Nelson Township Board Meeting Tuesday, April 9th, 2024 5:00PM

**Agenda**

**Call to Order** - **Pledge of Allegiance Approval of Meeting Agenda**

**Minutes of the previous board meeting.**

**Financial Report Accounts Payable**

**Public Comments**

**Persons wishing to address the Board may do so at this time. Please state your name and address.**

**Reports**

1. Zoning and Enforcement
2. Fire Departments
3. Roads
4. Library
5. Other reports -

**Correspondence**

Citizens for Local Choice Ballot Petition.

**New Business**

AT&T/Directv Cable Franchise Resolution

**Unfinished Business**

Cemetery Clean up - Venmans

1. **Extended Public Comments**
2. **Board Comment**
3. **Adjournment**

Nelson Township Board Meeting 2 Maple St

Sand Lake Ml 49343 Municipal Building Tuesday, March 12, 2024

Board Members Present: George, Austin, Britton, DeJong Board Members Absent: Hoffman

2 members in audience

1. Meeting called to order at 5:00 PM
2. Meeting agenda approval

Delong made motion to approve Austin Seconds

Vote: 4yes

Ill. Minutes from previous meeting 2/13/24

Delong made a motion to approve with addition of Sue Wolfe & Dan George as Parks & Rec Reps Austin Seconds

Vote: 4yes

1. Financial Report

As Presented

1. Accounts Payable

Austin made a motion to approve the bills George Seconds

Vote: 4yes

1. Public Comments - none
2. Opened Public Hearing on 2024-2025 Proposed General Fund, Library and Pine Lake Weed Control Budgets at 5:05 PM. Closed Public Hearing at 5:06 PM - no comments.

Reports

Zoning & Enforcement Fire Departments Roads

Library

1. New Business

General Appropriations Act (Budget) Resolution No. 2024-005 Austin makes a motion to approve

DeJong Seconds Vote: 4yes

Adopt FY2024-2025 General Fund Budget Austin makes a motion to approve George Seconds

Vote: 4yes

Adopt FY2024-2025 Library Budget Austin makes a motion to approve George Seconds

Vote: 4yes

Adopt FY2024-2025 Pine Lake Weed Control Budget Austin makes a motion to approve

DeJong Seconds Vote: 4yes

Resolution 2024-005 Authorize ACH Austin makes a motion to approve Britton Seconds

Vote: 4yes

Amend Capital Outlay Budget Center FY 2023/2024 from $800 to $53500 Britton makes a motion to approve

Austin Seconds Vote:4yes

Amend Zoning Assistant wages Budget Center FY 2023/2024 from $10000 to $15000 George makes a motion to approve

DeJong Seconds

Vote: 4yes

Amend Pine Lake Weed Contracted Services Budget Center FY 2023/2024 from $10000 to $11000 Austin made a motion to approve

Britton Seconds

*Vote:* 4yes

Sand Lake Fire Proposal for FY 2024/2025 George made a motion to approve DeJong Seconds

*Vote:* 4yes

Venmans Lawn Maintenance/Burial proposal for FY 2024/2025 Britton made a motion to approve

Austin Seconds Vote:4yes

Township Clean up May 11th from 9:00-3:00.

DeJong made a motion to add a Fall Cleanup Day in 2024 George Seconds

*Vote:* 4yes

Preferred Landscaping Bid for library Grounds for FY 2024/2025 Geoge made a motion to approve

DeJong Seconds

*Vote:* 4yes

Mail

Austin made a motion to table this business untilthe next Board Meeting George Seconds

*Vote:* 4yes

Trail Maintenance Bid from Kari Kleynenbergfor FY 2024/2025 Austin made a motion to approve

Britton Seconds

*Vote:* 4yes

Direct Deposit of Payroll

Austin made a motion to approve George Seconds

Vote: 4yes

Approval to purchase scanner for Deputy Clerk

George made a motion to approve this purchase Curtis Seconds

Vote:4yes

Fire Millage Ballot Proposal for .5000 Mill Renewal of Fire Operation and Maintenance Millage approval with change of Precinct 2 to the Gathering Place for the August 2024 Election

Austin made a motion to approve this proposal DeJong Seconds

Vote: 4yes

Board Comments: none

Meeting Adjourned -6:55 PM

Lisa Murphy- Deputy Clerk Nelson Township

TOWNSHIP OF NELSON COUNTY OF KENT, MICHIGAN

Minutes of a regular meeting of the Planning Commission of the Township of Nelson, held at the Township and Village Hall, 2 Maple Street, Sand Lake, Michigan, on the 12th day of March, 2024, at 7:00 p.m.

PRESENT: Members: ABSENT: Members:

The following preamble and resolution were offered by and seconded by

# RESOLUTION TO APPROVE FRANCHISE AGREEMENT [DIRECTV, LLC f/k/a AT&T]

WHEREAS, the Township of Nelson (the "Township") previously entered into a Unifonn Video Service Local Franchise Agreement (the "Franchise Agreement"), which Franchise Agreement is set to expire on December 10, 2024;

WHEREAS, by letter dated March 1, 2024, the Township received a request from DIRECTV, LLC, formerly known as AT&T (the "Grantee"), to renew the Franchise Agreement;

WHEREAS, the Township has reviewed the renewal request, and in compliance with the tenns of the Uniform Video Services Local Franchise Act, Public Act 480 of 2006, MCL 484.3301 *et seq.,* as amended (the "Act"), desires to consider and act upon this request on a timely basis; and

WHEREAS, the Township Board finds that the Grantee is qualified to operate the cable communication system and has provided past service in compliance with the terms and conditions of the Franchise Agreement and applicable ordinances and regulations.

