

Thanks Greg

Get Outlook for iOS

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**From:** Terri Medor <tmedor@tyronetownship.us>

**Sent:** Wednesday, December 11, 2024 4:29:39 PM

**To:** Chris Ropeta <chris.ropeta@gmail.com>; Dean Haas <deanhaase@hotmail.com>; Greg Carnes <gcarnes@tyronetownship.us>; Herm Ferguson <herm.ferguson72@gmail.com>; Jennifer Eden <jeden@tyronetownship.us>; Pam Moughler <pmoughler@tyronetownship.us>; Sara Dollman-Jersey <snydersj79@gmail.com>

**Subject:** Township Board Packet, December 17, 2024

**TYRONE TOWNSHIP  
BOARD MEETING AGENDA  
DECEMBER 17, 2024 - 7:00 P.M.  
(810) 629-8631**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE – 7:00 P.M.**

**ROLL CALL**

**APPROVAL OF AGENDA – OR CHANGES**

**APPROVAL OF CONSENT AGENDA**

Regular Board Meeting Minutes – December 3, 2024

Treasurer’s Report – November 31, 2024

Clerk’s Warrants and Bills – December 11, 2024

**COMMUNICATIONS**

1. Livingston County Sheriff Report- November 31, 2024
2. Planning Commission Approved Meeting & Public Hearing Minutes- October 8, 2024
3. Planning Commission Approved Meeting Minutes- November 12, 2024
4. Planning Commission Meeting Synopsis- December 10, 2024

**PUBLIC REMARKS**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

1. Authorization to take legal action against property owners for zoning violation.
2. Discuss possible board meeting format modification.
3. Appoint new Planning Commissioner.
4. Review current Planning Commissioners.
5. Discuss the Township Board’s recommendation of direction and items of concern for the Planning Commission.
6. Discuss future board workshops (format and timing).

**MISCELLANEOUS BUSINESS**

**PUBLIC REMARKS**

**ADJOURNMENT**

\* \* \* \* \*

**Supervisor Greg Carnes      Clerk Pam Moughler**

Please note: Anyone wishing to address the Township Board may do so during Public Remarks. The Tyrone Township Board of Trustees has established a policy limiting the time a person may address the Township Board at a regular or at a special meeting during the Public Remarks section of the agenda to three minutes. The Board reserves the right to place an issue under the New Business section of the agenda if additional discussion is warranted or to respond later either verbally or in writing through an appropriately appointed Township Official. Individuals with disabilities requiring auxiliary aids or services should contact the Tyrone Township Clerk at (810) 629-8631 at least seven days prior to the meeting.

**Terri Medor, Deputy Clerk**



Tyrone Township, Livingston County  
8420 Runyan Lake Rd.  
Fenton, MI 48430  
(810)629-8631  
Monday-Thursday 9am-5pm  
[www.tyronetownship.us](http://www.tyronetownship.us)

**chris.ropeta@gmail.com**

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**From:** Ross Nicholson <rnicholson@tyronetownship.us>  
**Sent:** Wednesday, December 18, 2024 12:07 PM  
**To:** joncward@gmail.com; Kevin Ross; bw0600@hotmail.com;  
'ladderconstructionllc@gmail.com'; chris.ropeta@gmail.com; Richard Erickson; Zach  
Tucker  
**Cc:** Zoning; SUPERVISOR  
**Subject:** FW: ---Citizen Planner---In-Person Training  
**Attachments:** Citizen Planner MSU Extension.pdf

Hello Planning Commission!

Just passing along some upcoming training opportunities for anyone who may be interested. If you would like to attend any of the sessions, please let me know.

Best regards,

**Ross Nicholson**

Director of Planning & Zoning

Tyrone Township  
8420 Runyan Lake Rd.  
Fenton, MI 48430  
(810) 629-8631



[www.tyronetownship.us](http://www.tyronetownship.us)

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**From:** Martha Haglund <MHaglund@livgov.com>  
**Sent:** Wednesday, December 18, 2024 11:53 AM  
**To:** Rob Stanford <RStanford@livgov.com>; Scott Barb <SBarb@livgov.com>; Abigail Carrigan <ACarrigan@livgov.com>  
**Subject:** ---Citizen Planner---In-Person Training

This Spring there is a great training opportunity for appointed and elected officials. There are group discounts available so please, contact your Township/City/Village staff as they may help coordinate registration. For full course information see the attached flyer.

**Who:** MSU Extension  
**What:** In-Person Citizen Planner Course  
**When:** Thursdays, March 6 - April 17, 2025, 6-9 p.m. ET



# Livingston County 2025 Citizen Planner Program

A Land Use Training and Certificate Course for  
Community Land Use Decision Makers

**Livingston County  
Citizen Planner  
Begins Thursday  
March 6, 2025  
6:00—9:00 PM**

**Classes held in person at:**

Livingston County Public Safety  
Complex  
1911 Tooley Rd, Howell, MI

**Dates: March 6, 13, 20, April 3,  
10 and 17.**

**Citizen Planner is a time-  
tested educational program  
proven to be comprehensive  
without being overwhelming.  
The program is  
delivered "locally" to provide  
a convenient way for busy  
community leaders to obtain  
the latest technical  
knowledge and the  
proficiency they need to  
perform their duties more  
effectively and responsibly.**



## **Citizen Planner Classroom Sessions**

Citizen Planner instructors include MSU Faculty, MSU Extension educators, planners and attorneys. The core classroom program consists of six sessions:

- **Understanding the Planning and Zoning Context** – Learn the legal sources and limitations of planning and zoning authority, and explore your understanding of ethical decision-making.
- **Planning for the Future of Your Community** – Recognize the function and importance of a master plan, know the process for developing one and its relationship to zoning.
- **Implementing the Plan with Zoning** – Discover the importance of zoning, learn how zoning is administered and gain confidence in your zoning reviews, including site plans.
- **Making Zoning Decisions** – Learn how to adopt and amend a zoning ordinance, understand the role of the zoning board of appeals and obtain skills in basic property development methods.
- **Using Innovative Planning and Zoning** – Strategize with placemaking and design-based solutions for local and regional success in the New Economy.
- **Successfully Fulfilling Your Role** – Strengthen your ethical decision-making skills, apply standards to your decision-making and know when to ask for help.



The Livingston County Citizen  
Planner Program is a partnership  
with Livingston County

Contact

**Kara Kelly: [cplanner@msu.edu](mailto:cplanner@msu.edu)**

**Visit <http://citizenplanner.msu.edu>.**

# Livingston County Citizen Planner

Classes: Thursdays, March 6 - April 17

## Understanding the Planning and Zoning Context

Thursday, March 6, 2025  
6:00 pm—9:00 pm

## Planning for the Future of Your Community

Thursday, March 13, 2025  
6:00 pm—9:00 pm

## Implementing the Plan with Zoning

Thursday, March 20, 2025  
6:00 pm—9:00 pm

## Making Zoning Decisions

Thursday, April 3, 2025  
6:00 pm—9:00 pm

## Using Innovative Planning and Zoning

Thursday, April 10, 2025  
6:00 pm—9:00 pm

## Successfully Fulfilling Your Role

Thursday, April 17, 2025  
6:00 pm—9:00 pm

## Course Location

Livingston County Public Safety  
Complex  
1911 Tooley Rd, Howell, MI

## Local Contact

Harmony Gmazel: gmazelh@msu.edu

## Course Fee

The course fee is \$250 per participant for the complete core program. The fee covers registration and course materials. A group (4 or more) discount is available. Participants that complete all six sessions will receive a certificate of completion.

## How to Register

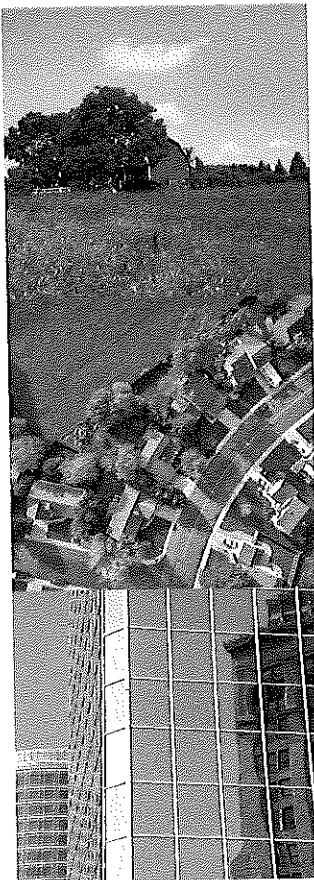
Online registration is available at <https://events.anr.msu.edu/CPLivingston25/>. Payment can be made by credit card, check; an invoice is created with registration. Group registration is also available online. A \$45 cancellation fee is assessed if registration is canceled after **February 28, 2025, the registration deadline.**

## Grants/Scholarships

A grant program, Risk Reduction Grant Program (RRGP), may be available from your community's liability insurance provider. Michigan Township Participating Plan offers to its municipal members one per community, which covers the complete registration cost reimbursement for completion of the Citizen Planner Program. For more information, please visit us on the web at [www.theparplan.com](http://www.theparplan.com). For member governments of the Michigan Municipal Risk Management Authority (MMRMA), contact **Cara Ceci** at 800-243-1324 for more information regarding grants for education and training through the Risk Avoidance Program (RAP). For municipalities obtaining insurance through Nickel & Saph, Inc. Insurance Agency contact **Stephen R. Saph, Jr.** at 586-463-4573 or [stephenjr@nickelsaph.com](mailto:stephenjr@nickelsaph.com). Contact your local community liability risk insurance carrier to see if similar grants or s similar grants or scholarships are available.

## Persons with Disabilities

Persons with disabilities may request accommodations by emailing Kara Kelly ([cplanner@msu.edu](mailto:cplanner@msu.edu)) two weeks prior to the event to ensure sufficient time to make arrangements. Requests made less than two weeks prior to the event will be met if possible.



MSU is an affirmative-action, equal-opportunity employer, committed to achieving excellence through a diverse workforce and inclusive culture that encourages all people to reach their full potential. Michigan State University Extension programs and materials are open to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status. Issued in furtherance of MSU Extension work, acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture. Quentin Tyler, MSU Extension, East Lansing, MI 48824. This information is for educational purposes only. Reference to commercial products or trade names does not imply endorsement by MSU Extension or bias against those not mentioned.

## Livingston County Citizen Planner



MSU is an affirmative-action, equal-opportunity employer, committed to achieving excellence through a diverse workforce and inclusive culture that encourages all people to reach their full potential. Michigan State University Extension programs and materials are open to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status. Issued in furtherance of MSU Extension work, acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture. Quentin Tyler, MSU Extension, East Lansing, MI 48824. This information is for educational purposes only. Reference to commercial products or trade names does not imply endorsement by MSU Extension or bias against those not mentioned.

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Harmony Gmazel: gmazelh@msu.edu

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CITIZEN PLANNER IS A PROGRAM OF MSU EXTENSION

Martha Haglund, AICP Candidate  
Principal Planner  
Direct: (517) 376-8883  
Ph: (517) 540-8734  
[mhaglund@livgov.com](mailto:mhaglund@livgov.com)

Where: 1911 Tooley Rd. Howell, MI  
Price: \$250/participant, includes course materials  
To Register: <https://events.anr.msu.edu/CPLivingston25/>

*Wishing everyone a very Merry Christmas.*  
-Livingston County Planning Department



**MICHIGAN STATE UNIVERSITY Extension**

## Livingston County 2025 Citizen Planner Program

A Land Use Training and Certificate Course for Community Land Use Decision-Makers

**Livingston County Citizen Planner Begins Thursday March 6, 2025 6:00—9:00 PM**

Classes held in person at:

Livingston County Public Safety Complex  
1911 Tooley Rd, Howell, MI

Dates: March 6, 13, 20, April 3, 10 and 17.

Citizen Planner is a time-tested educational program proven to be comprehensive without being overwhelming. The program is delivered "locally" to provide a convenient way for busy community leaders to obtain the latest technical knowledge and the proficiency they need to perform their duties more effectively and responsibly.



#### Citizen Planner Classroom Sessions

Citizen Planner instructors include MSU Faculty, MSU Extension educators, planners and attorneys. The core classroom program consists of six sessions:

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The Livingston County Citizen Planner Program is a partnership with Livingston County

Contact  
Kara Kelly: [cplanner@msu.edu](mailto:cplanner@msu.edu)  
Visit <http://citizenplanner.msu.edu>.





**chris.ropeta@gmail.com**

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**From:** chris.ropeta@gmail.com  
**Sent:** Friday, December 20, 2024 11:37 AM  
**To:** 'Terri Medor'  
**Cc:** 'Greg Carnes'; 'Pam Moughler'  
**Subject:** RE: FOIA Request

Hi Terry,

As soon as I receive a copy of the original FOIA request, I will work on this. I will stop by the Township Office Monday and pick it up.

As of this email, I will no longer communicate using my personal email accounts or my personal phones as previously provided during my swearing-in with the Township Clerk, Pam Moughler. I have requested the appropriate resources to conduct Township business from Pam and Greg and she will bring this up at the next Board meeting for discussion.

In the meantime, please communicate to me by United States Postal Service, or any other service such as FedEx or UPS. If you have urgent requests, please use overnight services for fastest communication.

Best Regards,

Chris Ropeta

**From:** Terri Medor <tmedor@tyronetownship.us>  
**Sent:** Thursday, December 19, 2024 3:35 PM  
**To:** Chris Ropeta <chris.ropeta@gmail.com>; Dean Haas <deanhaase@hotmail.com>; Greg Carnes <gcarnes@tyronetownship.us>; Herm Ferguson <herm.ferguson72@gmail.com>; Jennifer Eden <jeden@tyronetownship.us>; Pam Moughler <pmoughler@tyronetownship.us>; Sara Dollman-Jersey <snrydersj79@gmail.com>; Bill Wood <BW0600@hotmail.com>; Garrett Ladd <gladd1989@gmail.com>; Jon Ward <joncardward@gmail.com>; Kevin Ross <kmross@gmail.com>; Richard Erickson <richard.erickson1@gmail.com>; Steve Krause <krausegk02@yahoo.com>; Zach Tucker <ztucker@winegarden-law.com>  
**Subject:** FW: FOIA Request

Oops...sorry for the error. The corrected version is below.

Board members and Planning Commissioners,

We received a FOIA request for the following information:

1. Any and all written or electronic communication between Supervisor Carnes and Board Members regarding the Planning Commission and any/all planning commissioners.
2. Any and all written or electronic communication from Supervisor Carnes to the Planning Commission and any/all planning commissioners.

Board members and Planning Commissioners,

We received a FOIA request for the following information:

1. Any and all written or electronic communication between Supervisor Carnes and Board Members regarding the Planning Commission and any/all planning commissioners.
3. Any and all written or electronic communication from Supervisor Carnes to the Planning Commission and any/all planning commissioners.
4. Any and all written or electronic communication from Board Members to the Planning Commission and any/all planning commissioners.

Communication includes, but not limited to, email, record of phone calls, history of phone calls, text messages, or written correspondence on township-provided equipment OR personal devices from the dates of **November 20, 2024 to December 17, 2024.**

We checked with our attorney and the information requested IS allowable from personal devices of an elected official. Obviously, other irrelevant information is not required to be submitted.

This means any email, text message, note, phone call record, and phone call history on your private phone, private computer and/or private tablet must be printed out. Alternately, you can screen-shot images.

Please submit information to me either in person or email by 5:00 p.m. on Monday, January 6, 2025. I have filed a 10-day extension on this FOIA with the requestor to allow everyone enough time to get the information.

Thank you.

**Terri Medor, Deputy Clerk**



Tyrone Township, Livingston County  
8420 Runyan Lake Rd.  
Fenton, MI 48430  
(810)629-8631  
Monday-Thursday 9am-5pm  
[www.tyronetownship.us](http://www.tyronetownship.us)

## Chris Ropeta

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**From:** Greg Carnes <gcarnes@tyronetownship.us>  
**Sent:** Wednesday, December 4, 2024 8:16 AM  
**To:** Jennifer Eden; Pam Moughler; Chris Ropeta; snydersj@gmail.com; deanhasse@hotmail.com; Herm Ferguson  
**Subject:** FW: Planning Commission Position - Resume & Cover Letter  
**Attachments:** Abigail Carrigan - Tyrone Twp PC Cover Letter.pdf; Abigail Carrigan Resume (16).pdf

**From:** abby carrigan <abbycarrigan@gmail.com>  
**Sent:** Tuesday, December 3, 2024 8:32 PM  
**To:** SUPERVISOR <SUPERVISOR@tyronetownship.us>  
**Subject:** Planning Commission Position - Resume & Cover Letter

Hi Mr. Carnes,

My name is Abigail Carrigan, and I am excited to submit my application for a position on the Tyrone Township Planning Commission. After attending tonight's meeting, I was eager to follow up and express my interest in the position. Attached to this email, you will find my cover letter and resume for your review. I am very enthusiastic about this opportunity and would love to contribute new perspectives and insights to the Planning Commission and greater Township. I'm truly looking forward to further discussing this opportunity with you, and am delighted to see your leadership in the community! Let me know if there's anything else you need from me, and I would love to set up a time to talk!

Best Regards,

Abigail Carrigan

Supervisor Greg Carnes  
8420 Runyan Lake Rd  
Fenton, MI 48430

*Dear Supervisor Carnes,*

My name is Abigail Carrigan, and I am writing to express my sincere interest in joining the Tyrone Township Planning Commission. As a lifelong resident of Tyrone Township and a dedicated student driven by a deep passion for land use and rural community development, I believe I am well-equipped to meaningfully contribute to this role.

Attending recent Township meetings has provided insight into the pressing issues facing our community. While I have observed many thoughtful efforts by previous leadership, there have also been moments of misalignment and inefficiency that highlight a need for fresh perspectives and a new approach to problem-solving. As a young individual with both academic and practical experience in planning, I am eager to contribute to addressing these challenges while fostering a welcoming spirit of cooperation and progress.

My background includes a strong academic foundation, studying Social Relations & Policy at Michigan State University's Honors College alongside Sustainable Agriculture & Food Systems and Human, Environmental, & Economic Geography. I recently served as a Landscape Code Enforcement Officer in Hartland Township, and am currently working with Livingston County authoring a comprehensive plan to improve the County's regional agricultural and preservation efforts. My passion for planning is rooted in a belief that rural communities are vital to our society's cultural, economic, and ecological resilience and worthy of thoughtful preservation and investment.

Beyond technical experience, I am passionate about connecting with people and have an authentic interest in strengthening our community in adherence to the values of our residents. I take pride in being well-prepared, detail-oriented, and adaptable, and I am also committed to fostering a respectful and productive environment where decisions can be made with integrity, rationale, and transparency.

I would be absolutely honored to contribute my time, knowledge, and energy to the Tyrone Township Planning Commission, and am confident that my perspective as a young and engaged resident would bring valuable insights to the community. I truly appreciate your consideration and look forward to further discussing this opportunity with you.

*Best Regards,*

*Abigail Carrigan*

# ABIGAIL K. CARRIGAN

Fenton, MI | East Lansing, MI | (810-599-9820) | [carrig20@msu.edu](mailto:carrig20@msu.edu) & [abigailkcarrigan@gmail.com](mailto:abigailkcarrigan@gmail.com)

## SUMMARY

Dedicated student interested in land use, conservation, food security, and civic engagement. Excelled in both academic and professional writing, and experienced in GIS and collaborative work. Demonstrates strong oral communication and strategic planning skills.

## EDUCATION

08/22-12/25

**Michigan State University, Honors College, James Madison College**

**Bachelor of Arts: Social Relations & Policy**

Minor: Sustainable Agriculture & Food Systems

Minor: Human, Environment, & Economic Geography

- GPA: 3.98
- Dean's List (all eligible semesters)

09/18-05/22

**Fenton Senior High School, Fenton, MI**

- GPA: 4.3
- National Honors Society Scholar

## EXPERIENCE

04/24 - Current

**Assistant Planner**

**Livingston County Government, Howell, MI**

- Solely author the upcoming *Livingston County: 2025 Sustainable Agriculture, Food Systems, & Rural Environments Plan*
- Contribute to the 2025 Master Plan for the county by writing key sections
- Conduct research and data analysis on land use and zoning requirements
- Update GIS maps for county planning purposes.

04/24 - 08/24

**Landscape Code Enforcement Officer**

**Hartland Township Government, Hartland, MI**

- Ensure the administration and enforcement of Township ordinances
- Conduct and document site inspections to evaluate commercial landscape materials and conformance with approved landscape plans
- Contact and cooperate with local commercial business owners to address compliance issues
- Prepare information and documentation for the Planning Commission

11/21 - 08/23

**Greenhouse Assistant Manager**

**Colasanti's Market, Highland, MI**

## SKILLS

- Microsoft Certified
- GIS Experience
- BS & A Experience
- Proficiency in graduate-level writing
- Knowledge of planning and zoning procedures
- Policy Analysis Experience

## ACTIVITIES

- Spartan Food Security Council Member
- Livingston Land Conservancy Member
- Michigan Good Food Charter Council Member
- Greater Lansing Food Bank Volunteer

## Chris Ropeta

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**From:** Greg Carnes <gcarnes@tyronetownship.us>  
**Sent:** Wednesday, December 4, 2024 8:14 AM  
**To:** Jennifer Eden; Pam Moughler; Chris Ropeta; snydersj@gmail.com; deanhasse@hotmail.com; Herm Ferguson  
**Subject:** FW: Resume for PC  
**Attachments:** Cover\_Letter\_T\_Merciez24.docx; Resume-T\_Merciez-2024.docx

TT Board,

Attached is our first PC application.

