

GOLDEN TOWNSHIP BOARD MINUTES  
AUGUST 15<sup>TH</sup>, 2006  
GOLDEN TOWNSHIP HALL

The regular monthly meeting of the Golden Township Board was called to order by Chairman Walsworth at 7:30 P.M.. Member present Walsworth, Cargill, Fuehring and Kolosci, Ackley absent.

The pledge of Allegiance was recited by all.

Motion by Cargill Support by Fuehring to approve the minutes of the July 11<sup>th</sup> and July 25<sup>th</sup> 2006 meetings with corrections all yes motion carried.

A letter from the Golden Sands association was read asking that a hidden drive sign be placed on Lighthouse Dr. just west of the road leading in and out of the Golden Sands subdivision.

Motion by Cargill support by Fuehring to place a hidden drive sign placed on Lighthouse Dr. near the entrance to the Golden Sands subdivision. Roll call vote Fuehring, Cargill, Walsworth and Kolosci all yes motion carried.

A letter from Sierra Sands owner Bob Henry requesting permission to have 2 lights placed above the road way on Hazel rd. in from of the Sierra Sands entrance and exit areas was read. In the letter Mr. Henry stated that Sierra Sands would be responsible for all costs to do with the lighting.

Motion by Cargill support by Fuehring to allow the placement of 2 lights at the entrance and exit of the Sierra Sands with the understanding that the Sierra Sands motel would be responsible for all costs involved with the lighting, all yes motion carried.

Cargill explained the Treasurer's report. Cargill also explained that the revenue sharing will be approximately \$7,700.00 more than last year. Budget amendments were also discussed.

Motion by Fuehring Support by Cargill to approve the Treasurers report all yes motion carried.

Motion by Fuehring Support by Cargill to amendment the budget as follows \$7,700.00 extra revenue sharing \$10,858.00 from the transfer out account # 101-999 addition to account 279-970 \$18,558.00 all yes motion carried.

The checks were reviewed.

Motion by Fuehring support by Cargill to approve check numbers 11706 & 11749-11799 totaling \$24,628.06. Roll call vote Cargill, Fuehring, Kolosci and Walsworth all yes motion carried.

Mr. J.W. Ryan from Western Insurance explained our policy with their company. Mr. Ryan explained that the Art Fair is covered under the policy as well as the vandalism at Johnson square. A full review of our policy, buildings covered etc. were discussed.

Zoning administrator Whelpley reported 10 permits issued, Fuller situation still not resolved and the 8<sup>th</sup> St. complaint of no occupancy permit is in the process of coming into compliance. The Ybarra building is being looked into by the building inspector. The Wind Power Generator ordinance was discussed and with the review of the County Planning Commission being favorable as well as the recommendation from the Golden Township Planning Commission the board took the following action

Motion by Fuehring Support by Cargill to approve the amended Wind Power Generator Ordinance, all yes motion carried.

The Planning Commission and Zoning Board of Appeals members were discussed, Whelpley stated that there was an issue with the staggering of the terms on the ZBA and with the amendments made to the Zoning Ordinance to allow for 5 members on the ZBA a few changes had to be made new appointments and 1 removal to line up the staggering terms correctly. The Planning commission having 1 vacant spot and 1 resignation by Terry Wiegand will appoint and reappoint as follows in motion.

Motion by Cargill Support by Fuehring to appoint to the Zoning Board of Appeals Ted Hosner term 2006-2007, Tom Worth 2006-2008, Keith Adams (Alternate) 2006-2008, Mike Henderson 2006-2009, Brad Whitney 2006-2009, Robert Veltman change to (Alternate) 2004-2007 Steve Marciniak not to be reappointed. All yes motion carried

Motion by Cargill Support by Fuehring to re-appoint Leo Terryn 2006-2009, Brad Whitney 2006-2009, Avery Wilson 2006-2009. New appointments Ted Ferwerda to complete Wiegands term 2005-2008, Gail Schulte to fill vacant position 2004-2007 to finish Anita Fosters term. All yes motion carried.

Motion by Fuehring support by Cargill to approve the following Zoning Ordinance amendments:

Chapter XVII, Zoning Board of Appeals;

17.1 membership; The Zoning Board of Appeals (ZBA) shall consist of three regular members and two alternate members.

Change the word three to five.

17.6 After the word to, add property owners within 300 feet, the parties concerned and in a newspaper of general circulation.

Chapter XVIII, Zoning Ordinance & Map Amendments

18.2 Scheduling and Notification of Public Hearing

18.2 (3) Remove the first notice must be published not more than 30 nor less than 20 days before the hearing. The second notice must be published not more than 8 days before the hearing.

Change to The notice must be published not more than 15 nor less than 5 days before the hearing.

Second paragraph; change the 8 to 5 days

All yes motion carried.

