

Goodwell Minutes  
September 25, 2024

- ◇ Tim M. called meeting to order 7:00 pm, meeting was recorded:
  - ✘ Rachel B., Bob B., Tim M., Greg O. and Jennifer W. present.
  - ✘ Public:

☺ Alec & Kasey Dakin	☺ Lawrence Stillwell
☺ Christopher Gingerich	☺ Collene Olson
☺ Jeremy Rusilowski	☺ Joe Wozniak
☺ Roberta Landstra	☺ David Fast
☺ Rita Berndt	☺ Ryan Fast
☺ Lisa Woods	

- ◇ Pledge of Allegiance recited.
- ◇ Email was sent out with minutes from August 28, 2024, meeting. Bob motioned to accept the minutes, Tim 2<sup>nd</sup>, roll call, passed. Minutes posted to the township website.
- ◇ John Tow presented his written resignation as Supervisor, and also voiced his willingness to be on the Planning Board of Appeals. Township clerk led a voice vote for acceptance of resignation. Tim motioned to accept the official resignation of the Supervisor. Bob 2<sup>nd</sup>, roll call, passed unanimously. Tim motioned to appoint Bob as moderator for the meeting until new Supervisor and following appointments made. Rachel 2<sup>nd</sup>, roll call, passed unanimously. Bob motioned to appoint Tim to serve as acting Supervisor until the end of the term. Tim 2<sup>nd</sup>, roll call, passed unanimously. Oath of Office administered for Supervisor. Bob motioned to appoint Greg Olson to replace Tim's open Trustee position. Tim 2<sup>nd</sup>, roll call, passed unanimously. Bob motioned to appoint John Tow as chairperson to the open Planning Board of Appeals position. Rachel 2<sup>nd</sup>, roll call, passed unanimously. A Board of Appeals meeting is to be scheduled for December.
- ◇ Meeting now conducted by acting Supervisor Tim:
- ◇ Rachel: **Treasurer's report** as of September 24, 2024:
  - ✘ Have \$337,822.23 total. Payments were \$38,116.84, which includes \$14,500 transferred from Savings to Checking. Tax Collection has \$172,822.67 that will get distributed to County and accounts. Frisbie Contracting check for \$14,500 – the first half of the building front upgrade, was the largest payment. Revenue was \$24,758.59, which includes the transfer. Bob motioned to accept treasurer's report as presented and pay bills. Jennifer 2<sup>nd</sup>, roll call, passed.
  - ✘ There is a 2<sup>nd</sup> Deputy Treasurer appointed that started September 16<sup>th</sup> to help as current deputy is needing to not put in so many hours.
- ◇ Public Comment:
  - ✘ Tim noted that a speaker is to state their name and address slow enough to be recorded so the Goodwell residency can be verified. No comments.
- ◇ Bob: **Zoning report**:
  - ✘ 3 zoning applications: One for Brent Ringley, 1699 N Elm, for a structure to cover a trailer – 30 x 40. The other 2 are ones still in progress, one for a utility pole and one for Joseph Kaufman.
- ◇ **Planning report**:
  - ✘ None: Next meeting is November 12.
- ◇ Jennifer: **Clerk's Report**
  - ✘ Had to get a new computer, old one physically broken. Was planning to get in next budget year but had to obtain now.
  - ✘ Elections:
    - ⤵ Need ballots and programming. Moving along with everything. Election Committee to meet following regular meeting to present election inspectors. Accuracy test previously performed before a regular meeting, but the 9 early days forces the test to occur between meetings. Test is scheduled for October 11<sup>th</sup>, beginning at 10am.
  - ✘ A book will be ordered from MTA regarding cemeteries. It will help correctly write in the cemetery ordinance what is to happen when a plot owner has passed and there is no documentation showing subsequent owner.
  - ✘ Budget:

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- > Reviewed the areas needing attention. Handed out budget sheet to the overseers of the different departments to gather information regarding the current FY budget and begin preparing for the next FY budget. The F-65 is complete, have questions regarding some of the journal entries to be made.
- ✘ Reviewed mailings from Newaygo Conservatory, White Cloud Library, and various others.
- ◇ Old Business: NONE
- ✘ Special Events Ordinance Review: The township attorney, Jim Scales, discussed a letter threatening litigation particularly to Mr Rusilowski. He sees the primary issue is from viewing the ordinance as one that regulates free speech and cited specific wording. He discussed the changes that he recommends to make the ordinance easier to work with and meet the master plan statements for the land use. Bob questioned liability needs for the township. The township does not have much exposure for private events, it is protected by governmental immunity. Jim is willing to work with the Zoning Administrator to update the ordinance with the recommendations. Jennifer questioned reviewing the ordinance when pending litigation demands removal of the ordinance, even though that means no special events can happen in the township. An ordinance helps the event to happen, and it sets guidelines so the residents can see they will be considered. Hannah: what is meant by questionable activities? The number of event attendees, hours of operation, and parking were some of the activities that were questioned by residents and were not the same as what was stated prior to the event. Jim discussed the nature of planning ordinance – if something is not listed, it is not allowed (other than regular events for the land use description) per the State. If anything is commercial and is to happen outside of the commercial zone, there must be an ordinance written that allows the activity. Jim recommends enforcing the current ordinance until the revision is approved.
- ✘ Mr Eising: His farm is having a customer appreciation event. It is incidental to farm, and the Right to Farm gives the right to sell, example: farm markets. To Jim it sounds like the special events term does not pertain. Tim researched Right to Farm in depth as part of a separate residential matter and agreed with the attorney. It is a very broad sweeping set of laws. John M., Planning Chair, saw no problem. Bob motioned to approve of Mr Eising's event as a Right to Farm event that lawfully is allowed, as long as the normal planning ordinance rules are followed. Jennifer 2<sup>nd</sup>, roll call, passed unanimously.
- ✘ Cassie: At first against the ordinance, but now glad for it. There has been many mud runs (she is a neighbor) and they are large. The events are run well, but without the proper things in place they can get crazy really quick. Bob motioned to move forward with the ordinance. Rachel 2<sup>nd</sup>, roll call, passed unanimously.
- ✘ Rachel: Goodwell has never had unpaid property tax, now there is one. What do we do? Jim: It is difficult to seize property. The property is too large to take it to small claims court. Get a lawyer and possibly garnish bank accounts. Every entity takes the loss, it is the treasurer that makes the diligent attempt to collect. Will discuss personal property tax at next meeting.
- ◇ New Business:
- ✘ Bob motioned to appoint Greg Olson as Planning Board liaison to fill Tim's open position. Rachel 2<sup>nd</sup>, roll call, passed.
- ◇ Public Comment:
- ✘ Mr Dakin: The 2021 Planning Ordinance vs. the 2024 revision: appears to have insertions and deletions he cannot account for. Pointing it out so Jim has the idea that the process is not completely accurate. Tim will review Mr Dakin's findings to resolve.
- ✘ Mr Wozniak: What is the likelihood the litigation is continued with? Jim believes that the likelihood is low since the event did happen and the township is addressing the concerns. If it did continue, what would be the cost? Tens of thousands in cost. What keeps the event from becoming the large Rothbury type of event? The limit on number of attendees. The township does not have the roads and police force to handle a Rothbury type of event.
- ✘ Hanna: In the letter regarding lawsuit it says there is no fixing the ordinance. There are large events going on. Stop the ordinance.
- ✘ Laurie: This year's event seemed much less troubled than before, thank you. Discussed the history of how special event review came about and how the process to come up with the special event ordinance was given due diligence by the Board so that both the event handler could hold the event and the residents could know there are limits in place. There are many projects being researched and worked with, thank

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you to the planning board. Mr Wozniak: Thank you Board for working through very difficult things and serving the many voices of the community.

- ✘ Mr Cook: Was the music going at 2 in the morning? By complaints, yes.
- ◇ Bob motioned to adjourn, Jennifer 2<sup>nd</sup>, passed. Meeting ended 8:50 pm.
- ◇ Next meetings:
  - ✘ Township meeting October 23<sup>rd</sup> 7pm
  - ✘ Planning meeting November 12<sup>th</sup>, 7pm