I would like you to consider him for the first Planning Commission opening.

I will be sending emails from 2 other candidates I would also like on the board.

I am also considering for the Dec 17<sup>th</sup> making it a workshop so we can address the items discussed last night.

If we have business we can do a short Board meeting then change to the workshop.

Thanks, Greg

**From:** tedmerciez@charter.net <tedmerciez@charter.net>  
**Sent:** Monday, December 2, 2024 7:11 AM  
**To:** SUPERVISOR <SUPERVISOR@tyronetownship.us>  
**Subject:** Resume for PC

Greg; please find attached the documentation that was requested.

Thanks;  
Ted

Mr. Greg Carnes, Supervisor  
Tyrone Township  
8420 Runyan Lake Road  
Fenton, Michigan 48430  
November 29, 2024

Dear Supervisor Carnes:

It is my intent to demonstrate my interest in working with the Planning Commission of Tyrone Township. Ten years ago, my wife and I moved to Tyrone Township. Our goals for retirement revolved around quality of life. We diligently searched for a home that would provide us with peace and quiet, clean fresh air, excellent neighbors, wildlife in abundance and natural beauty to enjoy every day. We felt blessed to find all of that and more at our new residence here in Tyrone.

Within a couple of years, we realized that there were some threats arising within the township. The beautiful green and blue spaces that brought us here were being jeopardized by business attempts to profit off of the pristine nature and desirable location of our Township. The Rural charm and character that we had searched for was not even being considered by these corporations. During the "Asphalt Plant" initiative, I was in contact with literally hundreds of residents of Tyrone Township and found their desires to preserve the qualities of this Township to be identical to my own.

It is for this reason that I am offering to bring to bear whatever I can offer to assist in a positive vision of Tyrone for decades to come.

Following are a few competencies I offer:

- Strong regulatory mandate management and oversight skills: An extensive history of dealing with regulatory agencies and their processes.
- Sound process development: Trained in Total Process Control including Value Stream Mapping. This could facilitate ordinance development and reinforcement.
- 15 years as the chairperson for the Western Wayne County Local Emergency Planning Commission.

I would be honored to be a part of your team and contribute my skills to the Township. My enclosed resume provides further information regarding my applicable working experiences.

I would welcome the opportunity to discuss my qualifications with you and the Board. Please contact me at the telephone number or email address referenced below to schedule a mutually convenient time to meet.

Thank you for your kind consideration of my candidacy.

Sincerely,

Ted Merciez  
810-208-7596  
tedmerciez@charter.net

Enclosure

# Ted Merciez

9250 Hogan Road, Fenton, MI 48430 • 810-208-7596 • tedmerciez@charter.net

## Objective: Corporate-Level Environmental Health & Safety Management

### PROFESSIONAL PROFILE

Accomplished, performance driven public safety professional with over 30 years of fire, rescue, paramedic, and hazardous materials response experience; demonstrated history of achievement in the administration, supervision, and management of a municipal Fire Department; exceptional capability in designing and developing mock disaster drills and mass casualty evolutions for emergency responders; highly skilled in training and educating personnel in fire service; thrives in a collaborative environment where strict attention to detail is imperative; well-versed in identifying, rectifying, and monitoring areas of operational inefficiencies and potential risk; effective coach and mentor; excellent interpersonal skills; well respected by peers, subordinates, and executive leadership.

### STRENGTHS & COMPETENCIES

- Incident / Command Management
- Behavioral and Physical Safety Processes SME
- Regulatory Compliance and Data Analysis SME
- Team Building / Social Dynamics
- Effective Educator / Motivational Speaker
- Risk Management / Safety Audits

### NOTABLE CAREER ACHIEVEMENTS

- Recognized as one of the first certified instructors in Michigan for Confined Space Entry and Rescue
- Envisioned and incorporated Midwest Emergency Response Consultants, Inc. (MERC), a business vital in providing smaller companies with education and training in emergency situation preparedness
  - Led the successful integration of MERC into MERC International
- Exceptional instructor in all facets of hazardous materials emergency response, terrorism awareness and response, incident command/management, and diverse paramedic recertification courses, including cardiology and pharmacology for five area colleges and universities
- Organized and led development of the original set of standard operating procedures regarding hazardous material response for the City of Livonia, Michigan

### PROFESSIONAL EXPERIENCE

#### MICHIGAN DAIRY

Livonia, MI — 2011 to 2023

#### Regulatory Compliance Manager

Preside over safety, environmental, and compliance issues and audits related to Kroger Corporation EHS mandates; evaluate the efficiency of controls and improve them continuously; revise methods and procedures periodically to identify hidden risks and/or non-conformity issues; draft, modify, and implement company policies; collaborate with corporate counsel and human resources departments to monitor enforcement of standards and regulations including those set forth by OSHA and SARA title III; submit compliance reports to regulatory organizations; create and maintain files of investigation results or complaints; liaison between management and personnel.

#### *Specific Attributes brought to this Position:*

- Ensures organization operates safely and ethically.
- Exhibits natural leadership ability, motivational speaking ability, and the ability to build trust.
- Achieved 4 Iceberg awards (zero recordable injuries for 365 days each).
- Achieved Brother's Keeper Award (longest period of time in all of Kroger manufacturing without a recordable injury).
- Utilized as a "Process Analyst" for many other Kroger facilities (multi-site management).
- Performed corporate physical and behavioral audits for other Kroger manufacturing facilities.



- Certified Kroger Incident Investigator.
- Scored an "Excellent" on 12 out of 12 Annual Safety Key Element Assessments.
- Scored an "Excellent" on 12 out of 12 Kroger Corporate Behavioral/Physical Safety audits.

### **CITY OF LIVONIA**

*Livonia, MI — 1982 TO 2010*

**Fire Captain, Paramedic**

Commanded single and multiple-company responses to emergency fire, medical aid, traffic accident, hazardous material, rescue, and other situations and functions as the incident commander; primary officer for situation assessment, tactic/strategy development and implementation, and the deployment of personnel and equipment; acted in the capacity of City Commander, Station Commander, Hazardous Material Safety Officer, and Advanced Life Support provider; delivered continuous training and education on advanced tactics and strategy to personnel in the fire service.

*Specific Attributes brought to this Position:*

- Sound knowledge of applicable laws, technical specifications, internal controls, policies, and procedures of the Fire Department.
- Exceptional understanding of firefighting equipment and the principles of mechanics, hydraulics, and mathematics related to firefighting and engineering duties.
- Keen ability to teach others advanced topics in fire prevention, building construction, investigation, and inspection principles, practices, and techniques.
- Proficient in computer systems and related software.
- Upgraded to Battalion Chief and Shift Commander based on Seniority and Performance.

## **FACULTY APPOINTMENTS**

**BAKER COLLEGE, Adjunct Instructor**

*Westland, MI – 1998 to 2007*

Well-versed in preparing adult learners and traditional students for careers in fire science and related fields using a disciplined and well-executed instructional method; taught courses in hazardous materials, terrorism, ICS, and cardiology for paramedics and emergency medical technicians; combined lecture with various presentation techniques to aid learning and increase understanding; received consistently high student reviews.

**HENRY FORD COMMUNITY COLLEGE, Adjunct Instructor**

*Dearborn, MI – 1994 to 1997*

Taught advanced courses in terrorism awareness and response, incident command/management, hazardous materials emergency response, and a wide range of diverse paramedic recertification courses, including cardiology and pharmacology; assisted students in achieving career goals through academic success; received consistently high student reviews.

**SCHOOLCRAFT COLLEGE, BUSINESS DEVELOPMENT, Program Coordinator & Developer, Adjunct Instructor**

*Livonia, MI – 1986 to 1992*

Provided continuous training and education on advanced tactics and strategy to fire service personnel through the college Fire Training Academy; assumed duties of Director of Education and primary consultant to private industry regarding federal regulatory compliance issues for the college Business Institute; primary developer of programs and one of the primary instructors for the entire curriculum; designed and developed mock disaster drills and mass casualty evolutions for emergency responders; educated private industry in EPA, DOT, and OSHA federal and state compliance mandates; recognized as one of the first certified instructors in the state for Confined Space Entry and Rescue; received consistently high student reviews.

**EASTERN MICHIGAN UNIVERSITY, Adjunct Instructor**

*Ypsilanti, MI – 1980 to 1982*

Aggressively engaged in teaching emergency response courses to non-traditional students in undergraduate degree programs; gained classroom experience through lecture and interactive learning; received high student reviews.

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## ADDITIONAL RELEVANT EXPERIENCE

MERC INTERNATIONAL INC., Director of Education, Consultant  
*Allen Park, MI – 2002 to 2004*

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Founded organization responsible for teaching smaller companies in fire science, safety, and hazardous material handling; directed and shaped curricula and teaching processes; involved in the research and design of educational materials and instructional methods.

BOTSFORD GENERAL HOSPITAL, Fire Prevention, Safety Specialist  
*Farmington Hills, MI – 1997 to 1999*

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Implemented systems to ensure safe running and compliance with legislation; provided corrective actions and recommendations based on audit results; extensive knowledge of fire protection, safety, and suppression systems; repaired and provided regular maintenance to fire-related equipment; conducted training programs in all aspects of fire safety.

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## EDUCATION & CERTIFICATION

MSA, Project Management, Central Michigan University, Warren, MI 48091 (*current*)

BS, Emergency Response to Hazardous Materials/Psychology, Siena Heights University, Southfield, MI 2009

*Alpha Sigma Lambda-Siena Heights University Honors Society; Summa cum laude*

AS, Advanced Emergency Medical Technology (Paramedic), Macomb Community College, Clinton Twp., MI 1981

*Magna cum laude*

AS, Firefighting/Safety Technology, Macomb Community College, Clinton Twp., MI 1981

*Magna cum laude*

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## AWARDS

Commendation of Leadership, City of Livonia, 2009

Commendation of Valor, City of Livonia, 1986, 1987, 1992, 1997

Firefighter of the Year, City of Livonia, 1986, 1997

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## MEMBERSHIPS & AFFILIATIONS

Member, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

Member, International Association of Fire Fighters (IAFF)

Member, Michigan Fire Fighters Training Council Instructors

Member, International Fire Service Training Association

National Fire Academy Adjunct Faculty

Siena Heights University Alumni

Macomb Community College Alumni

Hazardous Materials Liaison Local Emergency Planning Committee (LEPC)

Chairman, Sub Committees of the Local Emergency Planning Committee

Member, Committee to Design and Develop Mass Casualty Exercises and Mock Disasters

Kroger Marketing Association Annual "Safety Round-Up" Motivational Speaker Gold-

Level Speaker, Kroger Manufacturing Annual Safety Conference

Member of the Kroger National Accident Review Committee

Member of the Kroger Safety Root Cause Analysis Committee

Behavioral Accident Prevention Process expert

Annual Speaker at the State of Michigan Safety Conference

**chris.ropeta@gmail.com**

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**From:** chris.ropeta@gmail.com  
**Sent:** Wednesday, December 18, 2024 2:08 PM  
**To:** 'Ross Nicholson'  
**Cc:** 'SUPERVISOR'; 'CLERK'  
**Subject:** RE: Renewable Energy Ordinances

Thanks

**From:** Ross Nicholson <rnicholson@tyronetownship.us>  
**Sent:** Wednesday, December 18, 2024 9:30 AM  
**To:** chris.ropeta@gmail.com  
**Cc:** SUPERVISOR <SUPERVISOR@tyronetownship.us>; CLERK <CLERK@tyronetownship.us>  
**Subject:** RE: Renewable Energy Ordinances

Hi Chris,

All meeting documents associated with the RE ordinance amendments that were discussed at both the Planning Commission and Board levels can be found through the meeting packet links on our website:  
<https://www.tyronetownship.us/meetings-minutes/>.

Best regards,

**Ross Nicholson**

Director of Planning & Zoning

Tyrone Township  
8420 Runyan Lake Rd.  
Fenton, MI 48430  
(810) 629-8631



[www.tyronetownship.us](http://www.tyronetownship.us)

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**From:** [chris.ropeta@gmail.com](mailto:chris.ropeta@gmail.com) <[chris.ropeta@gmail.com](mailto:chris.ropeta@gmail.com)>  
**Sent:** Monday, December 16, 2024 5:30 PM  
**To:** Ross Nicholson <[rnicholson@tyronetownship.us](mailto:rnicholson@tyronetownship.us)>  
**Subject:** Renewable Energy Ordinances

Hi Ross,

Can you please provide a PDF copy of the 3 RE ordinances? Or if they are not separate, can you please provide links to each individual section of the ordinances so I can easily find what was added? I would prefer a separate copy like that which went to the County for review but with all the final changes. Thank you and let me know if you have any questions

Chris Ropeta

**chris.ropeta@gmail.com**

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**From:** chris.ropeta@gmail.com  
**Sent:** Wednesday, December 18, 2024 1:57 PM  
**To:** 'Jennifer Eden'  
**Cc:** 'Greg Carnes'; 'Pam Moughler'  
**Subject:** RE: Carlisle Wortman

Thank you Jennifer.

**From:** Jennifer Eden <jeden@tyronetownship.us>  
**Sent:** Wednesday, December 18, 2024 11:10 AM  
**To:** chris.ropeta@gmail.com  
**Cc:** Greg Carnes <gcarnes@tyronetownship.us>; Pam Moughler <pmoughler@tyronetownship.us>  
**Subject:** RE: Carlisle Wortman

Chris,  
Attached are the invoices and break out Casey, our account, has put together.

Thanks

*Jennifer Eden, MICPT, CPFIM  
Tyrone Township Treasurer*

*Michigan Certified Public Treasurer (MICPT)  
Certified Public Funds Investment Manager (CPFIM)  
[jeden@tyronetownship.us](mailto:jeden@tyronetownship.us)  
810-629-8631  
810-629-0047 fax  
Regular Office Hours Mon.-Thurs. 9 AM – 5 PM*

*"Life is like running.....When you find your inner strength you realize you're capable of much more than you thought"*



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**From:** [chris.ropeta@gmail.com](mailto:chris.ropeta@gmail.com) <[chris.ropeta@gmail.com](mailto:chris.ropeta@gmail.com)>  
**Sent:** Tuesday, December 17, 2024 2:37 PM  
**To:** Jennifer Eden <[jeden@tyronetownship.us](mailto:jeden@tyronetownship.us)>  
**Cc:** Greg Carnes <[gcarnes@tyronetownship.us](mailto:gcarnes@tyronetownship.us)>; Pam Moughler <[pmoughler@tyronetownship.us](mailto:pmoughler@tyronetownship.us)>  
**Subject:** RE: Carlisle Wortman

Thanks Jennifer,

Looking for aggregate fees overall, but if you have the breakout by Master Plan and collectively the Renewable Energy, that would be even more helpful.

Best Regards,

Chris Ropeta

**From:** Jennifer Eden <[jeden@tyronetownship.us](mailto:jeden@tyronetownship.us)>  
**Sent:** Tuesday, December 17, 2024 9:59 AM  
**To:** [chris.ropeta@gmail.com](mailto:chris.ropeta@gmail.com)  
**Cc:** Greg Carnes <[gcarnes@tyronetownship.us](mailto:gcarnes@tyronetownship.us)>; Pam Moughler <[pmoughler@tyronetownship.us](mailto:pmoughler@tyronetownship.us)>  
**Subject:** RE: Carlisle Wortman

Good morning,

What exactly are you looking for? What we paid them in total since they started in 2021 or what we paid for any one event/topic, like master plan?

Jennifer

**From:** [chris.ropeta@gmail.com](mailto:chris.ropeta@gmail.com) <[chris.ropeta@gmail.com](mailto:chris.ropeta@gmail.com)>  
**Sent:** Monday, December 16, 2024 5:33 PM  
**To:** Jennifer Eden <[jeden@tyronetownship.us](mailto:jeden@tyronetownship.us)>  
**Subject:** Carlisle Wortman

Hi Jennifer,

Can you please send me a register (list) of the fees that we paid to Carlisle Wortman Associates since we contracted with them? Let me know if you have any questions. Thank you!

Chris Ropeta

12/17/2024

VENDOR ACTIVITY REPORT FOR TYRONE TOWNSHIP

Activity From 04/01/2018 To 12/17/2024

VENDOR RANGE: CWA TO CWA

CARLISLE/WORTMAN ASSOCIATES, INC

| Post Date  | Activity | Inv/Check # | Description              | Project | Invoice Amt |
|------------|----------|-------------|--------------------------|---------|-------------|
| 03/31/2021 | INVOICE  | 2160552     | ZONING ASPHALT PLANT     | Asphalt | \$ 820.00   |
| 03/31/2021 | INVOICE  | 2160551     | ZONING ASPHALT PLANT     | Asphalt | \$ 1,170.00 |
| 03/31/2021 | INVOICE  | 2160550     | ZONING ASPHALT PLANT     | Asphalt | \$ 280.00   |
| 03/31/2021 | INVOICE  | 2160549     | ZONING ASPHALT PLANT     | Asphalt | \$ 1,140.00 |
| 05/18/2021 | INVOICE  | 2160868     | TOWNSHIP PLANNER         | Planner | \$ 650.00   |
| 05/18/2021 | INVOICE  | 2160869     | URBAN CROSSING PLANNER   | Urban   | \$ 750.00   |
| 05/18/2021 | INVOICE  | 2160870     | REZONE PLANNER           | Planner | \$ 50.00    |
| 05/18/2021 | INVOICE  | 2160871     | REZONE PLANNER           | Planner | \$ 50.00    |
| 05/18/2021 | INVOICE  | 2160867     | ASPHALT PLANT PLANNER    | Asphalt | \$ 170.00   |
| 06/14/2021 | INVOICE  | 2161099     | TOWNSHIP PLANNER         | Planner | \$ 570.00   |
| 06/14/2021 | INVOICE  | 2161100     | TOWNSHIP PLANNER         | Planner | \$ 1,390.00 |
| 06/14/2021 | INVOICE  | 2161098     | TOWNSHIP PLANNER         | Planner | \$ 520.00   |
| 07/20/2021 | INVOICE  | 2161498     | GENERAL CONSULTATION     | Planner | \$ 1,200.00 |
| 07/20/2021 | INVOICE  | 2161497     | PLANNER SERVICES         | Planner | \$ 1,160.00 |
| 07/20/2021 | INVOICE  | 2161499     | PLANNER SERVICES         | Planner | \$ 600.00   |
| 07/20/2021 | INVOICE  | 2161501     | PLANNER SERVICES         | Planner | \$ 80.00    |
| 07/20/2021 | INVOICE  | 2161500     | PLANNER SERVICES         | Planner | \$ 230.00   |
| 08/30/2021 | INVOICE  | 2161995     | PLANNER SERVICES         | Planner | \$ 450.00   |
| 08/30/2021 | INVOICE  | 2161998     | TWP HALL SURVEY          | Planner | \$ 1,680.00 |
| 08/30/2021 | INVOICE  | 2161996     | PLANNER REVIEW           | Planner | \$ 300.00   |
| 08/30/2021 | INVOICE  | 2161999     | PLANNER                  | Planner | \$ 790.00   |
| 08/30/2021 | INVOICE  | 2161997     | PLANNER                  | Planner | \$ 50.00    |
| 09/23/2021 | INVOICE  | 2162345     | GENERAL PLANNER SERVICES | Planner | \$ 420.00   |
| 09/23/2021 | INVOICE  | 2162347     | SURVEY VERIFICATION      | Planner | \$ 450.00   |
| 09/23/2021 | INVOICE  | 2162346     | PLANNER - URBAN CROSSING | Urban   | \$ 150.00   |
| 09/23/2021 | INVOICE  | 2162344     | TOWNSHIP PLANNER - DMN   | Planner | \$ 1,700.00 |
| 10/25/2021 | INVOICE  | 2162711     | TOWN HALL SURVEY         | Planner | \$ 750.00   |
| 10/25/2021 | INVOICE  | 2162709     | PLANNER SERVICES         | Planner | \$ 1,000.00 |