Motion by Fuehring support by Cargill to approve the amended Wind Powered Generator portion of the Zoning Ordinance.

## **Section XIII-B Wind Powered Generator Systems**

### **13B.1 Purpose**

The township has received and expects to receive requests to place Wind Powered Generator systems both private and commercial within the township. These standards are intended to achieve a balance between 1) protecting the public health, safety, and general welfare, 2) the public need for clean renewable energy, 3) practical latitude for specific uses of land by the land owner and 4) farm land preservation

### **13B.2 Definitions**

- a. Ambient: The sound pressure level exceeded 90% of the time or L90.
- b. ANSI: American National Standards Institute.
- c. Bonds: Bonds must be provided from the State of Michigan Treasury Department's list of acceptable bond companies and approved by the affected agencies.
- d. Commercial Wind Powered Generator (CWPG) systems: A wind powered generator system designed and built to provide electricity to the electric utility grid; this generated electricity is sent to the electric utility grid primarily for end use off of, or away from, the property or parcels of property upon which the CWPG system is located.
- e. dB(A) : Sound pressure level in decibels. Refers to the "a" weighted scale defined by ANSI. A method for weighting the frequency spectrum to mimic the human ear.
- f. Decibel: The unit of measure to express the magnitude of sound pressure and sound intensity.
- g. IEC: International Electrotechnical Commission. A global organization that prepares and publishes international standards for all electrical, electronic, and related technologies.
- h. ISO: International Organization for Standardization. A network of national standards institutes of 156 countries.
- i. MET Tower: A freestanding tower containing anemometer instrumentation to provide wind and meteorological information.
- j. Private Wind Powered Generator (PWPG) system: An on site privately owned wind powered generator system designed and built to provide electricity primarily to the land owner or lessee; the generated electricity may be sent to the utility grid, however, the electricity so sent is primarily sent as a means of storage to facilitate on site use of electricity to the land owner or lessee.

- k. Rotor: An element of the wind generator that acts as a multi-bladed airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.
- l. SCADA Tower: A freestanding tower containing instrumentation such as anemometers that provides present moment wind data for use by Supervisory Control and Data Acquisition (SCADA) system.
- m. Sound Pressure: Average rate at which sound energy is transmitted through a unit area in a specific direction. The pressure of the sound measured at a receiver.
- n. Sound Pressure Level: The sound pressure mapped to a logarithmic scale and reported in decibels (dB).
- o. Wind Powered Generator (WPG) system: A system that converts wind energy into electricity through the use of a wind turbine generator and include the turbine, blades, and tower as well as related electrical equipment. This does not include the wiring to connect to the grid.
- p. Wind Site Assessment: An assessment to determine the wind speeds at a specific site and the feasibility if using that site for construction of a wind powered generator system.

**13B.3 Private Wind Powered Generator (PWPG) systems:** PWPG systems shall be considered a Special Use in all zoning districts. Prior to installation of a PWPG system, an application for Special Use Permit and site plan shall be filed in accordance with Sections 12 & 13 hereof and will include documentation that sound pressure level, construction code, and safety requirements have been met, proof of applicant's public liability insurance, and exception consent documents properly registered with the Oceana County Register of Deeds.

- 1. Property Set-Back: The distance between a PWPG system and the owner's property line or nearby occupied dwellings shall be a minimum of 1.5 times the total height of the tower including the top of the blade in the vertical position. Exceptions for neighboring property are allowed with the written consent of those property owners.
- 2. Sound Pressure Levels: PWPG systems shall not exceed 55dB (A) at the property line closest to the system or nearby occupied dwellings. This sound pressure level may be exceeded during short-term events such as utility shortages and/or severe wind storms. If the ambient sound pressure level exceeds 55dB (A), the standard shall be ambient dB(A) plus 5dB(A). Exceptions for neighboring property are allowed with the written consent of those property owners.
- 3. Construction Codes, Towers, & Interconnection Standards: PWPG systems shall comply with all state construction and electrical codes and local building permit requirements. PWPG systems shall comply with Federal Aviation Administration requirements, the Michigan Tall Structures Act (Public act 259 of 1959, MCL 259.481 et seq.). Interconnected PWPG systems shall comply with Michigan Public Service Commission and Federal Regulatory Commission standards. Off grid systems are exempt from this requirement.

4. Safety: PWPG systems shall have automatic braking, governing and a feathering system to prevent uncontrolled rotation and over speeding. All wind towers shall have lightning protection. If supported by guy wires, the wires shall clearly visible to a height of at least six feet above the guy wire anchors. The minimum vertical blade tip clearance from grade shall be 20 feet for any system using a horizontal axis rotor.

