

**Cato Township Planning Commission
Meeting Minutes
September 9, 2021**

The Cato Township Planning Commission met for their regularly scheduled meeting on Wednesday, September 9, 2021, at the Lakeview Community Center. Members present included:

David Behrenwald
Phil Morrow

Kim Carr

Brandi Clark-Hubbard

Also present: Dave Kelsey, Cato Township Zoning Administrator
Absent: Quannah Striker

Call to Order

The meeting was called to order at 7:00 p.m. by chairperson, Phil Morrow.

Meeting Minutes

Minutes of the July 14, 2021, meeting were reviewed. Motion was made by David Behrenwald and supported by Brandi Clark-Hubbard to approve the minutes as recorded. Motion carried.

Public Comment

Phil Morrow opened public comment with a welcome and reviewed the following meeting ground rules:

- One, 3 minutes speaking opportunity will be awarded per person wishing to speak
- Speakers will state their name and the township in which they reside
- Commentary will be addressed to the Commission and not to other guests
- All guests will demonstrate respect for others
- "Calling out" individuals is prohibited
- No clapping or booing will be permitted
- No attacking others or opposing views
- No side-bar conversations will be permitted – step out if needed
- Only NEW information that is valuable to the Commission is welcome
- Comments will be received in the following order as follows:
 - 1) Cato Township Residents
 - 2) Montcalm County Residents
 - 3) Other

There were 26 guests, of which 10 were Cato Township residents. Comments were shared by 19 attendees, both in favor and opposing Wind Energy. An attendance roster is attached to the original meeting minutes document. Public comment was closed at 7:52pm. Phil thanked the public for coming and for feedback, noting that much shared has already been heard and or discussed by the Commission. Phil stated that some suggestions, merely suggestions, have been made to the current Wind Energy Ordinance, but most importantly, the Commission wants to do it right for our township.

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Permits

Dave Kelsey provided an update since his last report:

June – 5 permits granted (pole barn, garage & barn, home, Amish school, dwelling)

August – 1 permit (home)

Wind Ordinance Review

Chairperson, Phil Morrow, opened the agenda item by stating he would like to see the subject tabled from further discussion.

Brandi stated she came prepared this evening to propose an extended moratorium, of which she has drafted and submitted to members of the Commission this evening, as the current moratorium is due to expire on November 3, 2021. Her proposal suggests an extended 6-month moratorium that would expire on May 3, 2022.

In addition, Brandi noted that Cato Township Board minutes of June 22, 2020, reflect a Solar Ordinance was adopted but is not found in the Cato Township Book of Ordinances (recorded as ordinance 3.4.1), which raised the question as to whether a public hearing took place and whether the Township is in compliance.

Motion was made by Brandi Clark-Hubbard and supported by Kim Carr that the David Behrenwald present to the Cato Township Board on behalf of the Commission that a 6-month moratorium on Wind Energy permits be extended to May 3, 2022. Motion carried.

Motion was made by Brandi Clark-Hubbard and supported by David Behrenwald that Board Liaison, David Behrenwald, present to the Cato Township Board on behalf of the Commission: 1) request for Solar public hearing research and 2) request a 12-month moratorium on Solar Energy permits be granted to September 10, 2022. Motion carried.

Kim Carr proposed that based on the lack of expertise, potentially inaccurate information and propaganda being shared from both sides of the subject, the commission request legal counsel be provided by the Cato Township Board through the Board Liaison, David Behrenwald, at the next regularly scheduled Township Board meeting. David stated he has suggested support a couple of times to the Board and agrees that legal direction is needed as the commission does not have the expertise needed at this point.

Phil Morrow stated that we have a diverse commission, have had good, open and honest conversations and agreed the commission is at a place where legal counsel should be sought.

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Brandi Clark-Hubbard stated multiple times that she wants the commission to continue working, she has done extensive research and believes, unlike other townships, the Cato Township Commission has come too far to put it down. She stated legal counsel is expensive and does not believe legal representation is necessary at meetings. She brought up conflict of interest and stated she will send samples to Chairman Morrow.

Next Meeting

Phil Morrow noted that the next regular meetings of the Commission are scheduled for October 13 and December 8, however, he will wait for Cato Township Board movement on appointing an attorney to support the Commission. Therefore, the next meeting of the Cato Township Planning Commission will be announced at a later date.

Adjournment

There being no further business to come before the Commission, motion was made by Kim Carr and supported by David Behrenwald and supported by Brandi Clark-Hubbard to adjourn at 9:02 p.m. Motion carried.

Recorded by,

Kimberlee J. Carr
Recording Secretary
Cato Township Planning Commission

NOTE:

Documents distributed to the Commission:

- DRAFT wind energy ordinance 6-month moratorium extension – Brandi Clark-Hubbard
- DRAFT solar energy ordinance 12-month moratorium – Brandi Clark-Hubbard
- Cato Township Setback Features map
- The Morning Sun Article (8/21/21): *“County to sign deal to back wind turbine decommission with \$200,000 apiece”* – Brandi Clark-Hubbard
- Memorandum to HR & Public Works Committee and Board of Commissioners (8/5/21) from Timothy A. Nieporte, Community Development Director: *Isabella Wind (Apex) Decommissioning Agreement and Bond* – Brandi Clark-Hubbard
- Email: *“In Your Own Words”*- Brandi Clark-Hubbard
- Document from NE Missouri resident – Jamie Snyder
- Folder RE: Public Health Statement from Atkinson& Rapley Consulting/Mariana Alves-Pereira, PhD