|            |         |         |                                     |             |    |          |
|------------|---------|---------|-------------------------------------|-------------|----|----------|
| 10/25/2021 | INVOICE | 2162710 | PLANNER SERVICES                    | Planner     | \$ | 610.00   |
| 10/25/2021 | INVOICE | 2162707 | PLANNER SERVICES                    | Planner     | \$ | 160.00   |
| 10/25/2021 | INVOICE | 2162708 | PLANNER SERVICES                    | Planner     | \$ | 350.00   |
| 11/15/2021 | INVOICE | 2163097 | TOWNSHIP PLANNER - OCT 2021         | Planner     | \$ | 650.00   |
| 11/15/2021 | INVOICE | 2163098 | TOWNSHIP PLANNER - OCT 2021         | Planner     | \$ | 200.00   |
| 11/15/2021 | INVOICE | 2163099 | TOWNSHIP PLANNER - OCT 2021         | Planner     | \$ | 180.00   |
| 11/15/2021 | INVOICE | 2163095 | TOWNSHIP PLANNER - OCT 2021         | Planner     | \$ | 100.00   |
| 11/15/2021 | INVOICE | 2163096 | TOWNSHIP PLANNER - OCT 2021         | Planner     | \$ | 400.00   |
| 12/14/2021 | INVOICE | 2163384 | TOWNSHIP PLANNER - NOV 2021         | Planner     | \$ | 1,210.00 |
| 12/14/2021 | INVOICE | 2163383 | TOWNSHIP PLANNER - NOV 2021         | Planner     | \$ | 50.00    |
| 12/14/2021 | INVOICE | 2163386 | TOWNSHIP PLANNER - NOV 2021         | Planner     | \$ | 200.00   |
| 12/14/2021 | INVOICE | 2163385 | TOWNSHIP PLANNER - NOV 2021         | Planner     | \$ | 800.00   |
| 01/17/2022 | INVOICE | 2163802 | TOWNSHIP PLANNER - DEC 21           | Planner     | \$ | 850.00   |
| 01/17/2022 | INVOICE | 2163803 | TOWNSHIP PLANNER - DEC 21           | Planner     | \$ | 30.00    |
| 02/14/2022 | INVOICE | 2163949 | TOWNSHIP PLANNER - JAN 2022         | Planner     | \$ | 800.00   |
| 02/14/2022 | INVOICE | 2163950 | TOWNSHIP PLANNER - JAN 2022         | Planner     | \$ | 400.00   |
| 03/15/2022 | INVOICE | 2164457 | PLANNER - FEB 2022                  | Planner     | \$ | 2,407.50 |
| 03/15/2022 | INVOICE | 2164456 | PLANNER - FEB 2022                  | Planner     | \$ | 700.00   |
| 03/15/2022 | INVOICE | 2164458 | PLANNER - FEB 2022                  | Planner     | \$ | 50.00    |
| 03/31/2022 | INVOICE | 2164732 | TOWNSHIP PLANNER - MARCH 2022       | Planner     | \$ | 940.00   |
| 04/19/2022 | INVOICE | 216731  | TOWNSHIP PLANNER                    | Planner     | \$ | 100.00   |
| 05/23/2022 | INVOICE | 2165184 | TOWNSHIP PLANNER - ZONING MAP AMEND | Planner     | \$ | 300.00   |
| 05/23/2022 | INVOICE | 2165185 | TOWNSHIP PLANNER - APRIL 2022       | Planner     | \$ | 797.50   |
| 06/21/2022 | INVOICE | 2165549 | PLANNER SERVICES - MAY 2022         | Planner     | \$ | 900.00   |
| 06/21/2022 | INVOICE | 2165547 | PLANNER - MASTER PLAN - MAY 2022    | Master Plan | \$ | 3,290.00 |
| 06/21/2022 | INVOICE | 2165548 | PLANNER - MAY 2022 - FOSTER/BENECOR | Foster      | \$ | 150.00   |
| 07/19/2022 | INVOICE | 2165832 | MASTER PLAN - JUNE 2022             | Master Plan | \$ | 2,687.50 |
| 07/19/2022 | INVOICE | 2165834 | TWP PLANNER - JUNE 2022             | Planner     | \$ | 1,150.00 |
| 07/19/2022 | INVOICE | 2165833 | TWP PLANNER - JUNE 2022             | Planner     | \$ | 200.00   |
| 08/15/2022 | INVOICE | 2166235 | PLANNER - JULY 2022                 | Planner     | \$ | 400.00   |
| 08/15/2022 | INVOICE | 2166234 | MASTER PLAN - JULY 2022             | Master Plan | \$ | 3,502.50 |
| 09/19/2022 | INVOICE | 2166353 | MASTER PLAN - AUG 22                | Master Plan | \$ | 3,300.00 |
| 09/19/2022 | INVOICE | 2166354 | TOWNSHIP PLANNER - AUG 22           | Planner     | \$ | 500.00   |
| 10/17/2022 | INVOICE | 2166925 | TWP PLANNER - SEPT 2022             | Planner     | \$ | 450.00   |



|            |         |                  |  |             |    |          |
|------------|---------|------------------|--|-------------|----|----------|
| 10/17/2022 | INVOICE | 2166924          | MASTER PLAN - SEPT 2022                            | Master Plan | \$ | 6,932.50 |
| 11/09/2022 | INVOICE | 2167261          | MASTER PLAN - PLANNER - OCT 2022                   | Master Plan | \$ | 3,267.50 |
| 11/09/2022 | INVOICE | 2167262          | PLANNER - OCT 2022                                 | Planner     | \$ | 550.00   |
| 11/09/2022 | INVOICE | 2167263          | PLANNER - OCT 2022 - PEABODY                       | Peabody     | \$ | 80.00    |
| 12/19/2022 | INVOICE | 2167606          | MASTER PLAN - NOV 2022                             | Master Plan | \$ | 5,240.00 |
| 12/19/2022 | INVOICE | 2167607          | TWP PLANNER - NOV 2022                             | Planner     | \$ | 450.00   |
| 01/16/2023 | INVOICE | 2167916          | TOWNSHIP PLANNER - DEC 2022                        | Planner     | \$ | 350.00   |
| 01/16/2023 | INVOICE | 2167915          | TOWNSHIP PLANNER - DEC 2022 - MASTER PLAN          | Master Plan | \$ | 500.00   |
| 01/16/2023 | INVOICE | 2167917          | TOWNSHIP PLANNER - DEC 2022                        | Planner     | \$ | 600.00   |
| 02/14/2023 | INVOICE | 2168159          | TWP PLANNER - MASTER PLAN - JAN 23                 | Master Plan | \$ | 3,177.50 |
| 02/14/2023 | INVOICE | 2168161          | TWP PLANNER - GENERAL - JAN 23                     | Planner     | \$ | 600.00   |
| 03/20/2023 | INVOICE | 2168623          | TWP PLANNER - GENERAL - FEB 23                     | Planner     | \$ | 360.00   |
| 03/20/2023 | INVOICE | 2168622          | TWP PLANNER - MASTER PLAN - FEB 23                 | Master Plan | \$ | 310.00   |
| 03/20/2023 | INVOICE | 2168624          | TWP PLANNER - FEB 23                               | Planner     | \$ | 730.00   |
| 03/31/2023 | INVOICE | 2168159 & 216816 | RE-ISSUE OF STOLEN CHECK                           | Planner     | \$ | 3,777.50 |
| 03/31/2023 | INVOICE | 2168964          | TWP PLANNER - MASTER PLAN - MARCH 23               | Master Plan | \$ | 1,795.00 |
| 03/31/2023 | INVOICE | 2168965          | TWP PLANNER - GENERAL - MARCH 23                   | Planner     | \$ | 180.00   |
| 05/16/2023 | INVOICE | 2168160          | REISSUE OF BENCOR CHECK                            | Bencor      | \$ | 200.00   |
| 05/23/2023 | INVOICE | 2169394          | TWP PLANNER - APRIL - GEN                          | Planner     | \$ | 1,200.00 |
| 05/23/2023 | INVOICE | 2169393          | TWP PLANNER - MASTER PLAN - APRIL 23               | Master Plan | \$ | 1,305.00 |
| 06/13/2023 | INVOICE | 2169646          | TOWNSHIP PLANNER - MAY 2023                        | Planner     | \$ | 1,965.00 |
| 06/13/2023 | INVOICE | 2169645          | TOWNSHIP PLANNER - MASTER PLAN - MAY 2023          | Master Plan | \$ | 6,225.00 |
| 07/11/2023 | INVOICE | 2169865          | TOWNSHIP PLANNER - GENERAL - JUNE 23               | Planner     | \$ | 735.00   |
| 07/11/2023 | INVOICE | 2169864          | TOWNSHIP PLANNER - GENERAL - JUNE 23 - MASTER PLAN | Master Plan | \$ | 915.00   |
| 07/11/2023 | INVOICE | 2169866          | TOWNSHIP PLANNER - GENERAL - JUNE 2023 - SOLAR ORD | Solar       | \$ | 1,170.00 |
| 08/17/2023 | INVOICE | 2170506          | MASTER PLAN - JULY 2023                            | Master Plan | \$ | 2,990.00 |
| 08/17/2023 | INVOICE | 2170507          | TWP PLANNER - JULY 2023                            | Planner     | \$ | 405.00   |
| 08/17/2023 | INVOICE | 2170508          | TWP PLANNER - SOLAR ORD - JULY 2023                | Solar       | \$ | 857.50   |
| 09/19/2023 | INVOICE | 2170891          | TOWNSHIP PLANNER - AUG 2023                        | Planner     | \$ | 840.00   |
| 09/19/2023 | INVOICE | 2170890          | TOWNSHIP PLANNER - MASTER PLAN - AUG 2023          | Master Plan | \$ | 2,500.00 |
| 09/19/2023 | INVOICE | 2170892          | TOWNSHIP PLANNER - SOLAR ORD - AUG 2023            | Solar       | \$ | 630.00   |
| 10/10/2023 | INVOICE | 2171070          | TWP PLANNER - SEPT 23 - MASTER PLAN                | Master Plan | \$ | 1,622.50 |
| 10/10/2023 | INVOICE | 2171071          | TWP PLANNER - SEPT 23                              | Planner     | \$ | 540.00   |
| 10/10/2023 | INVOICE | 2171072          | TWP PLANNER - SOLAR ORD - SEPT 23                  | Solar       | \$ | 405.00   |

|            |         |         |  |             |    |          |
|------------|---------|---------|--|-------------|----|----------|
| 11/06/2023 | INVOICE | 2171397 | TOWNSHIP PLANNER - OCT 2023                  | Planner     | \$ | 675.00   |
| 11/06/2023 | INVOICE | 2171396 | TOWNSHIP PLANNER - MASTER PLANN - OCT 2023   | Master Plan | \$ | 878.00   |
| 11/06/2023 | INVOICE | 2171398 | TOWNSHIP PLANNER - SOLAR ORD - OCT 2023      | Solar       | \$ | 437.50   |
| 12/12/2023 | INVOICE | 2171919 | TOWNSHIP PLANNER - NOV 2023                  | Planner     | \$ | 540.00   |
| 12/12/2023 | INVOICE | 2171920 | TOWNSHIP PLANNER - SOLAR ORD - NOV 2023      | Solar       | \$ | 1,920.00 |
| 01/09/2024 | INVOICE | 2172139 | TWP PLANNER - SOLAR ORD - DEC 2023           | Solar       | \$ | 390.00   |
| 01/09/2024 | INVOICE | 2172137 | TWP PLANNER - MASTER PLAN - DEC 2023         | Master Plan | \$ | 105.00   |
| 01/09/2024 | INVOICE | 2172138 | TWP PLANNER - PLANNER - DEC 2023             | Planner     | \$ | 630.00   |
| 01/09/2024 | INVOICE | 2172140 | TWP PLANNER - TYRONE PARTY STORE - DEC 2023  | Party Store | \$ | 1,170.00 |
| 02/13/2024 | INVOICE | 2172425 | TWP PLANNER - JAN 2024 - SOLAR ORD           | Solar       | \$ | 390.00   |
| 02/13/2024 | INVOICE | 2172423 | TWP PLANNER - JAN 2024 - MASTER PLAN         | Master Plan | \$ | 90.00    |
| 02/13/2024 | INVOICE | 2172424 | TWP PLANNER - JAN 2024 - GENERAL TWP PLANNER | Planner     | \$ | 735.00   |
| 02/13/2024 | INVOICE | 2172426 | TWP PLANNER - JAN 2024 - TYRONE PARTY STORE  | Party Store | \$ | 540.00   |
| 03/12/2024 | INVOICE | 2173039 | TOWNSHIP PLANNER - FEB 2024 - SOLAR ORD      | Solar       | \$ | 45.00    |
| 03/12/2024 | INVOICE | 2173038 | TOWNSHIP PLANNER - FEB 2024 - GENERAL        | Planner     | \$ | 600.00   |
| 03/12/2024 | INVOICE | 2173036 | TOWNSHIP PLANNER - FEB 2024 - MASTER PLAN    | Master Plan | \$ | 855.00   |
| 03/12/2024 | INVOICE | 2173037 | TWP PLANNER - FEB 2024 - BATTERY ORD         | Battery     | \$ | 300.00   |
| 03/31/2024 | INVOICE | 2173172 | TOWNSHIP PLANNER - MARCH 2024 - BATTERY      | Battery     | \$ | 132.50   |
| 03/31/2024 | INVOICE | 2173173 | TOWNSHIP PLANNER - MARCH 2024 - GENERAL      | Planner     | \$ | 1,122.50 |
| 03/31/2024 | INVOICE | 2173174 | TOWNSHIP PLANNER - MARCH 2024 - SOLAR        | Solar       | \$ | 135.00   |
| 03/31/2024 | INVOICE | 2173170 | TOWNSHIP PLANNER - MARCH 2024 - MP           | Master Plan | \$ | 140.00   |
| 04/09/2024 | INVOICE | 2173171 | TOWNSHIP PLANNER - MARCH 2024 - MCGINN       | McGinn      | \$ | 2,085.00 |
| 05/07/2024 | INVOICE | 2173628 | TOWNSHIP PLANNER - APRIL 2024 - MASTER PLAN  | Master Plan | \$ | 347.50   |
| 05/07/2024 | INVOICE | 2173631 | TOWNSHIP PLANNER - APRIL 2024 - BATTERY      | Battery     | \$ | 135.00   |
| 05/07/2024 | INVOICE | 2173632 | TOWNSHIP PLANNER - APRIL 2024 - GENERAL      | Planner     | \$ | 1,215.00 |
| 05/07/2024 | INVOICE | 2173633 | TOWNSHIP PLANNER - APRIL 2024 - SOLAR        | Solar       | \$ | 240.00   |
| 05/07/2024 | INVOICE | 2173630 | TOWNSHIP PLANNER - APRIL 2024 - MCGINN       | McGinn      | \$ | 180.00   |
| 05/07/2024 | INVOICE | 2173629 | TOWNSHIP PLANNER - APRIL 2024 - LIBERTY      | Liberty     | \$ | 975.00   |
| 06/10/2024 | INVOICE | 2174144 | TOWNSHIP PLANNER - MAY 2024 - BATTERY        | Battery     | \$ | 142.50   |
| 06/10/2024 | INVOICE | 2174145 | TOWNSHIP PLANNER - MAY 2024                  | Planner     | \$ | 2,372.50 |
| 06/10/2024 | INVOICE | 2174146 | TOWNSHIP PLANNER - MAY 2024 - SOLAR          | Solar       | \$ | 142.50   |
| 06/10/2024 | INVOICE | 2174142 | TOWNSHIP PLANNER - MAY 2024 - MASTER PLAN    | Master Plan | \$ | 487.50   |
| 06/10/2024 | INVOICE | 2174143 | TOWNSHIP PLANNER - MAY 2024 - LIBERTY        | Liberty     | \$ | 395.00   |
| 07/10/2024 | INVOICE | 2174612 | TOWNSHIP PLANNER - JUNE 2024 - GENERAL       | Planner     | \$ | 612.50   |

|            |         |         |   |             |                      |
|------------|---------|---------|---|-------------|----------------------|
| 07/10/2024 | INVOICE | 2174613 | TOWNSHIP PLANNER - JUNE 2024 - SOLAR ORD        | Solar       | \$ 1,385.00          |
| 07/10/2024 | INVOICE | 2174611 | TOWNSHIP PLANNER - JUNE 2024 - MASTER PLAN      | Master Plan | \$ 25.00             |
| 08/13/2024 | INVOICE | 2174900 | TOWNSHIP PLANNER - GENERAL - JULY 2024          | Planner     | \$ 137.50            |
| 08/13/2024 | INVOICE | 2174901 | TOWNSHIP PLANNER - SOLAR - JULY 2024            | Solar       | \$ 287.50            |
| 08/13/2024 | INVOICE | 2174899 | TOWNSHIP PLANNER - BAHOURA CAREGIVER- JULY 2024 | Bahoura     | \$ 750.00            |
| 08/21/2024 | INVOICE | 2175233 | TOWNSHIP PLANNER - AUGUST 2024 - BAHOURA        | Bahoura     | \$ 372.50            |
| 09/16/2024 | INVOICE | 2175355 | TOWNSHIP PLANNER - AUGUST 2024 - GENERAL        | Planner     | \$ 380.00            |
| 09/16/2024 | INVOICE | 2175356 | TOWNSHIP PLANNER - AUGUST 2024 - SOLAR          | Solar       | \$ 60.00             |
| 09/16/2024 | INVOICE | 2175354 | TOWNSHIP PLANNER - AUGUST 2024 - MASTER PLAN    | Master Plan | \$ 95.00             |
| 10/08/2024 | INVOICE | 2175845 | TOWNSHIP PLANNER - SEPTEMBER 2024 - MASTER PLAN | Master Plan | \$ 270.00            |
| 12/10/2024 | INVOICE | 2176644 | TOWNSHIP PLANNER - NOVEMBER 2024 - GENERAL      | Planner     | \$ 45.00             |
| 12/10/2024 | INVOICE | 2176645 | TOWNSHIP PLANNER - NOVEMBER 2024 - SOLAR        | Solar       | \$ 45.00             |
|            |         |         |   |             | <u>\$ 125,803.00</u> |

|                      |              |
|----------------------|--------------|
| General Planner      | \$ 52,322.50 |
| Master Plan          | \$ 52,853.00 |
| Solar Ord            | \$ 8,540.00  |
| Battery              | \$ 710.00    |
| Asphalt Plant        | \$ 3,580.00  |
| Other                | \$ 7,797.50  |
| <u>\$ 125,803.00</u> |              |

**chris.ropeta@gmail.com**

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**From:** Pam Moughler <pmoughler@tyronetownship.us>  
**Sent:** Thursday, December 12, 2024 6:05 PM  
**To:** Greg Carnes; Jennifer Eden; chris.ropeta@gmail.com; Dean Haase (deanhaase@hotmail.com); Sara Dollman-Jersey; Herman Ferguson  
**Subject:** Fw: Message from "RNP583879538CAA"  
**Attachments:** 20241211123009338.pdf

[Get Outlook for iOS](#)

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**From:** scanner@tyronetownship.us <scanner@tyronetownship.us>  
**Sent:** Wednesday, December 11, 2024 12:30:09 PM  
**To:** Pam Moughler <pmoughler@tyronetownship.us>  
**Subject:** Message from "RNP583879538CAA"

This E-mail was sent from "RNP583879538CAA" (IM C3000).

Scan Date: 12.11.2024 12:30:09 (-0500)  
Queries to: scanner@tyronetownship.us

# John W. Stevenson

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10501 Sleepy Shores Path, Tyrone Township, MI 48430, (586) 359-7754, jstevens71@aol.com

## Objective

- Seeking consideration for appointment to the Tyrone Township Planning Commission. My career of forty two years involved public service. Primarily enforcement of federal and state laws along with local ordinances. I feel that my experience with local ordinances would be an asset as a member of the planning commission.

## Education

**ACADEMIC DIPLOMA, 1971, FERNDALE MICHIGAN**

**ASSOCIATES DEGREE, CRIMINAL JUSTICE, 1974, OAKLAND COMMUNITY COLLEGE, AUBURN HILLS, MICHIGAN.**

## Experience

**DETROIT POLICE DEPARTMENT, DETROIT MICHIGAN, 1975 TO 2000**

- Advanced through the ranks to Lieutenant, in charge of Special Operations
- Section of the 5<sup>th</sup> Precinct until retirement.

**CHESTERFIELD TOWNSHIP POLICE DEPARTMENT, CHESTERFIELD TOWNSHIP MICHIGAN, 1999 TO 2016**

- In addition to uniformed response duties, also assigned to Anchor Bay High School as the School Liaison Officer responsible for law enforcement service and coordinating police resources as needed.
- Retired 2016.



## Tyrone Township

8420 Runyan Lake Road ♦ Fenton, MI 48430  
(810) 629-8631 ♦ fax (810) 629-0047

### Application for Employment

Our policy is to provide equal employment opportunity to all qualified persons without regard to race, creed, color, religious belief, sex, age, national origin, ancestry, physical or mental disability, or veteran status. Persons with a disability or handicap needing accommodations to perform the essential duties of the job must disclose that in writing with this application. The Township may require medical documentation.

Date 12-11-2024

Last name STEVENSON First name JOHN Middle name WILLIAM

Street Address 10501 Sleepy Shores Path

City Tyrone Twp State MI ZIP 48430 Telephone 563-359-7754

Email Jstevens71@AOL.COM

Are you 18 or older?  Yes  No

Position applied for Planning Commission

How did you hear of this opening? At Meeting

When can you start? Now Desired Wage \$ open

Are you a U.S. citizen or otherwise authorized to work in the U.S. on an unrestricted basis? (You may be required to provide documentation.)  Yes  No

Are you looking for full-time employment?  Yes  No

If no, what hours are you available? varies

Have you ever been convicted of a felony? (This will not necessarily affect your application.)

Yes  No

If yes, please describe conditions. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Education**

|                | School Name & Address  | Year Graduated | Major     | Degree |
|----------------|------------------------|----------------|-----------|--------|
| High School    | Ferndale H.S. Michigan | 1971           |           |        |
| College        | Oakland Comm. College  | 1974           | Associate |        |
| College        |                        |                |           |        |
| Post-College   |                        |                |           |        |
| Other Training |                        |                |           |        |

Do you have US Military Experience?  Yes  No      Number of Years Served \_\_\_\_\_  
 Branch \_\_\_\_\_ Rank \_\_\_\_\_ Date Discharged \_\_\_\_\_ Honorably?  Yes  No

In addition to your work history, are there other skills, qualifications, or experience that we should consider?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Employment History** (Start with most recent employer)

Company Name Chesterfield Township Police Dept.  
 Address 47525 Continental Telephone 586-649-6468  
 Date Started June 1999 Starting Wage unk Starting Position Police Officer  
 Date Ended May 2016 Ending Wage unk Ending Position Police Officer  
 Name of Supervisor Brad Kirsten - Twp. Supervisor  
 May we contact?  Yes  No  
 Responsibilities law enforcement

Reason for leaving Retired

Company Name Detroit Police Department  
 Address 2 Woodward Ave #316 Telephone 313-224-3110  
 Date Started 2-3-75 Starting Wage unk Starting Position Police Officer  
 Date Ended May 2000 Ending Wage unk Ending Position Lieutenant  
 Name of Supervisor unknown  
 May we contact?  Yes  No

Responsibilities Law enforcement and supervision of subordinates.

