roads. Chris Pollard wants to know how many people on Planning Commission have signed contracts. He wanted to be sure the board members who have signed contracts, know they cannot vote on the issue. Jim Sigman of Sec. 29 been in family since 1943, moved here for quality of life, choose to move here from west MI for tranquilly quality of life-sun, moon, and wildlife, cannot

forget this good life. Russ Lafollette has lived in township much of his life, it will be economics for our community. Should approve and sent to township board for approval. Brooke Hardin, Kelso Rd. does not want to loose the woods. We like to hunt. Wilson replied, that they try to avoid woodlands and will not clear cut any woods, but may clean a fence row if request by property owner if needed. Tim Kelley said, the deer stands, deer, and turkeys are all around the windmills in his visit to Gratiot Co. where windmills are. Sherri Hardin wanted to know why notice was not sent to township residents east of Waldron Rd., why a select few received the notice? Wilson said, the Wheatland Township Zoning Ordinance requires township residents within 300 feet on any side of the property receiving windmills or underground wires be notified for the Public Hearing. Notices get sent to the Property owners listed on the tax bills listed at the county. So no one with Land Contracts or renters would not receive notice of this meeting as they are not the property owners. Bonnie Shaffer, Pittsford Twp, Culbert Rd. said, why did not know about windmills until 2 weeks ago? 99% of residents in county do not get the Hillsdale Daily but everyone has Facebook. Brian Burke, North Adams Rd. originally from Illinois, here is not the location to have these, will interfere with wildlife, water, shadow flicker happens all the time, moved from Marshall because likes wildlife. Windmills did not bother me in Illinois as the ground is all flat and no homes are around.

Chris Thomsen talked to Assessor in Gratiot Co. about land values. He was told property values were not affected, no negative impact on wildlife, and farm animals were not bothered by them, after there are in use. Brian Burke said, the windmills have fires and he against having them here. Rick Wilson reported, each windmill may have their own fire suppression. Each windmill has a gearbox like a transmission. No transfer of vibration is underground. Wilson said, limited trees will be removed, drains interrupted will be repaired, and roads will be repaired when project is completed. Kim Burke said, she is concerned about cancer and the water. I just want information. What are the benefits for residents? Wilson said, state has mandated renewable energy in our state. A utility scale project with energy going into the grid for Consumers and GE. We will help to achieve MI renewable energy, powering clean energy, been here since 2010, no fund for health issues, but maybe down the road. Kim Burke asked, who is paying for road repairs. Wilson said they will pay for fixing roads after project completed. A decommissioning plan is set up to funding the restoring of original sites. A resident of Pittsford said, a number of years ago, a windmill company came to their township, signed up residents with contracts and paid residents, but no windmills were ever build. David Ladomer had minutes of 4-18-19 Planning Commission meeting saying 25 windmills were going in township. He wanted to know how many projects do you transfer to other companies. Agreements are fixed agreements. Sue Ladomer asked, about medical issues and no regulation. How should she deal with her medical issues? Maureen Sharp wanted to know how much her taxes are going up? She is against windmills. Is Crescent wind selling back to consumers what percent? Asked about noise, underground lines, this is ridiculous, whats in it for me, what about government subsidies. Junior Luft said, real estate property values goes down at least by half the value, so taxes at \$100,000.00 goes down to \$ 50,000.00, any property within 2640 feet will have property value reduction. According to studies he found vacant land studies show land value and wind farms 19% to 47 % reduction. This will only affect property values for residents with 1 to 20 acres. I contacted our Assessor, Charles English for windmills values, English does not have any windmills in his assessing area now. English told Luft taxes will stay the same for now and English will follow the state regulations. English said, you have to prove to Assessor your property value went down.

Mike Marous, Real Estate appraiser appraises in many states and owns property in Michigan. 6 pure review studies shows review by other experts, look into future, roads, jobs, full time jobs when project complete, property owners getting money will spend more in the area. No two properties are identical. I have interviewed appraisers with only 2 tax appeals filed in all of these properties across many states. It is a opportunity for new people coming in, benefit of significant money coming back to your community. 10 billion for data center come into Iowa.

Keith VanHollander from MI Coalition has set on many committees for green energy, clean energy, environment, National Security, and renewable energy. A bill passed in 2016 requires Renewable energy be in place. Relying on one source of energy is not a good idea. With natural gas on the market to the rest of the world. Energy from the wind and sun are a very good idea. The price for natural gas will definitely go up. Affordable energy is necessary for all of us. I travel a lot to follow the renewable energy facilities taking place. We do not control global issues. Planning ahead is a great idea. He has not yet heard of one person with health issues related to windmills.