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IT IS THEREFORE RESOLVED AS FOLLOWS:

* 1. The existing Franchise Agreement is hereby terminated and replaced as of the effective date with the Unifom1 Video Service Local Franchise Agreement between the Township and DIRECTV, LLC, attached hereto as Attachment I.
  2. The Township grants the franchise to Grantee pursuant to the terms of the new Franchise Agreement. The Franchise Fee in the agreement shall be three percent (3%).
  3. The Township Supervisor is hereby authorized and directed to execute the Franchise Agreement attached to this Resolution on behalf of the Township.
  4. The Grantee shall accept the terms and conditions of this Resolution in writing within 30 days after receipt of a fully adopted copy of this Resolution.
  5. This Resolution shall be effective immediately. All resolutions or parts of resolutions in conflict herewith are hereby rescinded.

AYES: NAYS: RESOLUTION DECLARED ADOPTED.

Laura Hoffinan, Township Clerk Township of Nelson

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STATE OF MICHIGAN)

) ss.

COUNTY OF KENT )

I, the undersigned, the duly qualified and acting Clerk of the Township of Nelson, Kent County, Michigan (the "Township"), do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting on the 12th day of March, 2024, the original of which is on file in my office. Public notice of said meeting was given pmsuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by posting at least eighteen ( I8) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my official signature on the 12th day of March, 2024.

Laura Hoffman, Township Clerk Township of Nelson.

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**ATTACHMENT 1**

**UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT**

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# Robyn Britton

**From: Sent: To: Subject:**

Laura Hoffman

Thursday, March 21, 2024 5:18 AM

Robyn Britton; Katy Austin; Dan George - Nelson Township Trustee; Curtis DeJong Fwd: Citizens for Local Choice Petition Drive •

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**From:** William Schmiege [<WSchmiege@outlook.com>](mailto:WSchmiege@outlook.com)

**Sent:** Thursday, March 21, 2024 3:51:50 AM

**To:** Laura Hoffman [<clerk@nelsontownship.org>](mailto:clerk@nelsontownship.org) Subject: Citizens for Local Choice Petition Drive

Clerk Laura Hoffman Township of Nelson

Dear Clerk Laura Hoffman,

Subject: Citizens for Local Choice Petition Drive

I am writing to advocate for the Township of Nelson to endorse and support the Citizens for Local Choice Ballot Petition. This is a statewide, nonpartisan, volunteer effort to amend Public Act 233 which was signed into law last November. PA233 preempts local control over renewable energy siting, handing decisions on construction of solar, wind and battery storage facilities to a state panel of non-elected bureaucrats.

PA233 was written with input from renewable energy developers and major utility companies and includes no protections for the health and well-being of Michigan residents. When it goes into effect this November, PA233 will override existing zoning ordinance requirements.

A Michigan Township Association poll shows that 87% of Michigan voters support local choice, regardless of party affiliation. Local voters elected you to protect the well-being of their community. How can governor-appointed Lansing bureaucrats who lack knowledge and understanding of local issues be allowed to make decisions that directly affect your community?

The amendment proposed on this petition allows local units of government to decide their own standards for wind, solar and battery facilities. If successful, your ability to make crucial zoning decisions that address your community's unique needs will be restored.

We strongly encourage you to take back your voice and join us in this statewide, nonpartisan, volunteer effort to amend PA233 and restore local planning controls in our great state!

We have until May 15 to collect the needed number of registered voter signatures statewide to put this amendment on the November ballot.

Here's what a Township Board or Board Members may do in their official capacity:

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* Advocate for legislation to state and federal legislators or officials. (Hays v. City of Kalamazoo, 316 Mich. 443, 1947)
* Express his or her views in their policy-making capacity.
* Produce and distribute factual information concerning issues relevant to township functions. This includes informing the "electors in a fair and objective manner of the facts surrounding an upcoming ballot proposal." (Attorney General Opinion 6531 of 1988)
* May adopt a resolution to support or oppose a ballot question, if the ballot question relates to township concerns, property, or government. The township cannot use township funds, property, or resources to distribute such a resolution.
* Share this information with your Planning Commission, Zoning Board of Appeals, Downtown Development Authority, and others in your Township who can help make an impact.

Here's what individual Board Members may do as private individuals:

* Elected or appointed public officials or employees of a township may express their own personal views when they are not acting for the township, on their own personal time, expending their own personal funds, or providing their own personal volunteer services.
* Sign a petition.
* Encourage members of your community who are passionate about saving local control to volunteer through the Citizens for Local Choice website or by contacting one of our local team below.

What a Township Board or Board Members must avoid doing:

* It is not lawful to use township funds, township-owned office space or other property to expressly advocate a vote for or against a candidate or ballot question. "Expressly advocate" means to state support for the passage or defeat of a ballot question.
* A township cannot put links on its website only to sites that expressly advocate only for or against one side of a ballot question.

To learn more about Citizens for Local Choice, visit our website at [https://www.micitizenschoice.org/](http://www.micitizenschoice.org/)

Sincerely,

Kent County Citizens for Local Choice

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