Reason for leaving Retired, New job.

Company Name \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

Date Started \_\_\_\_\_ Starting Wage \_\_\_\_\_ Starting Position \_\_\_\_\_

Date Ended \_\_\_\_\_ Ending Wage \_\_\_\_\_ Ending Position \_\_\_\_\_

Name of Supervisor \_\_\_\_\_

May we contact?  Yes  No

Responsibilities \_\_\_\_\_

Reason for leaving \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

Date Started \_\_\_\_\_ Starting Wage \_\_\_\_\_ Starting Position \_\_\_\_\_

Date Ended \_\_\_\_\_ Ending Wage \_\_\_\_\_ Ending Position \_\_\_\_\_

Name of Supervisor \_\_\_\_\_

May we contact?  Yes  No

Responsibilities \_\_\_\_\_

Reason for leaving \_\_\_\_\_

**Please read the following statement before signing to indicate your understanding and attach any additional information if necessary.**

I certify that the facts set forth in this application for employment are true and complete to the best of my knowledge. I understand that if I am employed, false statements on this application shall be considered sufficient cause for dismissal. The Township is hereby authorized to make any investigations of my background, prior educational, and employment history.

I understand that employment at the Township is "at will," which means that either I or the Township can terminate the employment relationship at any time, with or without prior notice, and for any reason not prohibited by statute. I understand that no supervisor, manager, or executive of the Township, other than the Board of Trustees, has any authority to alter the foregoing.

As a condition of employment, employees of the Township agree not to commence any action or claim, or suit relating to their employment with the Township more than 182 calendar days after the date the employee knew or should have known that a claim existed or later than the applicable limitations period established by statute, whichever is less.

Signature John W. Stevens Date 12-11-2024



## Chris Ropeta

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**From:** Chris Ropeta  
**Sent:** Thursday, December 5, 2024 8:03 PM  
**To:** Dean Haase  
**Subject:** Non-Feasance Letter  
**Attachments:** mcl-Act-33-of-2008.pdf; mcl-Act-110-of-2006.pdf; PLANNING-COMMISSION-BYLAWS-2018.pdf

Hi Dean, here is the letter we spoke about. I am also including copies of the 2 Michigan laws that govern the planning commission for your reference if you desire, but this is the primary section that speaks about removal of a member.

Page 4 of the attached Michigan Planning Enabling Act. Act 33 of 2008

125.3815 Planning commission; membership; appointment; terms; vacancy; representation; qualifications; ex-officio members; board serving as planning commission; removal of member; conditions; conflict of interest; additional requirements

Section 15, subsection (9) on page 5 states:

(9) The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the legislative body, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws

## Non-Feasance Letter

Thursday, December 5, 2024  
5:59 PM

To <NAME>  
Tyrone Township Planning Commission

Due to your attendance during calendar year 2024, you have attended less than 80% of held meetings and as a result, we are bringing you up on charges of non-feasance. We will hold a public hearing where you will be able to defend yourself for possible removal from your appointment. If you do not show up for this meeting (date to be determined), then the Tyrone Township Board will notify you of our decision regarding your appointment after the meeting is held.

Greg Carnes  
Tyrone Township Supervisor

Created with OneNote.

## Chris Ropeta

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**From:** Chris Ropeta  
**Sent:** Sunday, December 1, 2024 9:27 PM  
**To:** Dean Haase  
**Subject:** Dec 3 Board Meeting Agenda amendments

**Importance:** High

Hi Dean,

I have put together the following amendments to the meeting agenda for Tuesday's board meeting. Can you please review and let me know what additions or changes you would like to make? I am sending this to you, Herm, Sara, and Greg.

## Dec 3 Board Meeting Agenda amendments

Sunday, December 1, 2024  
9:15 PM

Posted Agenda with Additions:

1. **Supervisor welcome to the newly elected board members and new board meeting format.**
2. Request for Supervisor and Trustees to attend the MTA New Officials workshop.
3. Resignation of Steve Krause from Planning Commission
4. Appointment of Chris Ropeta to the Planning Commission.
5. Notice to the public for Planning Commissioner applications.
6. Meeting room carpet cleaning.
7. **Planning Commission directives from the board.**
8. **Discuss opening up township relationships with other legal and engineering firms.**
9. **Call for a line-item-level review of the budget.**
10. **Board workshop date needed to discuss additional items.**

Details for additional agenda items needed to be added to Dec 3 meeting:

### Township Board Items to discuss

1. **Welcome to the newly elected board members and new board meeting format**
  - a. New expectations at board meetings regarding public comment time:
  - b. There will be 2 public comments sections (one at the beginning and one at the end before adjournment) where any topics can be brought forth by the public. (see next bullet for comments/questions after each agenda item but before any voting)
    - i. Township board will track any requests or questions and either answer them during the meeting or follow-up before or at the next meeting
  - c. For each of the agenda items and before the Board votes, the public will have an opportunity to provide comments/questions regarding that agenda item. This will allow the Board to have necessary input from the residents before voting or vote to delay any voting based on what was

raised. While this will take time initially, it is critical regarding the transparency of the Township overall. This should also be considered by the Planning Commission, Board of Review, Zoning Board of Appeals, and workshops.

- d. Discuss adding a Planning Commission update during every Board Meeting to communicate progress of planning commission work, workshops, and subcommittees
- e. Discuss adding an item to get reports from any Board workshops or subcommittees
- f. Discuss development of a resolution that defines a code of conduct for Township Elected, Appointed, Staff and Contract positions
- g. Discuss changes to resolution #220501 Code of Conduct for Public Township Meetings
  - i. Rework is needed to reflect a less restrictive code of conduct that meets the objectives of the code.

**7. Planning Commission directives from the board**

- a. Send authorization to the Planning Commission (PC) to review Solar Ordinance to address the following:
  - i. Re-do the parts of the ordinance that allow commercial/industrial Solar installations below the PA 233 minimum. Like Wind and Battery ordinances, we need to also prohibit Solar commercial/industrial below the PA 233 minimum. Then, we need to discuss and develop a "residential" ordinance section that addresses all the items we would like to include if Township residents wish to install personal use solar panels on their property.
- b. Send authorization to the PC to add a section to the current Master Plan related to renewable energy (RE) that directly talks about what the township would like to see over time that supports the law and the ordinances. Reference how Eagle Township stopped the MMIC Mega-site
  - i. [How Eagle Township stopped the MMIC megasite](#)
- c. Since there has been no activity regarding revising the Medical Marijuana ordinance for the township, we need to send authorization to the PC to work on the Medical Marijuana Ordinance which we are currently being sued over and a status on the lawsuit - no progress shown to-date after lawsuit was filed.
  - i. While complying with Michigan State laws, we need to tighten those areas that protect our residents (including families and especially children) that allow complying with the law but add further restrictions to the existing ordinance such as restricting such facilities from being initiative within a certain distance from school zones and bus stops, parks or community areas, and other areas needed.

**8. Discuss opening up township relationships with other legal and engineering firms**

**9. Call for a line-item-level review of the budget.**

**10. Board workshop date needed to discuss additional items not covered in or those needing further discussion beyond this Board meeting including**

- a. Issues & Questions tracking and communications (like on the website)
- b. Website Improvements
- c. Audio/Visual support - during meetings: There have been issues with Zoom for lawyers coming in, fuzzing big-screen's, training for finding document references during the meeting and displayed on the monitors and audio issues with the microphones.
- d. IT support (Wi-Fi boosting in meeting rooms, etc.)
- e. PEG Funding (for Fenton Area Cable Television Consortium) - we need to know what this is, what are the benefits for the Tyrone Twp residents, etc. We would like to have a representative from this consortium present to the workshop attendees and answer questions.
- f. Community Broadband Internet availability for Tyrone Twp Residents
- g. Strategic planner for the township - discussion
- h. Assessors department review
- i. Planning and Zoning departments review

- j. Budgeted projects and initiatives calendar (when will the project funded by the approved budget be started and completed (like road repaving, etc.) we need a full accounting and transparency with tracking and updates throughout the year
- k. Education for township employees/residents

Created with OneNote.

**From:** chris.ropeta@gmail.com  
**Sent:** Monday, December 2, 2024 3:44 PM  
**To:** 'Dean Haase'  
**Subject:** 2024 PC Attendance Report  
**Attachments:** 2024 PC Attendance Report.xlsx

Hi Dean,

Here is the attendance report that we discussed for your review:

### 2024 Planning Commission Attendance Report

| Commissioner                  | 9-Jan-24 | 13-Feb-24 | 12-Mar-24 | 9-Apr-24 | 14-May-24 | 11-Jun-24 | 9-Jul-24 | 13-Aug-24 |
|-------------------------------|----------|-----------|-----------|----------|-----------|-----------|----------|-----------|
| Rich Erickson                 | Yes      | No        | Yes       | No       | Yes       | No        | No       | Yes       |
| Kurt Schulze                  | Yes      | Yes       | Yes       | Yes      | Yes       | Yes       | Yes      | Yes       |
| Jon Ward                      | Yes      | Yes       | Yes       | No       | Yes       | Yes       | No       | Yes       |
| Steve Krause                  | Yes      | Yes       | No        | Yes      | Yes       | Yes       | Yes      | Yes       |
| Bill Wood                     | Yes      | Yes       | Yes       | No       | No        | Yes       | Yes      | No        |
| Kevin Ross                    | Yes      | Yes       | No        | Yes      | No        | No        | No       | No        |
| Garrett Ladd                  | Yes      | Yes       | Yes       | Yes      | No        | No        | Yes      | Yes       |
| Ross Nicholson                | Yes      | No        | No        | Yes      | No        | Yes       | Yes      | Yes       |
| Karie Carter                  |          | Yes       | Yes       |          | Yes       |           |          |           |
| Matteo Passalacqua (CWA)      | Yes      | Yes       | Yes       | Yes      | Yes       | Yes       |          | Yes       |
| John Enos (CWA)               |          |           |           |          | Yes       |           |          |           |
| Charles Widmaier              |          |           |           | Yes      |           |           |          |           |
| Laura Genovich (Foster Swift) |          |           |           | Yes      | Yes       | Yes       |          | Yes       |
| Michael Homler (Foster Swift) |          |           |           |          |           |           |          |           |
| Gerald Fisher                 |          |           |           |          |           |           |          |           |

## 2024 Planning Commission Attendance Report

| Commissioner                  | 9-Jan-24 | 13-Feb-24 | 12-Mar-24 | 9-Apr-24 | 14-May-24 | 11-Jun-24 | 9-Jul-24 | 13-Aug-24 | 8-Oct-24 | 12-Nov-24 | 10-Dec-24 | Attendance % |
|-------------------------------|----------|-----------|-----------|----------|-----------|-----------|----------|-----------|----------|-----------|-----------|--------------|
| Rich Erickson                 | Yes      | No        | Yes       | No       | Yes       | No        | No       | Yes       | No       | Yes       |           | 50%          |
| Kurt Schultze                 | Yes      | Yes       | Yes       | Yes      | Yes       | Yes       | Yes      | Yes       | Yes      | Yes       |           | 100%         |
| Jon Ward                      | Yes      | Yes       | Yes       | No       | Yes       | Yes       | No       | Yes       | No       | Yes       |           | 70%          |
| Steve Krause                  | Yes      | Yes       | No        | Yes      | Yes       | Yes       | Yes      | Yes       | Yes      | Yes       |           | 90%          |
| Bill Wood                     | Yes      | Yes       | Yes       | No       | No        | Yes       | Yes      | No        | Yes      | No        |           | 60%          |
| Kevin Ross                    | Yes      | Yes       | No        | Yes      | No        | No        | No       | No        | Yes      | Yes       |           | 50%          |
| Garrett Ladd                  | Yes      | Yes       | Yes       | Yes      | No        | No        | Yes      | Yes       | Yes      | No        |           | 70%          |
| Ross Nicholson                | Yes      | No        | No        | Yes      | No        | Yes       | Yes      | Yes       | Yes      | Yes       |           |              |
| Karlie Carter                 |          | Yes       | Yes       |          | Yes       |           |          |           |          |           |           |              |
| Matteo Passalacqua (CWA)      | Yes      | Yes       | Yes       | Yes      | Yes       | Yes       |          | Yes       |          |           |           |              |
| John Enos (CWA)               |          |           |           |          | Yes       |           |          |           |          |           |           |              |
| Charles Widmaler              |          |           |           | Yes      |           |           |          |           |          |           |           |              |
| Laura Genovich (Foster Swift) |          |           | Yes       | Yes      | Yes       | Yes       |          | Yes       |          |           |           |              |
| Michael Homier (Foster Swift) |          |           |           |          |           |           |          |           | Yes      |           |           |              |
| Gerald Fisher                 |          |           |           |          |           |           |          |           | Yes      | Yes       |           |              |

## Chris Ropeta

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**From:** Sara DJ <snydersj79@gmail.com>  
**Sent:** Tuesday, December 3, 2024 11:54 PM  
**To:** Chris Ropeta  
**Subject:** A few thoughts  
**Attachments:** Communication Committee Proposal.pdf

Hi Chris,

I have some ideas for how to move forward on many of the items on the list you shared. I've tried to categorize most of it under larger umbrellas to get them on the agenda for the next meeting. I'd like your feedback and that I plan to approach Jennifer, Pam, and Greg on these items for 12/17.

### **1. Update and Discussion about Renewable Energy**

(This one stands on its own two feet. We all know it needs to be discussed and it needs to get moving. I personally think this particular topic can't wait for workshops to get figured out. There's no reason we can't ask for an update and open the door to discussing what was left out that needs revision.)

### **2. Communications Committee Proposal**

(Please see the attached drafted proposal. I made the timeline for this as tight as I could, but I think there's probably more work here that could continue on at the committee level. Highest priority for me in this arena is workshops. I called it a broader "communications committee" so we can analyze, discuss, and make recommendations for everything from workshops to website, to email, to Zoom, to social media, A/V improvements, tracking changes, etc. It's a way to say we want a committee to go look at these things over time and recommend improvements to the Board...starting with workshops. It covers a lot of bases. The township has never done committee work so the selection and forum will be new territory.)

### **3. Budget Overview for New Board Members (Might need to be Jan 7th depending on what we are asking her to put together)**

(My personal opinion is that the best way to get this conversation going is to ask Jennifer directly to put something together to present to us at a Board meeting with or without Casey. We are new and I don't think it's a bad idea to approach this from an education standpoint. Again, it opens the door to conversations creating a budgeted projects calendar and more. We just have to invite her to "educate us" and then the questions and suggestions come from that discussion. It may not happen by Dec 17th, but I think it's a good ask. I'm happy to start that conversation with her if it would help.)

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Regarding Medical Marijuana, I think a direct ask to Greg and Ross for an update is warranted. What we need them to do is get to work on that and understand that by law we have to demonstrate that we are doing so. I will email both of them and ask for an update. If you and others do so too, that will push them to act and follow up.

As far as department reviews, I think that can come up easily as an early workshop item related to strategic planning as soon as we can determine how workshops will work. I'd like workshops to be regular because there's a lot to discuss. The legal and engineering firm to me comes from first asking for a review of existing contracts. That fits under strategic planning to me too.

I'd like to see a new "communications committee" make initial recommendations to the Board regarding workshops by Jan 7th. If we can adopt a plan and a calendar, then we can prioritize strategic planning for one of the first workshops at the start of the year. Workshops will likely be a calendar change and a resolution to adopt.

Sorry this is long. I think if we can categorize a lot of this and do simple agenda asks we will get farther. Let me know what you think when you have time.

Thanks,  
Sara



## **I'd like to add an item to the agenda - Communications Committee Proposal**

One point our residents have made clear is they would like new forums for engagement and better communication pathways. I propose a strategic plan for looking at how other neighboring communities have approached outreach & feedback loops, community dialogue, and communication. Improving existing communication pathways and establishing new ways to connect and collaborate will work toward rebuilding trust between elected leaders and residents, improve transparency, and build a more informed community.

I propose we approach this work by establishing a committee including 1-2 Board members and 2-3 resident participants. This committee would be tasked with doing research, looking at options, and reporting back to the Township Board its findings for consideration. This report would include a list of recommendations for consideration no later than January 7th, 2025. It is important that this work is timely so that any changes to our 2025 Township calendar or meeting schedule can be included if needed.

Please review the attached proposal details.

## **Tyrone Township Communications Committee Proposal**

### **Purpose:**

The purpose of working to improve community communication is to strengthen outreach, feedback, and models of communication in Tyrone Township. We can learn from others by gathering information about *how* other municipalities communicate with residents effectively. Doing this work will improve transparency, create a more informed community, and build healthier avenues for dialogue between residents and elected leaders.

### **Tasks of the Committee may include:**

- Analyze current outreach and feedback loops and identify pros and cons
- Identify neighboring communities and gather information about their communication structures, associated costs, participation, calendars, procedures, and any other strategies not yet known for connecting with residents
- Consider communication forums including, but not limited to workshops, social media, newsletters, streaming services, website, & email
- Seek feedback from the community & Township attorney
- Consider research, feedback, costs, and options that may work to meet Tyrone Township's needs
- Compile recommendations for consideration by the Township Board to diversify outreach, feedback, and communication models

### **Membership shall be comprised of not more than 5 members as follows:**

- Up to 2 members of the Tyrone Township Board
- Up to 3 members of the community

**Timeline:** Initial recommendations due no later than January 7th 2025

**Terms:** All members appointed to this committee shall serve voluntarily and without monetary compensation. It is understood that the purpose of this committee is to gather information to be considered by the Tyrone Township Board as the decision making body. Recommendations made by the committee are purely recommendations and may not necessarily be adopted. Any committee meeting will be open to the public with recorded minutes.

**Respectfully Submitted,  
Sara Dollman-Jersey, Township Trustee  
December 4th, 2024**

## Chris Ropeta

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**From:** Chris Ropeta  
**Sent:** Monday, December 2, 2024 1:51 PM  
**To:** Sara DJ  
**Subject:** RE: Dec 3 Board Meeting Agenda amendments

Sorry about that for my misunderstanding.

Yes, the departmental reviews are part of the strategic discussions, but I am also interested in what they are doing now. When we have new leadership, having the leads of these areas present their work, activities, and teams is an important part of kicking off the new administration. This is a call for a review of current so we have a better idea what the various township teams do. This should lead then to the discussions and workshopping around what to do to develop a new plan if any. Certainly these are connected and can be part of the overall strategic discussions but I would prefer to have the presentations of the current teams as quickly as possible so we have a good understanding of how the township operates today. What do you think?

Blessings and Best Regards,

Chris

Chris Ropeta  
+1 (810) 689-6646

**From:** Sara DJ <snydersj79@gmail.com>  
**Sent:** Monday, December 2, 2024 1:42 PM  
**To:** Chris Ropeta <chris@gridroads.net>  
**Subject:** Re: Dec 3 Board Meeting Agenda amendments

Sorry, I meant 8 and 9 from the workshop list (Planning and Zoning Dept review and Assessor Dept review).

Also, I found this and thought that might help with committee planning. <https://cms7files.revize.com/plainfieldct/July%202019%20Committees%20Descriptions.pdf>

On Mon, Dec 2, 2024 at 1:40 PM Chris Ropeta <chris@gridroads.net> wrote:

No problem with your item separate.

Regarding 8 & 9: The topic of Legal and Engineering are operational, contractual, and needs to be address right away and cannot wait for a strategic study which is likely to take up to 3 months minimum. We need replacements of these as they directly impact the PC as well as our overall estimates for budget items. Needing legal and engineering is not something we would discuss strategically like how many resources does a township our size need to manage all the elements to success, rather are key operational (functional) requirements today and we know very well that the

current legal and engineering arrangements are not working. Need operational action now. Does this help?

For #9 specifically, this is also not strategic, rather operational. We are talking about a review of our budget that is in place and not planning for next year's budget. Next year's budget will be more strategic and planning for that can start with any strategic planning discussions, but what I am specifically asking for is a review of our budget that was just passed this year at a line-item level to see what is included in each bucket. This is what makes it operational. We need to have the story as a board especially with 4 new members. Again, the strategic planning of our budget can happen separately but it needs to start with understanding what is in our current budget and be able to ask questions about it. Does that help?

Blessings and Best Regards,

Chris

Chris Ropeta

+1 (810) 689-6646

**From:** Sara DJ <[snydersj79@gmail.com](mailto:snydersj79@gmail.com)>  
**Sent:** Monday, December 2, 2024 1:28 PM  
**To:** Chris Ropeta <[chris@gridroads.net](mailto:chris@gridroads.net)>  
**Subject:** Re: Dec 3 Board Meeting Agenda amendments

Thank you for clarifying:)

I will add my suggested item separately.

Also on the list for workshop items...wouldn't # 8 and 9 be part of Strategic Planning review? I was hoping to have the item of strategic planning on the Dec 17th agenda for discussion encompassing policy, procedure, duties per position, wage review, staffing, etc. I really think reviews of departments should be done by a professional.

I was thinking the rest of those items would come up one or two at a time during regularly scheduled workshops if we can get the rest of the Board to agree to a schedule and pay for them. That's why I was taking the first step of gathering information to share on the subject of workshops/communication with the public so we can establish a plan, format, and calendar for this work. Are you thinking more along the lines of several simultaneous committees working on all of these things?