James Weaver-green energy is for our kids. Is any study done to show water problems with wells? Is there a direct impact on my well? Wilson said, no need for a study to be done on vibrations. There will be 10 to 15 turbine technicians on duty. Weaver asked, Mike Marous, Real Estate, what rate of increase with or without turbines. What about change of value if a recession hits? What if a turbine breaks and oil is dropped to the ground. Wilson said, non toxic oil is used. It is best for the environment. Larry Reed heard that a gag order was in contract. Wilson said, no gag order at all. Reed has property on Culbert Rd. Do you feel very confident about the future for my grandchildren with windmills so close? Joanne from Invenenergy said, you should feel very comfortable living near a wind farm. Post construction studies have been done.

Chris Thomsen said, the new upgraded wind ordinance was adopted last year, as the last ordinance voted in 10 years ago required windmill blades to only be 20 feet off the ground. This is not feasible. The board adopted a more restrictive ordinance that is in place now. Our board will give a recommendation to the township board.

Kim Burke works for State Farm Insurance addressed the issue of a fire at a windmill. Issues for fire insurance are done on an individual case. Your insurance has their own standards to follow.

Mark Nichols, Adams Township Supervisor, obviously some of you do not understand how this works. If the township has met all the requirements you can not stop windmills from coming into township. The township can only regulate with zoning. It really frustrates me how some of you think. They are holding a Public Hearing to hear your comments because it is required.

Boyd Allen said, we can not regulate you out of business. They have a right to have windmills in the township. It is all done within the laws required.

Dan Wonders has been a resident for 38 years in township. A farmer for 34 years. I have represented the township for 18 years in some position or another being Trustee, Addison Fire Board Representative, and Supervisor. This whole project started around 10 years ago. In my years on the board we consistently have 6 to 8 residents at most meetings. Several rounds of lease to property owners have taken place. No one knew where exactly the windmills were going to be until the whole plan was turned into township on June 24, 2019, unless you were the property owner. Of the 23,040 acres in the township, 15,000 acres have been signed up by the windmill company with property owners. Nobody had their arm twisted to sign a contract.

James Weaver asked, again asked if anyone on the Planning Commission board is receiving turbines? Kelley gets 1, Reister has 4, and Thomsen has transmission lines going on his property.

Thomsen said, Public Hearing comments are now closed.

Dick Sawdey made a Resolution to make a recommendation to the Wheatland Township Board to approve the Conditional Use Permit for the Crescent Wind, LLC project in all sections applied for in Wheatland Township. A Resolution was presented for each section and applied for separately. The Wheatland Township Planning Commission voted for all sections together to be sent to Wheatland Township Board for approval. Bill Briggs seconded. Those voting yes were Sawdey, Briggs, Allen, and Williams. Those abstentions were Thomsen, Kelley and Reister.

Reister moved and Thomsen supported to adjourn the meeting. Motion carried.

Respectfully submitted,
Dawn J. Johnson
Wheatland Township Clerk

EXHIBIT B

WHEATLAND TOWNSHIP

August 13, 2019

Regular Meeting

Wheatland Twp. Hall

8:00 pm

The meeting was called to order by Supervisor Stone with full board present. Also present that signed in were Gar Hotchkiss, Jim Griffin, Rick Wilson, Chris Pollard, James Sigman, JoAnne Blank, Tina Brown, Erin Kricher, Ed Kimble, Krista Kimble, Dick Sawdey, Sean Flanders, Jeff Vercauteren, Marilyn Jones, David Ladomer, Tom Hardin, Sherri Hardin, Ritch Rudd, Sr., Brenda Marcum Jamie Thomsen, Keith VanHollander, Bernel Carpenter, Shirley Carpenter, Corey Hinkley, Amy Hinkley, Brett Miller, Donald Letherer, and Tim Shaw. Minutes were read. Wonders clarified on page 2 first sentence referring to getting another opinion for windmill project only. Reed moved and Reister supported to accept minutes with addition. Motion carried.

The treasurer reported receiving \$ 566.19 for a total net worth of \$ 32,792.77 in checking, \$136,938.10 in savings, CD's in the amount of \$ 145,377.68 for a total net worth of \$ 315,108.55. Reed moved and Johnson supported to accept the treasurer's report. Motion carried.

Fire: June report had 8 EMS, 1 accident, and 1 spill.

Planning Commission: Public Hearing held on July 18, 2019 with Planning Commission approving the conditional use and site plan review for the Crescent Wind, LLC and/or Invenergy for all sections listed in the project. The minutes of the Public Hearing were read. The Wheatland Township Planning Commission recommends that Wheatland Township Board approve the resolution for all sections involved in the wind project. Next meeting is October 17, 2019.