Thanks,

Sara

On Mon, Dec 2, 2024 at 1:02 PM Chris Ropeta <[chris@gridroads.net](mailto:chris@gridroads.net)> wrote:

Thank you Sara,

Great feedback. Here is how we can integrate into Tuesday's agenda:

Item #1: I added the word "discussion" to insure we are not "telling" them what to do, but to discuss and possibly vote on the new format after discussion

Item #7: The first two related to the MP and Solar are certainly needed as they are no longer going to work on those unless the Board gives them new directives (already approved by the PC and Board.) Regarding the Medical Marijuana item, yes, you are correct that the PC should be working on this but they have not at all discussed or touch it. The goal with this directive is to let the PC know that this is a priority under the current moratorium and that the board expects progress to be made and be reported on in the next board meeting. I grouped the directives only at the PC level, not by subcategory for the agenda item. You are right that we can group the first two PC items, but these are simple directives to the PC to begin work which need to be discussed and agreed upon by the Board. A vote is required for the first two (I think) and you are right that the Med Marijuana does not need a vote, just some direction about start making a priority...

Items # 8: Agree. The goal is to discuss and move to invite other legal and engineering firms to come in an present what they can do for our township (interview). We have core business to carry forward and as I have already met with Greg and Ross N with the current lawyer, I can tell you he is not the right lawyer for our new Township. Same with what you have encountered with the Engineer especially with the Historic Town Hall. Hopefully we can discuss, move and vote to get the process going. We are in line with this one.

Item #9: I know Greg has had a review, but I want the whole new board to have a review and understand if and why line item details are not included. Not sure how to vote on a budget with no accountability as to the details behind any item. I want to discuss this, move and vote (if needed) to have a presentation from Jennifer or the consultant who creates/manages the budget to walk us through and answer our questions. We are in line with this one.

Item 10: The board workshop I am referring to is in support of the agenda item you have described. I think your item is also needed. The workshop I have described is to actively discuss some of the other important issues listed and to get going right away on the discussion with the board present (or at least a quorum of the board.) The public certainly will participate and I would target this meeting to be for Wednesday Dec 18 (before Christmas). During the workshop we can prioritize and define objectives for a committee and get public involvement but I am sure not all the items I have listed from our past conversations need to be decided by committee. We need to figure out how to move as fast as possible to get things moving.

Do you want me to add your request to this list or do you want to bring it up separately. Your call! I support your request either way. Let me know.

Blessings and Best Regards,

Chris

Chris Ropeta

+1 (810) 689-6646

**From:** Sara DJ <[snydersj79@gmail.com](mailto:snydersj79@gmail.com)>  
**Sent:** Monday, December 2, 2024 9:52 AM  
**To:** Chris Ropeta <[chris@gridroads.net](mailto:chris@gridroads.net)>  
**Subject:** Re: Dec 3 Board Meeting Agenda amendments

Sure. No problem.

Posted Agenda with Additions:

**1. Supervisor welcome to the newly elected board members and new board meeting format.**  
(See notes below about new meeting format)

2. Request for Supervisor and Trustees to attend the MTA New Officials workshop.
3. Resignation of Steve Krause from Planning Commission
4. Appointment of Chris Ropeta to the Planning Commission.
5. Notice to the public for Planning Commissioner applications.
6. Meeting room carpet cleaning.
7. **Planning Commission directives from the board.** I wonder if this should be 2 separate items of focus. The first would be "Discuss RE Components", with a discussion that could lead to the actionable steps of sending the MP and the drafted ordinance back to the PC for revision alongside the overlay. The intent would be for all 3 documents to better support one another in protecting our township. The details of what you'd like added could be brought up in discussion, noted, and repeated as you work with the PC. There is at least a public discussion to be had about whether the time and money to take this action is worthwhile at this moment, knowing that pending litigation could negate that work. I personally don't disagree with sending it back, but cost and time are factors the whole board should discuss. Second item then would be "update medical marijuana ordinance". I assume we can do so even though there's pending litigation on a specific application. Isn't this already on the PC's work list? I've heard Ross say they need to get busy doing that.
8. **Discuss opening up township relationships with other legal and engineering firms.**

This could be discussed, and it certainly is highly important. I was thinking that part of the strategic planning review would include review of all current contracts (Engineer, Attorney, Assessor, etc). Or, we could request a copy of all current contracts for our (Trustee) review. It is our fiduciary responsibility to know.

**9. Call for a line-item-level review of the budget.**

I believe Greg met with the accountant and Treasurer and there was a ppt and conversation about why Townships don't do "line item budgets". Whatever they do for a budget does need review with new incoming Board members. I'm not sure if that request would be now, or in Jan when we are working on the new budget. I suppose review now would enable us to plan for changes farther in advance. I'd like to see the ppt too so I better understand Township budgeting.

**10. Board workshop date needed to discuss additional items.**

My ask for the agenda was to add a discussion on 12/3 about improving Township communication, collaboration, and dialogue with residents. I am proposing a committee be established to look at how other communities accomplish this and it is multifaceted (workshops, email FB, Zoom, etc). The plan I laid out was to work with a committee to gather this information and bring it back to the Board by Jan 2025 with a list of recommendations...one of which is workshops being added to our regular calendar of meetings for next year. If this groundwork can establish time and a structure for workshops, then we can get busy on the list you've laid out here. To me we have to establish a plan for workshops and then utilize that time as a tool for progress. Maybe this is listed on the agenda as "Discussion about Improving Community Communication" knowing we will be asking for a committee to lay the groundwork for regular workshops?

Details for additional agenda items needed to be added to Dec 3 meeting:

**Township Board Items to discuss**

**1. Welcome to the newly elected board members and new board meeting format**

1. New expectations at board meetings regarding public comment time:
2. There will be 2 public comments sections (one at the beginning and one at the end before adjournment) where any topics can be brought forth by the public. (see next bullet for comments/questions after each agenda item but before any voting)
  1. Township board will track any requests or questions and either answer them during the meeting or follow-up before or at the next meeting

3. For each of the agenda items and before the Board votes, the public will have an opportunity to provide comments/questions regarding that agenda item. This will allow the Board to have necessary input from the residents before voting or vote to delay any voting based on what was raised. While this will take time initially, it is critical regarding the transparency of the Township overall. This should also be considered by the Planning Commission, Board of Review, Zoning Board of Appeals, and workshops.

Any new board meeting format really should be a discussion item first that is held publicly at a board meeting to reach consensus and hear concerns, then voted to adopt. I don't think this change is something a few of us (or even Greg) can show up on Tuesday and just say how it's going to be. Maybe it's listed on the agenda as "board meeting format discussion"? Maybe since the Supervisor is the "moderator", but it still doesn't appear very democratic. Just my thoughts.

4. Discuss adding a Planning Commission update during every Board Meeting to communicate progress of planning commission work, workshops, and subcommittees

5. Discuss adding an item to get reports from any Board workshops or subcommittees

6. Discuss development of a resolution that defines a code of conduct for Township Elected, Appointed, Staff and Contract positions

I envision this coming from the strategic planning review process too, if not now.

7. Discuss changes to resolution #220501 Code of Conduct for Public Township Meetings
  1. Rework is needed to reflect a less restrictive code of conduct that meets the objectives of the code.

**7. Planning Commission directives from the board**

1. Send authorization to the Planning Commission (PC) to review Solar Ordinance to address the following:

1. Re-do the parts of the ordinance that allow commercial/industrial Solar installations below the PA 233 minimum. Like Wind and Battery ordinances, we need to also prohibit Solar commercial/industrial below the PA 233 minimum. Then, we need to discuss and develop a "residential" ordinance section that addresses all the items we would like to include if Township residents wish to install personal use solar panels on their property.

2. Send authorization to the PC to add a section to the current Master Plan related to renewable energy (RE) that directly talks about what the township would like to see over time that supports the law and the ordinances. Reference how Eagle Township stopped the MMIC Mega-site

1. How Eagle Township stopped the MMIC megasite

3. Since there has been no activity regarding revising the Medical Marijuana ordinance for the township, we need to send authorization to the PC to work on the Medical Marijuana Ordinance which we are currently being sued over and a status on the lawsuit - no progress shown to-date after lawsuit was filed.



1. While complying with Michigan State laws, we need to tighten those areas that protect our residents (including families and especially children) that allow complying with the law but add further restrictions to the existing ordinance such as restricting such facilities from being initiative within a certain distance from school zones and bus stops, parks or community areas, and other areas needed.
8. **Discuss opening up township relationships with other legal and engineering firms**
9. **Call for a line-item-level review of the budget.**
10. **Board workshop date needed to discuss additional items not covered in or those needing further discussion beyond this Board meeting including**
  1. Issues & Questions tracking and communications (like on the website)
  2. Website Improvements
  3. Audio/Visual support - during meetings: There have been issues with Zoom for lawyers coming in, fuzzing big-screen's, training for finding document references during the meeting and displayed on the monitors and audio issues with the microphones.
  4. IT support (Wi-Fi boosting in meeting rooms, etc.)
  5. PEG Funding (for Fenton Area Cable Television Consortium) - we need to know what this is, what are the benefits for the Tyrone Twp residents, etc. We would like to have a representative from this consortium present to the workshop attendees and answer questions.
  6. Community Broadband Internet availability for Tyrone Twp Residents
  7. Strategic planner for the township - discussion
  8. Assessors department review
  9. Planning and Zoning departments review
  10. Budgeted projects and initiatives calendar (when will the project funded by the approved budget be started and completed (like road repaving, etc.) we need a full accounting and transparency with tracking and updates throughout the year
  11. Education for township employees/residents

On Mon, Dec 2, 2024 at 8:13 AM Chris Ropeta <[chris@gridroads.net](mailto:chris@gridroads.net)> wrote:

Hi Sara, I don't use google docs. Would you be able to copy and paste your feedback into the email perhaps? Thanks and sorry for the inconvenience

[Get Outlook for iOS](#)

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**From:** Sara DJ <[snydersj79@gmail.com](mailto:snydersj79@gmail.com)>  
**Sent:** Monday, December 2, 2024 12:11:24 AM

**To:** Chris Ropeta <chris@gridroads.net>  
**Subject:** Re: Dec 3 Board Meeting Agenda amendments

Hi Chris,

Thanks for sharing ideas and asking for feedback. It's hard with conversations in isolation to really know where everyone's head is at any given moment. I wrote comments on this, primarily to shed light on where my head is. Maybe I'm way off. Not sure. Just my thoughts based on conversations I've had and my current understanding. Please take them simply as feedback and do as you feel is right. Chances are you have had conversations and insights that I don't. Give me a call tomorrow if you want to chat further, and if not, looking forward to Tuesday.

[https://docs.google.com/document/d/16qIjEnREtv\\_njTWaDtIzolgsnqPCqRmQ3Cd8FUuINlw/edit?usp=sharing](https://docs.google.com/document/d/16qIjEnREtv_njTWaDtIzolgsnqPCqRmQ3Cd8FUuINlw/edit?usp=sharing)

Thanks,

Sara

On Sun, Dec 1, 2024 at 9:28 PM Chris Ropeta <chris@gridroads.net> wrote:

Hi Sara,

I have put together the following amendments to the meeting agenda for Tuesday's board meeting. Can you please review and let me know what additions or changes you would like to make? I am sending this to you, Herm, Dean, and Greg.

## Dec 3 Board Meeting Agenda amendments

Sunday, December 1, 2024  
9:15 PM

Posted Agenda with Additions:

1. **Supervisor welcome to the newly elected board members and new board meeting format.**

2. Request for Supervisor and Trustees to attend the MTA New Officials workshop.
3. Resignation of Steve Krause from Planning Commission
4. Appointment of Chris Ropeta to the Planning Commission.
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7. **Planning Commission directives from the board.**
8. **Discuss opening up township relationships with other legal and engineering firms.**
9. **Call for a line-item-level review of the budget.**
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- d. Discuss adding a Planning Commission update during every Board Meeting to communicate progress of planning commission work, workshops, and subcommittees
- e. Discuss adding an item to get reports from any Board workshops or subcommittees
- f. Discuss development of a resolution that defines a code of conduct for Township Elected, Appointed, Staff and Contract positions
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  - b. Send authorization to the PC to add a section to the current Master Plan related to renewable energy (RE) that directly talks about what the township would like to see over time that supports the law and the ordinances. Reference how Eagle Township stopped the MMIC Mega-site
    - i. How Eagle Township stopped the MMIC megasite
  - c. Since there has been no activity regarding revising the Medical Marijuana ordinance for the township, we need to send authorization to the PC to work on the Medical Marijuana Ordinance which we are currently being sued over and a status on the lawsuit - no progress shown to-date after lawsuit was filed.
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  - k. Education for township employees/residents



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## Chris Ropeta

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**From:** Chris Ropeta  
**Sent:** Sunday, December 1, 2024 9:29 PM  
**To:** herm.ferguson72@gmail.com  
**Subject:** Dec 3 Board Meeting Agenda amendments

Hi Herm,

I have put together the following amendments to the meeting agenda for Tuesday's board meeting. Can you please review and let me know what additions or changes you would like to make? I am sending this to you, Dean, Sara, and Greg.

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Created with OneNote.



## Chris Ropeta

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**From:** Greg Carnes <gcarnes@tyronetownship.us>  
**Sent:** Wednesday, December 4, 2024 8:37 AM  
**To:** Jennifer Eden; Pam Moughler; Chris Ropeta; snydersj@gmail.com;  
deanhasse@hotmail.com; Herm Ferguson  
**Subject:** FW: Planning Commission Position  
**Attachments:** Z Tucker 2024.pdf

Did not get attachment

**From:** Zachary R. Tucker <ztucker@winegarden-law.com>  
**Sent:** Tuesday, December 3, 2024 6:53 PM  
**To:** SUPERVISOR <SUPERVISOR@tyronetownship.us>  
**Subject:** Planning Commission Position

Greg,

Thanks for the call yesterday, great speaking with you. I'm writing to request consideration for the planning commission position we discussed. I'm interested in giving back to the Township community however I can, and my experience as a Township board member and an attorney will help me assist the Planning Commission in a unique manner. I have firsthand experience with the Township's review process, and my prior work as a board member will help guide me in my effort to reach decisions which will hopefully gain the full support of the Township board. Additionally, I can bring a unique perspective to the Planning Commission by leaning on my experience as an attorney. I have thirteen years of experience assisting businesses and individuals with all types of legal problems. My hope is that this experience can help me anticipate potential legal issues in order to avoid the problems that can often arise in the future if the legal ramifications of a decision are not properly considered during the review process.

Thanks for taking the time to consider my application. Please let me know if any other information or materials would be helpful to you.

Zach Tucker

NOTICE from Winegarden, Haley, Lindholm, Tucker & Himelhoch, PLC. : This message and its attachments are confidential and may be protected by the attorney/client privilege. If you are not the named addressee or if this message has been addressed to you in error, you are directed not to read, disclose, reproduce, distribute, disseminate or otherwise use this transmission. Please notify the sender immediately by e-mail and delete and destroy this message and its attachments.

Neither the information block, the typed name of the sender nor anything else in this message is intended to or shall be construed to constitute a signature of any kind, electronic or otherwise. Nor shall this information be construed as a signature on any document attached to this message.

# Zachary R. Tucker

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## Professional Experience

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### **Winegarden, Haley, Lindholm, Tucker and Himelhoch P.L.C., Grand Blanc, MI** **Partner, January 1, 2012 – Present**

- Represent businesses, lenders and individuals in a wide range of commercial and civil cases before state and federal courts.
- Assist businesses with general matters, technology related matters, real estate matters, litigation, contract interpretation and enforcement.
- Represent individual and corporate debtors and creditors in Chapter 7, Chapter 11 and Chapter 13 bankruptcy proceedings.
- Provide assistance to disabled clients as a court appointed guardian and conservator.
- Assist clients with the development and implementation of an estate plan.
- Draft wills, trusts, deeds, contracts, complaints, discovery requests, motions and briefs.

### **Free Legal Aid Clinic, Inc., Detroit, MI**

#### **Chairperson, Board of Directors, April 1, 2010 – May 31, 2011**

- Held the position of Chairperson on the board of directors for a legal aid organization.
- Worked with the entire board as a team to provide assistance to clients in need.
- Managed the day-to-day operations of the Clinic and the Board of Directors.
- Supervised Student Attorneys to ensure all clients received quality representation.
- Continued involvement with ongoing litigation and case work on behalf of indigent, retired and disabled Wayne County residents.

### **Free Legal Aid Clinic, Inc., Detroit, MI**

#### **Student Attorney, April 1, 2009 – March 31, 2010**

- Provided free legal assistance and representation to indigent, retired and disabled Wayne County residents in every stage of litigation before the 36th Judicial District Court and the 3rd Judicial Circuit Court.
- Presented oral arguments during court hearings and trials.
- Conducted legal research, drafted wills, deeds, motions, briefs, pleadings and discovery responses.
- Applied problem solving skills to analyze and address both legal and non-legal issues during outreach clinics.

### **Albion College Department of Information Technology, Albion, MI**

#### **Technology Support Specialist, August 2004 – May 2008**

- Serviced student and staff computers and helped maintain the Cisco-based network.
- Mitigated damage from virus outbreaks using technical knowledge.

## Education

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### **Wayne State University Law School, Detroit, MI**

#### **Juris Doctor, May 2011**

- Senior Articles Editor, The Wayne Law Review, 2010-2011.
  - Managed editors during review of articles to be published. Responsible for final editing prior to publication.
- Assistant Editor, The Wayne Law Review, 2009-2010.

### **Albion College, Albion, MI**

#### **Bachelor of Arts, *cum laude*, in History and Political Science, May 2008**

## **TYRONE TOWNSHIP PLANNING COMMISSION BYLAWS**

The following rules of procedure are hereby adopted by the Planning Commission of Tyrone Township, Livingston County, MI, to facilitate the performance of its duties as outlined in the Michigan Planning Act, PA 33 of 2008, as amended, and the Michigan Zoning Enabling Act, PA 110 of 2006, as amended.

### **SECTION 0.00 – MEMBERS OF THE PLANNING COMMISSION**

The Planning Commission shall consist of seven (7) members. Six (6) of those members shall be appointed by the Tyrone Township Supervisor and approved by the Tyrone Township Board. One (1) member shall be appointed by the Township Board to serve as the Board's representative (ex-officio) on the Planning Commission. The terms of these appointments shall be determined by the Township Board. The Planning Commission may utilize a Planning Commission representative to perform daily duties as required at the township hall. This position shall be an employee of the Township Clerk.

### **SECTION 1.00 – DUTIES OF THE PLANNING COMMISSION**

The Planning Commission shall perform the following duties:

- A. Prepare, review, and update a master plan as a guide for development within the township's planning jurisdiction.
- B. Take such action on petitions, staff proposals and Township Board requests for amendments to the zoning ordinance as required.
- C. Take such action on petitions, staff proposals and Township Board requests for amendments to the future land use plan as required.
- D. Prepare an annual written report to the Township Board of the Planning Commission's operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.
- E. Take such actions as authorized or required by the Michigan Planning Act.
- F. Take such actions as authorized or required by the Michigan Zoning Enabling Act.
- G. Review subdivision proposals and recommend appropriate actions to the Township Board.
- H. Perform other duties and responsibilities or respond as requested by any Township board or commission.

### **SECTION 2.00 – OFFICERS**

- 2.01 **Selection.** At the regular meeting in November of each year, the Planning Commission shall select from its membership a Chairperson, Vice-Chairperson, and Secretary. The ex-officio member shall not be Chairperson.
- 2.02 **Tenure.** The Chairperson, Vice-Chairperson, and Secretary shall take office immediately following their selection and shall hold office for a term of one (1) year or until their successors are selected and assume office. All officers are eligible for re-election to consecutive terms.

### **SECTION 3.00 - DUTIES OF THE OFFICERS**

- 3.01 **Duties of the Chairperson.** The Chairperson shall preside at all meetings, appoint committees, and perform such other duties as may be ordered by the Planning Commission.
- 3.02 **Duties of the Vice-Chairperson.** The Vice-Chairperson shall act as chairperson in the absence of the chair. In the event the office of the Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the Planning Commission shall select a successor to the office of Vice-Chairperson for the remainder of the unexpired term.

- 4.05 Posting of Meeting Notices for the Public.** Meeting notices shall be posted as set forth by the Open Meetings Act. It shall be the policy of the Planning Commission to post all meeting notices on the Township's website and on the entrance doors not less than 5 days prior to the meeting date, whenever possible.
- 4.06 Public Meetings and Records.** All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- 4.07 Quorum.** A majority of the total number of members shall constitute a quorum for the transaction of business and the taking of official action.
- 4.08 Motions.** Motions shall be restated by the Chairperson before a vote is taken. The name of the maker and supporter of the motion shall be recorded.
- 4.09 Voting.** Voting shall be by voice and shall be recorded by ayes and nays. Roll call votes will be recorded only upon request by a member of the Planning Commission. Except in the case of a conflict of interest, all Planning Commission members present, including the Chairperson and ex officio member, shall vote on all matters.
- 4.10 Affirmative Vote.** Official action may be taken by a majority of the quorum present and voting during the meeting. Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting or may hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless, or until, ratified and confirmed at a subsequent meeting at which a quorum is present.