Hudson Library: Library will be closed for inventory on August 26, 27, and 28. Discussed projects for coming year-roof, bathroom, bench out front, and picnic tables.

Zoning Administrator: Ben Bontrager-10511 North Adams Rd. addition to house, and Sarah Orrell-3300 Waldron Rd. for swimming pool and deck.

Correspondence-Received contract for legal services from Stanley Sala. Received from township residents support for the windmills from Sharron and Jeff Reed, Brad Rubin, Michelle Soward, Wm Munk, Dawn Bastien, Paula LaFollette, Russell LaFollette, Russell Brix, Martha Cox, Amer Grubbs, Robert Douglas, Richard Rudd, Christina Brasher, Elizabeth Landon, Menno Graber, and John Opel. Received from Dep. Of Ag need information for Stacia Lyon from Assessor. Received and returned from Hillsdale District Court a copy of each and every ordinance for Wheatland Township. Received from Hartleb Agency notice that RLI Surety is providing our bond insurance. Received the 2019 Tax Rate request from Addison School. Received from Consumers Energy notice of hearings on July 23 and July 31. Central Michigan 211 would like the township information updated. Received from Hillsdale County Drain Commission notice of meetings for Pleasant Lake Drain # 102 and Williams Drain # 273.

Old Business: The August 6 Election had 53 voters out of 969.

New Business: No Assessor report.

Bob Godfrey reported, scraping in Wheatland now and brining shortly within 3 days if no rain. County has 2 deberming crews working. Paver patch contracts went to other businesses. Started in south part of the county this year for dust control and moving north. Addison Rd. paver patch will not get started until September. Asked Godfrey to get a quote for approach at N. Kelso to E. Bacon Rd. to raise like Pittsford Rd. project. Hopefully no carry over projects will happen this year.

Tim Shaw for Addison Fire Dept. said the contract states township must give a year notice for changes, so the others involved can figure out what to do for residents in the township, large liability for us if station was to close or go to Rollin and Woodstock. All comes down to money and control. The township. Ambulance millage goes back a few years to compare. Pam is working on the amounts paid from township and county money paid on our townships behalf to the department. Rollin and Woodstock say we need to pay more, Sala talked to Fred

Lucas that 1 station must remain with address to board. Proposed was an appointee would be added to board from 1 entity that would change rotating to a different entity every year to have 5 member board. Lovinger said, the village of Addison is getting double dipped on as they pay village taxes and township taxes for fire department. Lucas is rewriting another contract for review.

Parking lot space-need to check with new property owners.

Zoning Ordinance will need a few corrections done by attorney before reviewing by Planning Commission.

Luft cemetery stone has been removed and the foundation will be fixed shortly, cost is \$ 500.00 to township.

Still need bid for 3 Stiverson stones repair.

Johnson called Hodshire to do the F-65 report for the year. Will take paperwork to them soon.

Our township 4029 tax rate request will be done next month with no hospital or ambulance service as listed in the past, only township operating and township fire.

Rick Wilson from Crescent Wind, LLC and/or Invenergy said the company has applied for the conditional use and site plan review. This has been reviewed. The Wheatland Township Planning Commission has recommended that the Wheatland Township Board adopt the resolution for all sections participating in the windmill project.

Stone then read a time line for the project.

In October 15, 2009 Planning Commission discussed wind farms. November 5, 2009 Public Hearing held for wind energy. December 9, 2009 Wind Energy Conservation System was adopted by Township Board. January 21, 2010 Planning Commission discussed MET towers going up. April 19, 2018 Scott Simpson had tour for 2 board members and 3 Planning Commission members to the Breckenridge Wind Farm. May 16, 2018 Public Hearing for Wind Energy Facilities-Received Affidavit from Hillsdale Media. June 12, 2018 Township Board adopted the new Wind Energy Conservation System 16.25. Simpson reported 80 families have signed up so far. July 10, 2018 Petition going around township against wind ordinance. August 14, 2018 Another tour for residents to Breckenridge Wind Farm. June 24, 2019 Crescent Wind, LLC gave windmill project conditional use and site plan booklet to Clerk Johnson. July 18, 2019 a Public Hearing was held at North Adams-Jerome School for public comments. Proposed is 33 windmills in township.

The board is now ready for adoption. Johnson read the resolution for adoption. The resolution approving the Crescent Wind, LLC. Wind Energy Facilities special use permit applied for. The Wheatland Township Board has reviewed each section and the conditional use permit has meet all standards and requirements required by the Wheatland Township Wind Energy Facilities 16.25.