An affirmative vote of a majority of the total number of Planning Commission members shall be necessary for adoption of a comprehensive plan or any part of a master plan. (MCL 125.3843)

- 4.11 Conflict of Interest.** Planning Commission members shall declare a conflict of interest and abstain from participating in any hearing, deliberations, discussion, or vote on a request when:
- A.** A relative or other family member is involved in any request for which the Planning Commission is asked to make a decision;
  - B.** The Planning Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association;
  - C.** The Planning Commission member owns or has a financial interest in neighboring property. For the purposes of this section, a neighboring property shall include all property falling within the notification radius for the proposed development, as required by the Zoning Ordinance or other applicable ordinance or state statute;
  - D.** There is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict;
  - E.** The majority of the members of the Planning Commission present vote in the affirmative that they believe a member has a conflict of interest in the matter before them.

Failure of a member to disclose a potential conflict of interest as required by these Bylaws shall constitute malfeasance in office.

For **4.09.D** above, the Planning Commission member declaring a conflict of interest shall state the nature of the conflict, and whether he or she believes he or she could impartially consider the request before the commission. He or she shall individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict may ask the other Planning Commission members to decide if he or she should abstain. The member declaring a conflict may remove himself/herself from the table or the room in which the discussion takes place. The member declaring a conflict shall not make any presentations to the Planning Commission as a representative of the proposal.

**5.02 Zoning Ordinance Hearings.** Notice of public hearings for the purposes of presenting proposed amendments to the Zoning Ordinance or Zoning Map; obtaining public opinion on a variance, special approval use, planned unit development, private road, shared driveway, subdivision plat, or other development request requiring a public hearing; or discussion of a particular problem with interested parties as required under provisions of the Zoning Ordinance shall require notification not more than sixty (60) days nor less than that consistent with the requirements of the Michigan Zoning Enabling Act, PA 110 of 2006, as amended. Notice of the time and location of the hearing shall be given not more than sixty (60) days nor less than fifteen (15) days prior to the meeting. Notice shall be published in a paper of general circulation and mailed to the person(s) filing the request. If the application is based on a particular location, the notice shall be mailed to all property owners within 300 feet of the site, and notice shall also be mailed to all occupants of all properties within 300 feet of the site. If the name of the occupant(s) is not known, the mailing may be addressed to "Occupant". The notice shall describe the nature of the request, indicate the location of the request (by street address unless unavailable), and when and where written comments will be received. The requirement to provide the location of the request shall not be required for rezoning applications involving 11 or more parcels.

### **SECTION 6.00 - AMENDMENTS**

**6.01 Amendment of the Bylaws.** These bylaws may be amended at any regular or special meeting of the Planning Commission by a two-thirds vote of the Planning Commission membership.

### **SECTION 7.00 – REVISION LOG**

24 March 1998 - Amendment: 2.03.C

24 March 1998 - Amendment: 3.01

11 September 2001 - Amendment: 3.06

24 October 2006 – Amendment 3.07

09 October 2007 – Amendment: 3.01 (start time)

14 April 2010 - Amendment: 3.01 (meeting frequency and week)

14 June 2011 - Amendment: General amendment throughout, MI Planning Act, new Section 0.00

13 February 2018 – Amendment: Add 4.02 (Subcommittees) and 4.03 (Workshop Meetings)

### **Definitions:**

*Malfeasance* is the act of doing something which one should not do or which one is prohibited from doing by a legal or moral obligation, with an intention to do wrong.

*Misfeasance* is the unintended, accidental errors, mistakes taken place while managing the business, office or other responsibilities entrusted on a person, causing loss or damage or unfortunate situations out of such mistakes. A misfeasance becomes a malfeasance when the act was performed with an intention to cause loss.

*Nonfeasance* is failure or refusal to perform a task that ought to be performed. It is different from "misfeasance" meaning improper performance or "malfeasance" meaning illegal or misconduct of performance.

**MICHIGAN ZONING ENABLING ACT**  
**Act 110 of 2006**

AN ACT to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

**History:** 2006, Act 110, Eff. July 1, 2006.

*The People of the State of Michigan enact:*

**ARTICLE I**  
**GENERAL PROVISIONS**

**125.3101 Short title.**

Sec. 101. This act shall be known and may be cited as the "Michigan zoning enabling act".

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3102 Definitions.**

Sec. 102. As used in this act:

(a) "Agricultural land" means substantially undeveloped land devoted to the production of plants and animals useful to humans, including, but not limited to, forage and sod crops, grains, feed crops, field crops, dairy products, poultry and poultry products, livestock, herbs, flowers, seeds, grasses, nursery stock, fruits, vegetables, Christmas trees, and other similar uses and activities.

(b) "Airport" means an airport licensed under section 86 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.86.

(c) "Airport approach plan" and "airport layout plan" mean a plan, or an amendment to a plan, filed with the zoning commission under section 151 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.151.

(d) "Airport manager" means that term as defined in section 2 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.2.

(e) "Airport zoning regulations" means airport zoning regulations under the airport zoning act, 1950 (Ex Sess) PA 23, MCL 259.431 to 259.465, for an airport hazard area that lies in whole or part in the area affected by a zoning ordinance under this act.

(f) "Conservation easement" means that term as defined in section 2140 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2140.

(g) "Coordinating zoning committee" means a coordinating zoning committee as described under section 307.

(h) "Development rights" means the rights to develop land to the maximum intensity of development authorized by law.

(i) "Development rights ordinance" means an ordinance, which may comprise part of a zoning ordinance, adopted under section 507.

(j) "Family child care home" and "group child care home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111, and only apply to the bona fide private residence of the operator of the family or group child care home.

(k) "Greenway" means a contiguous or linear open space, including habitats, wildlife corridors, and trails, that links parks, nature reserves, cultural features, or historic sites with each other, for recreation and conservation purposes.

(l) "Improvements" means those features and actions associated with a project that are considered necessary by the body or official granting zoning approval to protect natural resources or the health, safety, and welfare of the residents of a local unit of government and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, and drainage. Improvements do not include the entire project that is the subject of zoning approval.

(m) "Intensity of development" means the height, bulk, area, density, setback, use, and other similar characteristics of development.

(n) "Legislative body" means the county board of commissioners of a county, the board of trustees of a township, or the council or other similar elected governing body of a city or village.

ARTICLE II  
ZONING AUTHORIZATION AND INITIATION

**125.3201 Regulation of land development and establishment of districts; provisions; uniformity of regulations; designations; limitations.**

Sec. 201. (1) A local unit of government may provide by zoning ordinance for the regulation of land development and the establishment of 1 or more districts within its zoning jurisdiction which regulate the use of land and structures to meet the needs of the state's citizens for food, fiber, energy, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to ensure that use of the land is situated in appropriate locations and relationships, to limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities, to facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility requirements, and to promote public health, safety, and welfare.

(2) Except as otherwise provided under this act, the regulations shall be uniform for each class of land or buildings, dwellings, and structures within a district.

(3) A local unit of government may provide under the zoning ordinance for the regulation of land development and the establishment of districts which apply only to land areas and activities involved in a special program to achieve specific land management objectives and avert or solve specific land use problems, including the regulation of land development and the establishment of districts in areas subject to damage from flooding or beach erosion.

(4) A local unit of government may adopt land development regulations under the zoning ordinance designating or limiting the location, height, bulk, number of stories, uses, and size of dwellings, buildings, and structures that may be erected or altered, including tents and recreational vehicles.

History: 2006, Act 110, Eff. July 1, 2006.

**125.3202 Zoning ordinance; determination by local legislative body; amendments or supplements; notice of proposed rezoning.**

Sec. 202. (1) The legislative body of a local unit of government may provide by ordinance for the manner in which the regulations and boundaries of districts or zones shall be determined and enforced or amended or supplemented. Amendments or supplements to the zoning ordinance shall be adopted in the same manner as provided under this act for the adoption of the original ordinance.

(2) Except as provided in subsection (3), the zoning commission shall give a notice of a proposed rezoning in the same manner as required under section 103.

(3) For any group of adjacent properties numbering 11 or more that is proposed for rezoning, the requirements of section 103(2) and the requirement of section 103(4)(b) that street addresses be listed do not apply to that group of adjacent properties.

(4) An amendment to a zoning ordinance by a city or village is subject to a protest petition under section 403.

(5) An amendment to conform a provision of the zoning ordinance to the decree of a court of competent jurisdiction as to any specific lands may be adopted by the legislative body and the notice of the adopted amendment published without referring the amendment to any other board or agency provided for under this act.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

**125.3203 Zoning ordinance; plan; incorporation of airport layout plan or airport approach plan; zoning ordinance adopted before or after March 28, 2001; applicability of public transportation facilities.**

Sec. 203. (1) A zoning ordinance shall be based upon a plan designed to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability, to limit the improper use of land, to conserve natural resources and energy, to meet the needs of the state's residents for food, fiber, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to ensure that uses of the land shall be situated in appropriate locations and relationships, to avoid the overcrowding of population, to provide adequate light and air, to lessen congestion on the public roads and streets, to reduce hazards to life and property, to facilitate adequate provision for a system of transportation including, subject to subsection (5), public transportation, sewage disposal, safe and adequate water supply, education, recreation, and other public requirements, and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources, and

serving the property, based on credible evidence.

(d) The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property.

(e) The impact on other identifiable health, safety, and welfare interests in the local unit of government.

(f) The overall public interest in the extraction of the specific natural resources on the property.

(6) Subsections (3) to (5) do not limit a local unit of government's reasonable regulation of hours of operation, blasting hours, noise levels, dust control measures, and traffic, not preempted by part 632 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.63201 to 324.63223. However, such regulation shall be reasonable in accommodating customary mining operations.

(7) A renewable energy project that received special land use approval under section 502 on or after January 1, 2021 is considered to be a prior nonconforming use and the special land use approval shall not be revoked or modified if substantial construction has occurred or if an expenditure equal to 10% of the project construction costs or \$10,000.00, whichever is less, has been made.

(8) This act does not limit state regulatory authority under other statutes or rules.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2011, Act 113, Imd. Eff. July 20, 2011;—Am. 2012, Act 389, Eff. Mar. 28, 2013;—Am. 2018, Act 366, Eff. Mar. 12, 2019;—Am. 2023, Act 234, Eff. Feb. 13, 2024.

### **125.3205a Amateur radio service station antenna structures.**

Sec. 205a. (1) 47 CFR 97.15 provides that owners of certain amateur radio service station antenna structures more than 60.96 meters (200 feet) above ground level at the site or located near or at a public use airport must notify the federal aviation administration and register with the federal communications commission as required by 47 CFR part 17.

(2) An amateur radio service station antenna structure may be erected at heights and dimensions sufficient to accommodate amateur radio service communications. Regulation of an amateur radio service station antenna structure by a local unit of government must not preclude amateur radio service communications. Rather, it must reasonably accommodate those communications and must constitute the minimum practicable regulation to accomplish the local unit of government's legitimate purpose.

(3) To obtain information about the regulation of amateur radio service station antenna structures, a person may contact any advisory board that is jointly established by the Michigan section of the American radio relay league and 1 or more state organizations representing local units of government.

History: Add. 2014, Act 556, Imd. Eff. Jan. 15, 2014.

### **125.3205d Zoning ordinance; prohibition or regulation of commemorative signs.**

Sec. 205d. (1) A zoning ordinance shall not regulate or prohibit a sign that is located on or within a building and that commemorates any of the following:

(a) Any of the following who die in the line of duty:

(i) Police officers.

(ii) Firefighters.

(iii) Medical first responders.

(iv) Members of the United States Armed Forces.

(v) Corrections officers.

(b) Veterans of the United States Armed Forces.

(2) As used in this section, "medical first responder" means that term as defined in section 20906 of the public health code, 1978 PA 368, MCL 333.20906.

History: Add. 2018, Act 506, Eff. Mar. 28, 2019.

### **125.3206 Residential use of property; adult foster care facilities; family, group child care homes, or qualified residential treatment programs.**

Sec. 206. (1) Except as provided in subsection (2), each of the following is a residential use of property for the purposes of zoning and a permitted use in all residential zones and is not subject to a special use or conditional use permit or procedure different from those required for other dwellings of similar density in the same zone:

(a) A state licensed residential facility.

(b) A facility in use as described in section 3(4)(k) of the adult foster care facility licensing act, 1979 PA 218, MCL 400.703.

(c) A qualified residential treatment program that provides services for 10 or fewer individuals.

(2) Subsection (1) does not apply to adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.



reconstruction, extension, or substitution of nonconforming uses or structures upon terms and conditions provided in the zoning ordinance. In establishing terms for the completion, resumption, restoration, reconstruction, extension, or substitution of nonconforming uses or structures, different classes of nonconforming uses may be established in the zoning ordinance with different requirements applicable to each class.

(3) The legislative body may acquire, by purchase, condemnation, or otherwise, private property or an interest in private property for the removal of nonconforming uses and structures. The legislative body may provide that the cost and expense of acquiring private property may be paid from general funds or assessed to a special district in accordance with the applicable statutory provisions relating to the creation and operation of special assessment districts for public improvements in local units of government. Property acquired under this subsection by a city or village shall not be used for public housing.

(4) The elimination of the nonconforming uses and structures in a zoning district is declared to be for a public purpose and for a public use. The legislative body may institute proceedings for condemnation of nonconforming uses and structures under 1911 PA 149, MCL 213.21 to 213.25.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010.

#### **125.3209 Township zoning ordinance not subject to county ordinance, rule, or regulation.**

Sec. 209. Except as otherwise provided under this act, a township that has enacted a zoning ordinance under this act is not subject to an ordinance, rule, or regulation adopted by a county under this act.

History: 2006, Act 110, Eff. July 1, 2006.

#### **125.3210 Ordinance as controlling.**

Sec. 210. Except as otherwise provided under this act, an ordinance adopted under this act shall be controlling in the case of any inconsistencies between the ordinance and an ordinance adopted under any other law.

History: 2006, Act 110, Eff. July 1, 2006.

#### **125.3211 Appointment of zoning commission by legislative body; purposes; petition; initiation of action to formulate zoning commission and zoning ordinance.**

Sec. 211. (1) The legislative body may proceed with the adoption of a zoning ordinance containing land development regulations and establishing zoning districts under this act upon appointment of a zoning commission as provided in section 301.

(2) The legislative body may appoint a zoning commission for purposes of formulating a zoning ordinance on its own initiative or upon receipt of a petition requesting that action as provided under subsection (3).

(3) Upon receipt of a petition signed by a number of qualified and registered voters residing in the zoning jurisdiction equal to not less than 8% of the total votes cast within the zoning jurisdiction for all candidates for governor at the last preceding general election at which a governor was elected, filed with the clerk of the local unit of government requesting the legislative body to appoint a zoning commission for purposes of formulating a zoning ordinance, the legislative body, at the next regular meeting, may initiate action to formulate a zoning commission and zoning ordinance under this act.

History: 2006, Act 110, Eff. July 1, 2006.

### ARTICLE III ZONING COMMISSION

#### **125.3301 Zoning commission; creation; transfer of powers to planning commission; resolution; membership; terms; successors; vacancy; limitation; removal of member; officers.**

Sec. 301. (1) Each local unit of government in which the legislative body exercises authority under this act shall create a zoning commission unless 1 of the following applies:

(a) A county zoning commission created under former 1943 PA 183, a township zoning board created under former 1943 PA 184, or a city or village zoning commission created under former 1921 PA 207 was in existence in the local unit of government as of June 30, 2006. Unless abolished by the legislative body, that existing board or commission shall continue as and exercise the powers and perform the duties of a zoning commission under this act, subject to a transfer of power under subsection (2).

(b) A planning commission was, as of June 30, 2006, in existence in the local unit of government and pursuant to the applicable planning enabling act exercising the powers and performing the duties of a county

**125.3305 Recommendations of zoning commission; adoption and filing.**

Sec. 305. The zoning commission shall adopt and file with the legislative body the following recommendations:

- (a) A zoning plan for the areas subject to zoning of the local unit of government.
- (b) The establishment of zoning districts, including the boundaries of those districts.
- (c) The text of a zoning ordinance with the necessary maps and zoning regulations to be adopted for a zoning district or the zoning jurisdiction as a whole.
- (d) The manner of administering and enforcing the zoning ordinance.

History: 2006, Act 110, Eff. July 1, 2006.

**125.3306 Recommendations of zoning commission; submission to legislative body; public hearing; notice; examination of proposed text and maps.**

Sec. 306. (1) Before submitting its recommendations for a proposed zoning ordinance to the legislative body, the zoning commission shall hold at least 1 public hearing. Notice of the time and place of the public hearing shall be given in the same manner as required under section 103(1) for the initial adoption of a zoning ordinance or section 202 for any other subsequent zoning text or map amendments.

(2) Notice of the time and place of the public hearing shall also be given by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the clerk of the legislative body for the purpose of receiving the notice of public hearing.

(3) The notices required under this section shall include the places and times at which the proposed text and any maps of the zoning ordinance may be examined.

History: 2006, Act 110, Eff. July 1, 2006.

**125.3307 Review and recommendations after hearing; submission to township; submission to coordinating zoning committee; waiver of right to review.**

Sec. 307. (1) Following the hearing required in section 306, a township shall submit for review and recommendation the proposed zoning ordinance, including any zoning maps, to the zoning commission of the county in which the township is situated if a county zoning commission has been appointed as provided under this act.

(2) If there is not a county zoning commission or county planning commission, the proposed zoning ordinance shall be submitted to the coordinating zoning committee. The coordinating zoning committee shall be composed of either 3 or 5 members appointed by the legislative body of the county for the purpose of coordinating the zoning ordinances proposed for adoption under this act with the zoning ordinances of a township, city, or village having a common boundary with the township.

(3) The county will have waived its right for review and recommendation of an ordinance if the recommendation of the county zoning commission, planning commission, or coordinating zoning committee has not been received by the township within 30 days from the date the proposed ordinance is received by the county.

(4) The legislative body of a county by resolution may waive its right to review township ordinances and amendments under this section.

History: 2006, Act 110, Eff. July 1, 2006.

**125.3308 Summary of public hearing comments; transmission to legislative body by zoning commission; report.**

Sec. 308. (1) Following the required public hearing under section 306, the zoning commission shall transmit a summary of comments received at the hearing and its proposed zoning ordinance, including any zoning maps and recommendations, to the legislative body of the local unit of government.

(2) Following the enactment of the zoning ordinance, the zoning commission shall at least once per year prepare for the legislative body a report on the administration and enforcement of the zoning ordinance and recommendations for amendments or supplements to the ordinance.

History: 2006, Act 110, Eff. July 1, 2006.

ARTICLE IV  
ZONING ADOPTION AND ENFORCEMENT

**125.3401 Public hearing to be held by legislative body; conditions; notice; approval of zoning ordinance and amendments by legislative body; filing; notice of ordinance**

(4) A petition and an election under this section are subject to the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

History: 2006, Act 110, Eff. July 1, 2006.

#### **125.3403 Amendment to zoning ordinance; filing of protest petition; vote.**

Sec. 403. (1) An amendment to a zoning ordinance by a city or village is subject to a protest petition as required by this subsection. If a protest petition is filed, approval of the amendment to the zoning ordinance shall require a 2/3 vote of the legislative body, unless a larger vote, not to exceed a 3/4 vote, is required by ordinance or charter. The protest petition shall be presented to the legislative body of the city or village before final legislative action on the amendment and shall be signed by 1 or more of the following:

(a) The owners of at least 20% of the area of land included in the proposed change.

(b) The owners of at least 20% of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.

(2) Publicly owned land shall be excluded in calculating the 20% land area requirement under subsection (1).

History: 2006, Act 110, Eff. July 1, 2006.

#### **125.3404 Interim zoning ordinance.**

Sec. 404. (1) To protect the public health, safety, and general welfare of the inhabitants and the lands and resources of a local unit of government during the period required for the preparation and enactment of an initial zoning ordinance under this act, the legislative body of a local unit of government may direct the zoning commission to submit, within a specified period of time, recommendations as to the provisions of an interim zoning ordinance.

(2) Before presenting its recommendations to the legislative body, the zoning commission of a township shall submit the interim zoning ordinance, or an amendment to the ordinance, to the county zoning commission or the coordinating zoning committee, for the purpose of coordinating the zoning ordinance with the zoning ordinances of a township, city, or village having a common boundary with the township. The ordinance shall be considered approved 15 days from the date the zoning ordinance is submitted to the legislative body.

(3) After approval, the legislative body, by majority vote of its members, may give the interim ordinance or amendments to the interim ordinance immediate effect. An interim ordinance and subsequent amendments shall be filed and published as required under section 401.

(4) The interim ordinance, including any amendments, shall be limited to 1 year from the effective date and to not more than 2 years of renewal thereafter by resolution of the local unit of government.

History: 2006, Act 110, Eff. July 1, 2006.

#### **125.3405 Use and development of land as condition to rezoning.**

Sec. 405. (1) An owner of land may voluntarily offer in writing, and the local unit of government may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map.

(2) In approving the conditions under subsection (1), the local unit of government may establish a time period during which the conditions apply to the land. Except for an extension under subsection (4), if the conditions are not satisfied within the time specified under this subsection, the land shall revert to its former zoning classification.

(3) The local government shall not add to or alter the conditions approved under subsection (1) during the time period specified under subsection (2) of this section.

(4) The time period specified under subsection (2) may be extended upon the application of the landowner and approval of the local unit of government.

(5) A local unit of government shall not require a landowner to offer conditions as a requirement for rezoning. The lack of an offer under subsection (1) shall not otherwise affect a landowner's rights under this act, the ordinances of the local unit of government, or any other laws of this state.

History: 2006, Act 110, Eff. July 1, 2006.