Johnson moved and Stone supported to approve the resolution for Crescent Wind, LLC in Section 4. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Johnson moved and Reed supported to approve the resolution for Crescent Wind, LLC in Section 5. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Stone moved and Reed supported to approve the resolution for Crescent Wind, LLC in Section 6. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Reed moved and Stone supported to approve the resolution for Crescent Wind, LLC in Section 7. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Johnson moved and Reed supported to approve the resolution for Crescent Wind, LLC in Section 8. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Reed moved and Johnson supported to approve the resolution for Crescent Wind, LLC in Section 9. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Reed moved and Stone supported to approve the resolution for Crescent Wind, LLC in Section 15. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Johnson moved and Reed supported to approve the resolution for Crescent Wind, LLC in Section 16. Motion passed with Johnson, Wonders, and Reed. Reister and Stone recusing from voting.

Johnson moved and Stone supported to approve the resolution for Crescent Wind, LLC in Section 17. Motion passed with Stone, Johnson, and Wonders. Reister and Reed recusing from voting.

Stone moved and Reed supported to approve the resolution for Crescent Wind, LLC in Section 18. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Johnson moved and Stone supported to approve the resolution for Crescent Wind, LLC in Section 19. Motion passed with Stone, Johnson, and Wonders. Reister and Reed recusing from voting.

Reed moved and Johnson supported to approve the resolution for Crescent Wind, LLC in Section 20. Motion passed with Johnson, Wonders, and Reed. Reister and Stone recusing from voting.

Reed moved and Johnson supported to approve the resolution for Crescent Wind, LLC in Section 21. Motion passed with Johnson, Wonders, and Reed. Reister and Stone recusing from voting.

Reed moved and Stone supported to approve the resolution for Crescent Wind, LLC in Section 22. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Johnson moved and Stone supported to approve the resolution for Crescent Wind, LLC in Section 23. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Stone moved and Reed supported to approve the resolution for Crescent Wind, LLC in Section 25. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Johnson moved and Stone supported to approve the resolution for Crescent Wind, LLC in Section 26. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Reed moved and Johnson supported to approve the resolution for Crescent Wind, LLC in Section 27. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Stone moved and Reed supported to approve the resolution for Crescent Wind, LLC in Section 28. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Stone moved and Reed supported to approve the resolution for Crescent Wind, LLC in Section 29. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Stone moved and Johnson supported to approve the resolution for Crescent Wind, LLC in Section 30. Motion passed with Stone, Johnson, and Wonders. Reister and Reed recusing from voting.

Reed moved and Johnson supported to approve the resolution for Crescent Wind, LLC in Section 31. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Stone moved and Reed supported to approve the resolution for Crescent Wind, LLC in Section 32. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Stone moved and Johnson supported to approve the resolution for Crescent Wind, LLC in Section 33. Motion passed with Stone, Johnson, and Wonders. Reister and Reed recusing from voting.

Reed moved and Johnson supported to approve the resolution for Crescent Wind, LLC in Section 34. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Stone moved and Johnson supported to approve the resolution for Crescent Wind, LLC in Section 35. Motion passed with Stone, Johnson, Wonders, and Reed. Reister recusing from voting.

Public Comment-Marilyn Jones said her windmill got moved 400 ft. closer to her house. Stone said, this will need worked out by property owner with windmill company as long as the windmill company follows the setback section of the Wind Energy Facilities (16.25).

Kim Burke wants to know when Road Commission is fixing North Adams Rd. and fixing all roads.

Chris Pollard said not a legal meeting 15.264. Planning Commission was illegal meeting, not a quorum of board. Board can not vote for something that is not passed. 4 members voted. Asked Stanley Sala if he could send him his video of meeting. Sala said, no comment.

Jim Sigman choose township because of water, extremely important is our water, Invenergy did not contact him. Thanked his neighbors and emergency crews when he needed help with health issues. Asked about ground water, residuals, and cement trucks pounding up and down the roads. Did anybody consider those of us that will not get anything from the windmills? His son has bad things in his water and I cannot even pronounce these words. Are we now in heavy industry in our township instead of agriculture?

Gar Hotchkiss asked about pfas a chemical in water. This is everywhere. The Attorney General starting a lawsuit against this pfas. This is in every persons blood already.

Ed Kimble said the water in our lakes are killing people and dogs. Where is the end?

Bills in the amount of \$ 25,165.24 were presented for payment. Wonders moved and Reed supported to allow the bills. Motion carried with a roll call vote.

Reed moved and Stone supported to adjourn the meeting. Motion carried.

Respectfully submitted,
Dawn J. Johnson, Clerk

David Stone, Supervisor