#### **125.3406 Zoning permits; fees; effect of delinquent payment of fine, costs, or assessment.**

Sec. 406. (1) The legislative body may charge reasonable fees for zoning permits as a condition of granting authority to use, erect, alter, or locate dwellings, buildings, and structures, including tents and recreational vehicles, within a zoning district established under this act.

(2) A zoning ordinance adopted by a city may provide that a person is not eligible to apply for a rezoning,

**125.3502 Special land uses; review and approval; application; notice of request; public hearing; incorporation of decision in statement of findings and conclusions.**

Sec. 502. (1) The legislative body may provide in a zoning ordinance for special land uses in a zoning district. A special land use shall be subject to the review and approval of the zoning commission, the planning commission, an official charged with administering the zoning ordinance, or the legislative body as required by the zoning ordinance. The zoning ordinance shall specify all of the following:

(a) The special land uses and activities eligible for approval and the body or official responsible for reviewing and granting approval.

(b) The requirements and standards for approving a request for a special land use.

(c) The procedures and supporting materials required for the application, review, and approval of a special land use.

(2) Upon receipt of an application for a special land use which requires a discretionary decision, the local unit of government shall provide notice of the request as required under section 103. The notice shall indicate that a public hearing on the special land use request may be requested by any property owner or the occupant of any structure located within 300 feet of the property being considered for a special land use regardless of whether the property or occupant is located in the zoning jurisdiction.

(3) At the initiative of the body or official responsible for approving the special land use or upon the request of the applicant, a real property owner whose real property is assessed within 300 feet of the property, or the occupant of a structure located within 300 feet of the property, a public hearing shall be held before a discretionary decision is made on the special land use request.

(4) The body or official designated to review and approve special land uses may deny, approve, or approve with conditions a request for special land use approval. The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.

History: 2006, Act 110, Eff. July 1, 2006.

**125.3503 Planned unit development.**

Sec. 503. (1) As used in this section, "planned unit development" includes such terms as cluster zoning, planned development, community unit plan, and planned residential development and other terminology denoting zoning requirements designed to accomplish the objectives of the zoning ordinance through a land development project review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

(2) The legislative body may establish planned unit development requirements in a zoning ordinance that permit flexibility in the regulation of land development, encourage innovation in land use and variety in design, layout, and type of structures constructed, achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment, and shopping opportunities particularly suited to the needs of the residents of this state. The review and approval of planned unit developments shall be by the zoning commission, an individual charged with administration of the zoning ordinance, or the legislative body, as specified in the zoning ordinance.

(3) Within a land development project designated as a planned unit development, regulations relating to the use of land, including, but not limited to, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, and land use density, shall be determined in accordance with the planned unit development regulations specified in the zoning ordinance. The planned unit development regulations need not be uniform with regard to each type of land use if equitable procedures recognizing due process principles and avoiding arbitrary decisions are followed in making regulatory decisions. Unless explicitly prohibited by the planned unit development regulations, if requested by the landowner, a local unit of government may approve a planned unit development with open space that is not contiguous with the rest of the planned unit development.

(4) The planned unit development regulations established by the local unit of government shall specify all of the following:

(a) The body or official responsible for the review and approval of planned unit development requests.

(b) The conditions that create planned unit development eligibility, the participants in the review process, and the requirements and standards upon which applicants will be reviewed and approval granted.

(c) The procedures required for application, review, and approval.

(5) Following receipt of a request to approve a planned unit development, the body or official responsible for the review and approval shall hold at least 1 public hearing on the request. A zoning ordinance may

Sec. 505. (1) To ensure compliance with a zoning ordinance and any conditions imposed under a zoning ordinance, a local unit of government may require that a cash deposit, certified check, irrevocable letter of credit, or surety bond acceptable to the local unit of government covering the estimated cost of improvements be deposited with the clerk of the legislative body to insure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. The local unit of government may not require the deposit of the performance guarantee until it is prepared to issue the permit. The local unit of government shall establish procedures by which a rebate of any cash deposits in reasonable proportion to the ratio of work completed on the required improvements shall be made as work progresses.

(2) This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited under the land division act, 1967 PA 288, MCL 560.101 to 560.293.

History: 2006, Act 110, Eff. July 1, 2006.

### **125.3506 Open space preservation.**

Sec. 506. (1) Subject to subsection (4) and section 402, a qualified local unit of government shall provide in its zoning ordinance that land zoned for residential development may be developed, at the option of the landowner, with the same number of dwelling units on a smaller portion of the land than specified in the zoning ordinance, but not more than 50% for a county or township or 80% for a city or village, that could otherwise be developed, as determined by the local unit of government under existing ordinances, laws, and rules on the entire land area, if all of the following apply:

(a) The land is zoned at a density equivalent to 2 or fewer dwelling units per acre or, if the land is served by a public sewer system, 3 or fewer dwelling units per acre.

(b) A percentage of the land area specified in the zoning ordinance, but not less than 50% for a county or township or 20% for a city or village, will remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land, as prescribed by the zoning ordinance.

(c) The development does not depend upon the extension of a public sewer or public water supply system, unless development of the land without the exercise of the option provided by this subsection would also depend upon the extension.

(d) The option provided under this subsection has not previously been exercised with respect to that land.

(2) After a landowner exercises the option provided under subsection (1), the land may be rezoned accordingly.

(3) The development of land under subsection (1) is subject to other applicable ordinances, laws, and rules, including rules relating to suitability of groundwater for on-site water supply for land not served by public water and rules relating to suitability of soils for on-site sewage disposal for land not served by public sewers.

(4) Subsection (1) does not apply to a qualified local unit of government if both of the following apply:

(a) On or before October 1, 2001, the local unit of government had in effect a zoning ordinance provision providing for both of the following:

(i) Land zoned for residential development may be developed, at the option of the landowner, with the same number of dwelling units on a smaller portion of the land that, as determined by the local unit of government, could otherwise be developed under existing ordinances, laws, and rules on the entire land area.

(ii) If the landowner exercises the option provided by subparagraph (i), the portion of the land not developed will remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land.

(b) On or before December 15, 2001, a landowner exercised the option provided under the zoning ordinance provision referred to in subdivision (a) with at least 50% of the land area for a county or township or 20% of the land area for a city or village, remaining perpetually in an undeveloped state.

(5) The zoning ordinance provisions required by subsection (1) shall be cited as the "open space preservation" provisions of the zoning ordinance.

(6) As used in this section, "qualified local unit of government" means a county, township, city, or village that meets all of the following requirements:

(a) Has adopted a zoning ordinance.

(b) Has a population of 1,800 or more.

(c) Has land that is not developed and that is zoned for residential development at a density described in subsection (1)(a).

History: 2006, Act 110, Eff. July 1, 2006.

which the township, city, or village zoning is based.

(b) The legislative body of the township, city, or village adopts a resolution authorizing the PDR program to apply in the township, city, or village.

(c) As part of the application procedure for the specific proposed purchase of development rights, the township, city, or village provides the county with written approval of the purchase.

History: 2006, Act 110, Eff. July 1, 2006.

### **125.3509 PDR program; financing sources; bonds or notes; special assessments.**

Sec. 509. (1) A PDR program may be financed through 1 or more of the following sources:

(a) General appropriations by the local unit of government.

(b) Proceeds from the sale of development rights by the local unit of government subject to section 508(3).

(c) Grants.

(d) Donations.

(e) Bonds or notes issued under subsections (2) to (5).

(f) General fund revenue.

(g) Special assessments under subsection (6).

(h) Other sources approved by the legislative body and permitted by law.

(2) The legislative body may borrow money and issue bonds or notes under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, subject to the general debt limit applicable to the local unit of government. The bonds or notes may be revenue bonds or notes, general obligation limited tax bonds or notes, or, subject to section 6 of article IX of the state constitution of 1963, general obligation unlimited tax bonds or notes.

(3) The legislative body may secure bonds or notes issued under this section by mortgage, assignment, or pledge of property, including, but not limited to, anticipated tax collections, revenue sharing payments, or special assessment revenues. A pledge made by the legislative body is valid and binding from the time the pledge is made. The pledge immediately shall be subject to the lien of the pledge without a filing or further act. The lien of the pledge shall be valid and binding as against parties having claims in tort, contract, or otherwise against the local unit of government, irrespective of whether the parties have notice of the lien. Filing of the resolution, the trust agreement, or another instrument by which a pledge is created is not required.

(4) Bonds or notes issued under this section are exempt from all taxation in this state except inheritance and transfer taxes, and the interest on the bonds or notes is exempt from all taxation in this state.

(5) The bonds and notes issued under this section may be invested in by the state treasurer and all other public officers, state agencies, and political subdivisions, insurance companies, financial institutions, investment companies, and fiduciaries and trustees and may be deposited with and received by the state treasurer and all other public officers and the agencies and political subdivisions of this state for all purposes for which the deposit of bonds or notes is authorized. The authority granted by this section is in addition to all other authority granted by law.

(6) A development rights ordinance may authorize the legislative body to finance a PDR program by special assessments. In addition to meeting the requirements of section 508, the development rights ordinance shall include in the procedure to approve and establish a special assessment district both of the following:

(a) The requirement that there be filed with the legislative body a petition containing all of the following:

(i) A description of the development rights to be purchased, including a legal description of the land from which the purchase is to be made.

(ii) A description of the proposed special assessment district.

(iii) The signatures of the owners of at least 66% of the land area in the proposed special assessment district.

(iv) The amount and duration of the proposed special assessments.

(b) The requirement that the legislative body specify how the proposed purchase of development rights will specially benefit the land in the proposed special assessment district.

History: 2006, Act 110, Eff. July 1, 2006.

### **125.3513 Biofuel production facility as permitted use of property; requirements; special land use approval; application; hearing; conditions; applicability of subsections (2) to (5); authority of local unit of government; definitions.**

Sec. 513. (1) A biofuel production facility with an annual production capacity of not more than 100,000 gallons of biofuel is a permitted use of property and is not subject to special land use approval if all of the following requirements are met:

production facilities that are not located on farms.

(9) As used in this section:

(a) "Biofuel" means any renewable fuel product, whether solid, liquid, or gas, that is derived from recently living organisms or their metabolic by-products and meets applicable quality standards, including, but not limited to, ethanol and biodiesel. Biofuel does not include methane or any other fuel product from an anaerobic digester.

(b) "Ethanol" means a substance that meets the ASTM international standard in effect on the effective date of this section as the D-4806 specification for denatured fuel grade ethanol for blending with gasoline.

(c) "Farm" means that term as defined in section 2 of the Michigan right to farm act, 1981 PA 93, MCL 286.472.

(d) "Proof gallon" means that term as defined in 27 CFR 19.907.

History: Add. 2011, Act 97, Imd. Eff. July 19, 2011.

### **125.3514 Wireless communications equipment as permitted use of property; application for special land use approval; approval or denial; authorization by local unit of government; definitions; applicability to small cell wireless communications facilities.**

Sec. 514. (1) Wireless communications equipment is a permitted use of property and is not subject to special land use approval or any other approval under this act if all of the following requirements are met:

(a) The wireless communications equipment will be collocated on an existing wireless communications support structure or in an existing equipment compound.

(b) The existing wireless communications support structure or existing equipment compound is in compliance with the local unit of government's zoning ordinance or was approved by the appropriate zoning body or official for the local unit of government.

(c) The proposed collocation will not do any of the following:

(i) Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater.

(ii) Increase the width of the wireless communications support structure by more than the minimum necessary to permit collocation.

(iii) Increase the area of the existing equipment compound to greater than 2,500 square feet.

(d) The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the appropriate zoning body or official of the local unit of government.

(2) Wireless communications equipment that meets the requirements of subsection (1)(a) and (b) but does not meet the requirements of subsection (1)(c) or (d) is a permitted use of property if it receives special land use approval under subsections (3) to (6).

(3) An application for special land use approval of wireless communications equipment described in subsection (2) shall include all of the following:

(a) A site plan as required under section 501, including a map of the property and existing and proposed buildings and other facilities.

(b) Any additional relevant information that is specifically required by a zoning ordinance provision described in section 502(1) or 504.

(4) After an application for a special land use approval is filed with the body or official responsible for approving special land uses, the body or official shall determine whether the application is administratively complete. Unless the body or official proceeds as provided under subsection (5), the application shall be considered to be administratively complete when the body or official makes that determination or 14 business days after the body or official receives the application, whichever is first.

(5) If, before the expiration of the 14-day period under subsection (4), the body or official responsible for approving special land uses notifies the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the 14-day period under subsection (4) is tolled until the applicant submits to the body or official the specified information or fee amount due. The notice shall be given in writing or by electronic notification. A fee required to accompany any application shall not exceed the local unit of government's actual, reasonable costs to review and process the application or \$1,000.00, whichever is less.

(6) The body or official responsible for approving special land uses shall approve or deny the application not more than 60 days after the application is considered to be administratively complete. If the body or official fails to timely approve or deny the application, the application shall be considered approved and the body or official shall be considered to have made any determination required for approval.

employee or contractor of the legislative body may not serve as a member of the zoning board of appeals.

(7) The legislative body may appoint to the zoning board of appeals not more than 2 alternate members for the same term as regular members. An alternate member may be called as specified in the zoning ordinance to serve as a member of the zoning board of appeals in the absence of a regular member if the regular member will be unable to attend 1 or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the member has abstained for reasons of conflict of interest. The alternate member appointed shall serve in the case until a final decision is made. An alternate member serving on the zoning board of appeals has the same voting rights as a regular member.

(8) A member of the zoning board of appeals may be paid a reasonable per diem and reimbursed for expenses actually incurred in the discharge of his or her duties.

(9) A member of the zoning board of appeals may be removed by the legislative body for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.

(10) The terms of office for an appointed member of the zoning board of appeals shall be 3 years, except for a member serving because of his or her membership on the zoning commission or legislative body, whose term shall be limited to the time he or she is a member of that body. When members are first appointed, appointments may be for less than 3 years to provide for staggered terms. A successor shall be appointed not more than 1 month after the term of the preceding member has expired.

(11) A vacancy on the zoning board of appeals shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(12) A zoning board of appeals shall not conduct business unless a majority of the regular members of the zoning board of appeals are present.

(13) A member of the zoning board of appeals who is also a member of the zoning commission, the planning commission, or the legislative body shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the zoning commission, the planning commission, or the legislative body. However, the member may consider and vote on other unrelated matters involving the same property.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010.

#### **125.3602 Meetings; call of the chairperson; oaths; attendance of witnesses; record of proceedings.**

Sec. 602. (1) Meetings of the zoning board of appeals shall be held at the call of the chairperson and at other times as the zoning board of appeals in its rules of procedure may specify. The chairperson or, in his or her absence, the acting chairperson may administer oaths and compel the attendance of witnesses.

(2) The zoning board of appeals shall maintain a record of its proceedings which shall be filed in the office of the clerk of the legislative body.

**History:** 2006, Act 110, Eff. July 1, 2006.

#### **125.3603 Zoning board of appeals; powers; concurring vote of majority of members.**

Sec. 603. (1) The zoning board of appeals shall hear and decide questions that arise in the administration of the zoning ordinance, including the interpretation of the zoning maps, and may adopt rules to govern its procedures sitting as a zoning board of appeals. The zoning board of appeals shall also hear and decide on matters referred to the zoning board of appeals or upon which the zoning board of appeals is required to pass under a zoning ordinance adopted under this act. It shall hear and decide appeals from and review any administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of a zoning ordinance adopted under this act. For special land use and planned unit development decisions, an appeal may be taken to the zoning board of appeals only if provided for in the zoning ordinance.

(2) The concurring vote of a majority of the members of the zoning board of appeals is necessary to reverse an order, requirement, decision, or determination of the administrative official or body, to decide in favor of the applicant on a matter upon which the zoning board of appeals is required to pass under the zoning ordinance, or to grant a variance in the zoning ordinance.

**History:** 2006, Act 110, Eff. July 1, 2006.

#### **125.3604 Zoning board of appeals; procedures.**



(c) Is supported by competent, material, and substantial evidence on the record.

(d) Represents the reasonable exercise of discretion granted by law to the zoning board of appeals.

(2) If the court finds the record inadequate to make the review required by this section or finds that additional material evidence exists that with good reason was not presented, the court shall order further proceedings on conditions that the court considers proper. The zoning board of appeals may modify its findings and decision as a result of the new proceedings or may affirm the original decision. The supplementary record and decision shall be filed with the court. The court may affirm, reverse, or modify the decision.

(3) An appeal from a decision of a zoning board of appeals shall be filed within whichever of the following deadlines comes first:

(a) Thirty days after the zoning board of appeals issues its decision in writing signed by the chairperson, if there is a chairperson, or signed by the members of the zoning board of appeals, if there is no chairperson.

(b) Twenty-one days after the zoning board of appeals approves the minutes of its decision.

(4) The court may affirm, reverse, or modify the decision of the zoning board of appeals. The court may make other orders as justice requires.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010.

### **125.3607 Party aggrieved by order, determination, or decision; circuit court review; proper party.**

Sec. 607. (1) Any party aggrieved by any order, determination, or decision of any officer, agency, board, commission, zoning board of appeals, or legislative body of any local unit of government made under section 208 may obtain a review in the circuit court for the county in which the property is located. The review shall be in accordance with section 606.

(2) Any person required to be given notice under section 604(4) of the appeal of any order, determination, or decision made under section 208 shall be a proper party to any action for review under this section.

**History:** 2006, Act 110, Eff. July 1, 2006.

## ARTICLE VII STATUTORY COMPLIANCE AND REPEALER

### **125.3701 Compliance with open meetings act; availability of writings to public.**

Sec. 701. (1) All meetings subject to this act shall be conducted in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(2) A writing prepared, owned, used, in the possession of, or retained as required by this act shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3702 Repeal of MCL 125.581 to 125.600, 125.201 to 125.240, and 125.271 to 125.310; construction of section.**

Sec. 702. (1) The following acts and parts of acts are repealed:

(a) The city and village zoning act, 1921 PA 207, MCL 125.581 to 125.600.

(b) The county zoning act, 1943 PA 183, MCL 125.201 to 125.240.

(c) The township zoning act, 1943 PA 184, MCL 125.271 to 125.310.

(2) This section does not alter, limit, void, affect, or abate any pending litigation, administrative proceeding, or appeal that existed on June 30, 2006 or any ordinance, order, permit, or decision that was based on the acts repealed under subsection (1). The zoning ordinance need not be readopted but is subject to the requirements of this act, including, but not limited to, the amendment procedures set forth in this act.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

**MICHIGAN PLANNING ENABLING ACT**  
**Act 33 of 2008**

AN ACT to codify the laws regarding and to provide for county, township, city, and village planning; to provide for the creation, organization, powers, and duties of local planning commissions; to provide for the powers and duties of certain state and local governmental officers and agencies; to provide for the regulation and subdivision of land; and to repeal acts and parts of acts.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

*The People of the State of Michigan enact:*

ARTICLE I.  
GENERAL PROVISIONS

**125.3801 Short title.**

Sec. 1. This act shall be known and may be cited as the "Michigan planning enabling act".

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3803 Definitions.**

Sec. 3. As used in this act:

(a) "Chief administrative official" means the manager or other highest nonelected administrative official of a city or village.

(b) "Chief elected official" means the mayor of a city, the president of a village, the supervisor of a township, or, subject to section 5, the chairperson of the county board of commissioners of a county.

(c) "County board of commissioners", subject to section 5, means the elected county board of commissioners, except that, as used in sections 39 and 41, county board of commissioners means 1 of the following:

(i) A committee of the county board of commissioners, if the county board of commissioners delegates its powers and duties under this act to the committee.

(ii) The regional planning commission for the region in which the county is located, if the county board of commissioners delegates its powers and duties under this act to the regional planning commission.

(d) "Ex officio member", in reference to a planning commission, means a member, with full voting rights unless otherwise provided by charter, who serves on the planning commission by virtue of holding another office, for the term of that other office.

(e) "Legislative body" means the county board of commissioners of a county, the board of trustees of a township, or the council or other elected governing body of a city or village.

(f) "Local unit of government" or "local unit" means a county or municipality.

(g) "Master plan" means either of the following:

(i) As provided in section 81(1), any plan adopted or amended before September 1, 2008 under a planning act repealed under section 85.

(ii) Any plan adopted or amended under this act. This includes, but is not limited to, a plan prepared by a planning commission authorized by this act and used to satisfy the requirement of section 203(1) of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3203, regardless of whether it is entitled a master plan, basic plan, county plan, development plan, guide plan, land use plan, municipal plan, township plan, plan, or any other term.

(h) "Municipality" or "municipal" means or refers to a city, village, or township.

(i) "Planning commission" means either of the following, as applicable:

(i) A planning commission created pursuant to section 11(1).

(ii) A planning commission retained pursuant to section 81(2) or (3), subject to the limitations on the application of this act provided in section 81(2) and (3).

(j) "Planning jurisdiction" for a county, city, or village refers to the areas encompassed by the legal boundaries of that county, city, or village, subject to section 31(1). Planning jurisdiction for a township refers to the areas encompassed by the legal boundaries of that township outside of the areas of incorporated villages and cities, subject to section 31(1).

(k) "Population" means the population according to the most recent federal decennial census or according to a special census conducted under section 7 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.907, whichever is the more recent.

(l) "Public transportation agency" means a governmental entity that operates or is authorized to operate

(b) Considers the character of the planning jurisdiction and its suitability for particular uses, judged in terms of such factors as trends in land and population development.

(c) Will, in accordance with present and future needs, best promote public health, safety, morals, order, convenience, prosperity, and general welfare.

(d) Includes, among other things, promotion of or adequate provision for 1 or more of the following:

(i) A system of transportation to lessen congestion on streets and provide for safe and efficient movement of people and goods by motor vehicles, bicycles, pedestrians, and other legal users.

(ii) Safety from fire and other dangers.

(iii) Light and air.

(iv) Healthful and convenient distribution of population.

(v) Good civic design and arrangement and wise and efficient expenditure of public funds.

(vi) Public utilities such as sewage disposal and water supply and other public improvements.

(vii) Recreation.

(viii) The use of resources in accordance with their character and adaptability.

(ix) A range of housing types, costs, affordability, attainability, ages, and other characteristics, including single- and multiple-family dwellings, to serve the housing demands of a diverse population.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010;—Am. 2024, Act 153, Eff. (sine die).

## ARTICLE II.

### PLANNING COMMISSION CREATION AND ADMINISTRATION

#### **125.3811 Planning commission; creation; adoption of ordinance by local unit of government; notice required; exception; adoption of charter provision by city or home rule village; effect of repeal of planning act; continued exercise or transfer of powers and duties of zoning board or zoning commission.**

Sec. 11. (1) A local unit of government may adopt an ordinance creating a planning commission with powers and duties provided in this act. The planning commission of a local unit of government shall be officially called "the planning commission", even if a charter, ordinance, or resolution uses a different name such as "plan board" or "planning board".

(2) Within 14 days after a local unit of government adopts an ordinance under subsection (1) creating a planning commission, the clerk of the local unit shall transmit notice of the adoption to the planning commission of the county where the local unit is located. However, if there is not a county planning commission or if the local unit adopting the ordinance is a county, notice shall be transmitted to the regional planning commission engaged in planning for the region within which the local unit is located. Notice under this subsection is not required when a planning commission created before the effective date of this act continues in existence under this act, but is required when an ordinance governing or creating a planning commission is amended or superseded under section 81(2)(b) or (3)(b).

(3) If, after the effective date of this act, a city or home rule village adopts a charter provision providing for a planning commission, the charter provision shall be implemented by an ordinance that conforms to this act. Section 81(2) provides for the continuation of a planning commission created by a charter provision adopted before the effective date of this act.

(4) Section 81(3) provides for the continuation of a planning commission created under a planning act repealed under section 85.

(5) Section 83 provides for the continued exercise by a planning commission, or the transfer to a planning commission, of the powers and duties of a zoning board or zoning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

#### **125.3813 Planning commission; effect of township ordinance; number of days; petition requesting submission of ordinance to electors; filing; petition subject to Michigan election law; violation.**

Sec. 13. (1) Subject to subsection (2), a township ordinance creating a planning commission under this act shall take effect 63 days after the ordinance is published by the township board in a newspaper having general circulation in the township.

(2) Subject to subsection (3), before a township ordinance creating a planning commission takes effect, a petition may be filed with the township clerk requesting the submission of the ordinance to the electors residing in the unincorporated portion of the township for their approval or rejection. The petition shall be signed by a number of qualified and registered electors residing in the unincorporated portion of the township equal to not less than 8% of the total vote cast for all candidates for governor, at the last preceding general

county, not more than 1/3 of the members of the planning commission may be ex officio members. Except as provided in this subsection, an elected officer or employee of the local unit of government is not eligible to be a member of the planning commission. The term of an ex officio member of a planning commission shall be as follows:

(a) The term of a chief elected official shall correspond to his or her term as chief elected official.

(b) The term of a chief administrative official shall expire with the term of the chief elected official that appointed him or her as chief administrative official.

(c) The term of a member of the legislative body shall expire with his or her term on the legislative body.

(6) For a county planning commission, the county shall make every reasonable effort to ensure that the membership of the county planning commission includes a member of a public school board or an administrative employee of a school district included, in whole or in part, within the county's boundaries. The requirements of this subsection apply whenever an appointment is to be made to the planning commission, unless an incumbent is being reappointed or an ex officio member is being appointed under subsection (5).

(7) Subject to subsection (8), a city or village that has a population of less than 5,000, and that has not created a planning commission by charter, may by an ordinance adopted under section 11(1) provide that 1 of the following boards serve as its planning commission:

(a) The board of directors of the economic development corporation of the city or village created under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636.

(b) The board of a downtown development authority created under 1975 PA 197, MCL 125.1651 to 125.1681, if the boundaries of the downtown district are the same as the boundaries of the city or village.

(c) A board created under the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830, if the boundaries of the authority district are the same as the boundaries of the city or village.

(8) Subsections (1) to (5) do not apply to a planning commission established under subsection (7). All other provisions of this act apply to a planning commission established under subsection (7).

(9) The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the legislative body, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws.

(10) An ordinance creating a planning commission may impose additional requirements relevant to the subject matter of, but not inconsistent with, this section.

History: 2008, Act 33, Iff. Sept. 1, 2008;—Am. 2010, Act 105, Imd. Eff. June 29, 2010.

\*\*\*\*\* 125.3815.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE \*\*\*\*\*

**125.3815.amended Planning commission; membership; appointment; terms; vacancy; representation; qualifications; ex-officio members; board serving as planning commission; removal of member; conditions; conflict of interest; additional requirements.**

Sec. 15. (1) In a municipality, the chief elected official shall appoint members of the planning commission, subject to approval by a majority vote of the members of the legislative body elected and serving. In a county, the county board of commissioners shall determine the method of appointment of members of the planning commission by resolution of a majority of the full membership of the county board.

(2) A city, village, or township planning commission shall consist of 5, 7, or 9 members. A county planning commission shall consist of 5, 7, 9, or 11 members. Members of a planning commission other than ex officio members under subsection (5) shall be appointed for 3-year terms. However, of the members of the planning commission, other than ex officio members, first appointed, a number shall be appointed to 1-year or 2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year. If a vacancy occurs on a planning commission, the vacancy must be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until a successor is appointed.

(3) The membership of a planning commission must be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests of the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, housing, and

eligible to serve as chairperson. The term of each officer shall be 1 year, with opportunity for reelection as specified in bylaws adopted under section 19.

(2) A planning commission may appoint advisory committees whose members are not members of the planning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

**125.3819 Bylaws; adoption; public record requirements; annual report by planning commission.**

Sec. 19. (1) A planning commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

(2) A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

History: 2008, Act 33, Eff. Sept. 1, 2008.

**125.3821 Meetings; frequency; time; place; special meeting; notice; compliance with open meetings act; availability of writings to public.**

Sec. 21. (1) A planning commission shall hold not less than 4 regular meetings each year, and by resolution shall determine the time and place of the meetings. Unless the bylaws provide otherwise, a special meeting of the planning commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws provide otherwise, the secretary shall send written notice of a special meeting to planning commission members not less than 48 hours before the meeting.

(2) The business that a planning commission may perform shall be conducted at a public meeting of the planning commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of a regular or special meeting shall be given in the manner required by that act.

(3) A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 2008, Act 33, Eff. Sept. 1, 2008.

**125.3823 Compensation; expenses; preparation of budget; acceptance of gifts.**

Sec. 23. (1) Members of a planning commission may be compensated for their services as provided by the legislative body. A planning commission may adopt bylaws relative to compensation and expenses of its members and employees for travel when engaged in the performance of activities authorized by the legislative body, including, but not limited to, attendance at conferences, workshops, educational and training programs, and meetings.

(2) After preparing the annual report required under section 19, a planning commission may prepare a detailed budget and submit the budget to the legislative body for approval or disapproval. The legislative body annually may appropriate funds for carrying out the purposes and functions permitted under this act, and may match local government funds with federal, state, county, or other local government or private grants, contributions, or endowments.

(3) A planning commission may accept gifts for the exercise of its functions. However, in a township, other than a township that on the effective date of this act had a planning commission created under former 1931 PA 285, only the township board may accept such gifts, on behalf of the planning commission. A gift of money so accepted in either case shall be deposited with the treasurer of the local unit of government in a special nonreverting planning commission fund for expenditure by the planning commission for the purpose designated by the donor. The treasurer shall draw a warrant against the special nonreverting fund only upon receipt of a voucher signed by the chairperson and secretary of the planning commission and an order drawn by the clerk of the local unit of government. The expenditures of a planning commission, exclusive of gifts and grants, shall be within the amounts appropriated by the legislative body.

History: 2008, Act 33, Eff. Sept. 1, 2008.

**125.3825 Employment of planning director and other personnel; contract for services; use of information and advice provided by public officials, departments, and agencies.**

Sec. 25. (1) A local unit of government may employ a planning director and other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses, within a budget authorized by the legislative body. This authority shall be exercised by the legislative body, unless a

(i) All components of a transportation system and their interconnectivity including streets and bridges, public transit including public transportation facilities and routes, bicycle facilities, pedestrian ways, freight facilities and routes, port facilities, railroad facilities, and airports, to provide for the safe and efficient movement of people and goods in a manner that is appropriate to the context of the community and, as applicable, considers all legal users of the public right-of-way.

(ii) Waterways and waterfront developments.

(iii) Sanitary sewers and water supply systems.

(iv) Facilities for flood prevention, drainage, pollution prevention, and maintenance of water levels.

(v) Public utilities and structures.

(c) Recommendations as to the general character, extent, and layout of redevelopment or rehabilitation of blighted areas; and the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of streets, grounds, open spaces, buildings, utilities, or other facilities.

(d) For a local unit of government that has adopted a zoning ordinance, a zoning plan for various zoning districts controlling the height, area, bulk, location, and use of buildings and premises. The zoning plan shall include an explanation of how the land use categories on the future land use map relate to the districts on the zoning map.

(e) Recommendations for implementing any of the master plan's proposals.

(3) If a master plan is or includes a master street plan or 1 or more elements described in subsection (2)(b)(i), the means for implementing the master street plan or elements in cooperation with the county road commission and the state transportation department shall be specified in the master street plan in a manner consistent with the respective powers and duties of and any written agreements between these entities and the municipality.

(4) This section is subject to section 81(1).

(5) The reference to public transportation facilities in subsection (2)(a) only applies to a master plan that is adopted or substantively amended more than 90 days after the effective date of the amendatory act that added this subsection.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

\*\*\*\*\* 125.3833.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE \*\*\*\*\*

**125.3833.amended Master plan; land use and infrastructure issues; inclusion of maps, plats, charts, and other related matter; recommendations for physical development; additional subjects; implementation of master street plan or certain elements; specifications; section subject to MCL 125.3881(1); public transportation facilities.**

Sec. 33. (1) A master plan must address land use and infrastructure issues and may project 20 years or more into the future. A master plan must include maps, plats, charts, and descriptive, explanatory, and other related matter and must show the planning commission's recommendations for the physical development of the planning jurisdiction.

(2) A master plan must also include those of the following subjects that reasonably can be considered as pertinent to the future development of the planning jurisdiction:

(a) A land use plan that consists in part of a classification and allocation of land for agriculture, residences, commerce, industry, recreation, ways and grounds, subject to subsection (5), public transportation facilities, public buildings, schools, soil conservation, forests, woodlots, open space, wildlife refuges, and other uses and purposes. If a county has not adopted a zoning ordinance under former 1943 PA 183 or the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, a land use plan and program for the county may be a general plan with a generalized future land use map.

(b) The general location, character, and extent of all of the following:

(i) All components of a transportation system and their interconnectivity, including streets and bridges, public transit including public transportation facilities and routes, bicycle facilities, pedestrian ways, freight facilities and routes, port facilities, railroad facilities, and airports, to provide for the safe and efficient movement of people and goods in a manner that is appropriate to the context of the community and, as applicable, considers all legal users of the public right-of-way.

(ii) Waterways and waterfront developments.

(iii) Sanitary sewers and water supply systems.

(iv) Facilities for flood prevention, drainage, pollution prevention, and maintenance of water levels.

(v) Public utilities and structures.

(b) For a county undertaking a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality undertaking a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that municipality is located. If there is a county planning commission, the municipal planning commission may consult with the regional planning commission but is not required to do so.

(e) For a municipality undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located.

(f) For any local unit of government undertaking a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and mailing address for this purpose with the planning commission.

(g) If the master plan will include a master street plan, the county road commission and the state transportation department.

(3) A submittal under section 41 or 43 by or to an entity described in subsection (2) may be made by personal or first-class mail delivery of a hard copy or by electronic mail. However, the planning commission preparing the plan shall not make such submittals by electronic mail unless, in the notice described in subsection (2), the planning commission states that it intends to make such submittals by electronic mail and the entity receiving that notice does not respond by objecting to the use of electronic mail. Electronic mail may contain a link to a website on which the submittal is posted if the website is accessible to the public free of charge.

History: 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

### **125.3841 Preparation of proposed master plan; submission to legislative body for review and comment; approval required; notice; submission of comments; statements as advisory.**

Sec. 41. (1) After preparing a proposed master plan, a planning commission shall submit the proposed master plan to the legislative body for review and comment. The process of adopting a master plan shall not proceed further unless the legislative body approves the distribution of the proposed master plan.

(2) If the legislative body approves the distribution of the proposed master plan, it shall notify the secretary of the planning commission, and the secretary of the planning commission shall submit, in the manner provided in section 39(3), a copy of the proposed master plan, for review and comment, to all of the following:

(a) For any local unit of government proposing a master plan, the planning commission, or if there is no planning commission, the legislative body, of each municipality located within or contiguous to the local unit of government.

(b) For a county proposing a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality proposing a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that local unit of government is located. If there is a county planning commission, the secretary of the municipal planning commission may submit a copy of the proposed master plan to the regional planning commission but is not required to do so.

(e) For a municipality proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located. The secretary of the municipal planning commission shall concurrently submit to the county planning commission, in the manner provided in section 39(3), a statement that the requirements of subdivision (a) have been met or, if there is no county planning commission, shall submit to the county board of commissioners, in the manner provided in section 39(3), a statement that the requirements of subdivisions (a) and (d) have been met. The statement shall be signed by the secretary and shall include the name and address of each planning commission or legislative body to which a copy of the proposed master plan was submitted under subdivision (a) or (d), as applicable, and the date of submittal.

(f) For any local unit of government proposing a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public

Sec. 45. (1) An extension, addition, revision, or other amendment to a master plan shall be adopted by following the procedure under sections 39, 41, and 43, subject to all of the following:

(a) Any of the following amendments to a master plan may be made without following the procedure under sections 39, 41, and 43:

(i) A grammatical, typographical, or similar editorial change.

(ii) A title change.

(iii) A change to conform to an adopted plat.

(b) Subject to subdivision (a), the review period provided for in section 41(3) shall be 42 days instead of 63 days.

(c) When a planning commission sends notice to an entity under section 39(2) that it intends to prepare a subplan, the notice may indicate that the local unit of government intends not to provide that entity with further notices of or copies of proposed or final subplans otherwise required to be submitted to that entity under section 39, 41, or 43. Unless the entity responds that it chooses to receive notice of subplans, the local unit of government is not required to provide further notice of subplans to that entity.

(2) At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission.

History: 2008, Act 33, Eff. Sept. 1, 2008.

#### **125.3847 Part of county master plan covering incorporated area; adoption by appropriate city or village required; exception.**

Sec. 47. (1) Subject to subsection (2), a part of a county master plan covering an incorporated area within the county shall not be recognized as the official master plan or part of the official master plan for that area unless adopted by the appropriate city or village in the manner prescribed by this act.

(2) Subsection (1) does not apply if the incorporated area is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536.

History: 2008, Act 33, Eff. Sept. 1, 2008.

#### **125.3849 City or village planning department; authority to submit proposed master plan, or proposed extension, addition, revision, or other amendment.**

Sec. 49. (1) This act does not alter the authority of a planning department of a city or village created by charter to submit a proposed master plan, or a proposed extension, addition, revision, or other amendment to a master plan, to the planning commission, whether directly or indirectly as provided by charter.

(2) Subsection (1) notwithstanding, a planning commission described in subsection (1) shall comply with the requirements of this act.

History: 2008, Act 33, Eff. Sept. 1, 2008.

#### **125.3851 Public interest and understanding; promotion.**

Sec. 51. (1) To promote public interest in and understanding of the master plan, a planning commission may publish and distribute copies of the master plan or of any report, and employ other means of publicity and education.

(2) A planning commission shall consult with and advise public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens concerning the promotion or implementation of the master plan.

History: 2008, Act 33, Eff. Sept. 1, 2008.

### ARTICLE IV.

#### SPECIAL PROVISIONS, INCLUDING CAPITAL IMPROVEMENTS AND SUBDIVISION REVIEW

#### **125.3861 Construction of certain projects in area covered by municipal master plan; approval; initiation of work on project; requirements; report and advice.**

Sec. 61. (1) A street; square, park, playground, public way, ground, or other open space; or public building or other structure shall not be constructed or authorized for construction in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body or other body having jurisdiction



Sec. 67. A planning commission may recommend to the appropriate public officials programs for public structures and improvements and for the financing thereof, regardless of whether the planning commission is exempted from the requirement to prepare a capital improvements program under section 65.

History: 2008, Act 33, Eff. Sept. 1, 2008.

**125.3869 Copy of zoning ordinance and amendments; request by county planning commission for submission by municipal planning commission.**

Sec. 69. If a municipal planning commission has zoning duties pursuant to section 83 and the municipality has adopted a zoning ordinance, the county planning commission, if any, may, by first-class mail or personal delivery, request the municipal planning commission to submit to the county planning commission a copy of the zoning ordinance and any amendments. The municipal planning commission shall submit the requested documents to the county planning commission within 63 days after the request is received and shall submit any future amendments to the zoning ordinance within 63 days after the amendments are adopted. The municipal planning commission may submit a zoning ordinance or amendment under this subsection electronically.

History: 2008, Act 33, Eff. Sept. 1, 2008.

**125.3871 Recommendations for ordinances or rules governing subdivision of land; public hearing; notice; action on proposed plat; approval, approval with conditions, or disapproval by planning commission; approval of plat as amendment to master plan.**

Sec. 71. (1) A planning commission may recommend to the legislative body provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, the county planning commission may recommend to the legislative body of the municipality provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. A planning commission may proceed under this subsection on its own initiative or upon request of the appropriate legislative body.

(2) Recommendations for a subdivision ordinance or rule may address plat design, including the proper arrangement of streets in relation to other existing or planned streets and to the master plan; adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air; and the avoidance of congestion of population, including minimum width and area of lots. The recommendations may also address the extent to which streets shall be graded and improved and to which water and sewer and other utility mains, piping, or other facilities shall be installed as a condition precedent to the approval of a plat.

(3) Before recommending an ordinance or rule described in subsection (1), the planning commission shall hold a public hearing on the proposed ordinance or rule. The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government.

(4) If a municipality has adopted a master plan or master street plan, the planning commission of that municipality shall review and make recommendations on plats before action thereon by the legislative body under section 112 of the land division act, 1967 PA 288, MCL 560.112. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, and the municipality has adopted a master plan or master street plan, the county planning commission shall also review and make recommendations on plats before action thereon by the legislative body of the municipality under section 112 of the land division act, 1967 PA 288, MCL 560.112.

(5) A planning commission shall not take action on a proposed plat without affording an opportunity for a public hearing thereon. A plat submitted to the planning commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time, and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the municipality. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

(6) A planning commission shall recommend approval, approval with conditions, or disapproval of a plat within 63 days after the plat is submitted to the planning commission. If applicable standards under the land

(c) An ordinance adopted under subdivision (b) is not subject to referendum.

(4) Unless repealed or rescinded by the legislative body, an ordinance or published rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105, need not be readopted under this act or amended to comply with this act but continue in effect under this act. However, if amended, the ordinance or published rules shall be amended under the procedures of this act.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

#### **125.3883 Transfer of powers, duties, and records.**

Sec. 83. (1) If, on the effective date of this act, a planning commission had the powers and duties of a zoning board or zoning commission under the former city and village zoning act, 1921 PA 207, the former county zoning act, 1943 PA 183, or the former township zoning act, 1943 PA 184, and under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, the planning commission may continue to exercise those powers and duties without amendment of the ordinance, resolution, or charter provision that created the planning commission.

(2) If, on the effective date of this act, a local unit of government had a planning commission without zoning authority created under former 1931 PA 285, former 1945 PA 282, or former 1959 PA 168, the legislative body may by amendment to the ordinance creating the planning commission, or, if the planning commission was created by resolution, may by resolution, transfer to the planning commission all the powers and duties provided to a zoning board or zoning commission created under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702. If an existing zoning board or zoning commission in the local unit of government is nearing the completion of its draft zoning ordinance, the legislative body shall postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but is not required to postpone the transfer more than 1 year.

(3) If, on or after the effective date of this act, a planning commission is created in a local unit of government that has had a zoning board or zoning commission since before the effective date of this act, the legislative body shall transfer all the powers, duties, and records of the zoning board or zoning commission to the planning commission before July 1, 2011. If the existing zoning board or zoning commission is nearing the completion of its draft zoning ordinance, the legislative body may, by resolution, postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but not later than until 1 year after creation of the planning commission or July 1, 2011, whichever comes first.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

#### **125.3885 Repeal of certain acts.**

Sec. 85. (1) The following acts are repealed:

- (a) 1931 PA 285, MCL 125.31 to 125.45.
- (b) 1945 PA 282, MCL 125.101 to 125.115.
- (c) 1959 PA 168, MCL 125.321 to 125.333.

(2) Any plan adopted or amended under an act repealed under subsection (1) is subject to section 81(1).

**History:** 2008, Act 33, Eff. Sept. 1, 2008.