### **13B.4 Wind Site Assessment and Monitoring for Private and**

**Commercial WPG Systems:** Installation of MET towers for assessment of a PWPG system or CWPG system site shall require an application for Site Plan and Special Use Permit in accordance with Section 12 & 13 hereof. The application shall include a copy of the applicant's lease with the land owner granting authority to install the MET tower and requiring the applicant to remove all equipment and restore the site after completion of the assessment and proof of the applicant's public liability insurance. The set-back from non-leased property shall be 1.5 times the height of the tower. Guy wires shall be no closer than 10 feet from non-leased property lines and adequately marked or fenced. Leased property can contain more than one parcel and the requirement shall apply to the combined properties.

Prior to installation of an anemometer 60 feet or higher, an application for Site Plan and Special Use Permit shall be filed in accordance with Sections 12 & 13 hereof and will include a copy of the applicant's lease with the land owner granting authority to install the MET tower and requiring the applicant to remove all equipment and restore the site after completion of the wind assessment, and proof of the applicants public liability insurance.

SCADA and MET towers shall also comply with the property set-back requirements. The set-back shall be 1.5 times the height of the SCADA and MET tower. An operations and maintenance office building, substation, or ancillary equipment shall comply with any property set-back requirement that may be applicable to that type of building. Exceptions for neighboring property or public rights of way are allowed with written consent of those property owners, provided that the lease requires removal of the tower prior to its termination and makes the township a third-party beneficiary to that requirement of removal, or provided that the applicant, if the fee owner of the property, enters into an agreement with the township to remove the tower with in a determinate number of years.

**13B.5 Commercial Wind Powered Generator (CWPG) systems:** CWPG systems shall be a Special Use in the Agriculture Residential Zone and require a Site Plan and Special Use Permit application, signed by the property owner and developer, in accordance with Sections 12 & 13 hereof. The application shall also include the following:

1. Insurance: Proof of the applicants' public liability insurance.
2. Lease or Ownership Documents: Proof of lease or fee ownership of the property by the applicant.

3. Consent Documents: Copies of any written waivers granted by neighboring property owners properly registered with the Oceana County Register of Deeds.
4. Sound Pressure Level: Copy of modeling and analysis report.
5. Certifications: Certification that the applicant has complied with all applicable state and federal laws and regulations.
6. Visual Impact: Visual simulation of how the completed project will look from four viewable angles.
7. Power Line Location: Location of buried on-site and off-site buried and overhead power distribution lines to the township line.
8. Manufacturers' Material Safety Data: Documentation shall include the type and quantity of all materials used in the operation of all equipment, including but not limited to, all lubricants and coolants, operation of braking systems, and ice control.
9. Road Maintenance: Plan to protect and maintain all roads used during construction, repair, and replacement, and a bond in an amount agreeable to the Golden Township Board and the Oceana County Road Commission for maintenance and repair of such roads.
10. Decommissioning: A plan for decommissioning and a bond to cover the estimated cost of removal and restoration of the site in the event of abandonment.
11. Compliant Resolution: Description of the compliant resolution process.

CWPG system projects shall meet the following standards and requirements:

1. Property Set-Backs: The distance between a CWPG system and the property lines of adjacent properties, not a part of the CWPG property including, but not limited to rights of way, shall be a minimum of 1.5 times the total height of the tower plus the blade in its vertical position. Where the CWPG property exists on directly opposite sides of a private right of way, a tower may be placed no closer than one rotor radius from the closest edge of the private right of way. WCPG property may include more than one piece of property and the property setback requirements shall apply to the combined properties. Setbacks shall apply to occupied dwellings. There is no set-back on lot lines of adjacent CWPG properties. Exceptions for neighboring property are allowed with the written consent of those property owners.
2. Sound Pressure Level: The sound pressure level of a CWPG system shall not exceed 55dB(A) measured at the property lines nearest the CWPG system between CWPG and non-CWPG properties. This sound pressure level shall not be exceeded for more than 3 minutes in any hour of the day. If the ambient sound pressure level exceeds 55dB(A), the standard shall be ambient dB(A) plus 5 dB(A). Exceptions to this requirement are allowed with the written consent of property owners. As part of the application and prior to installation, the applicant shall provide modeling and analysis that will confirm that the CWPG system will not exceed the maximum permitted sound pressure levels. Modeling and analysis shall conform to IEC 61400 and ISO 9613. After installation of the CWPG

system, sound pressure level measurements shall be done by a third party, qualified professional according to the procedures in the most current ANSI S12.18. All sound pressure levels shall be measured with a sound meter that meets or exceeds the most current version of ANSI S1.4 specifications for a type II sound meter. Documentation of the sound pressure levels shall be provided to the planning commission and township board within 60 days of the operation of the project. Sound pressure level readings may be required by the planning commission or township board for compliant resolution.

3. Construction Codes, Towers, and Interconnection Standards: CWPG systems shall comply with all applicable state construction and electrical codes and local building permit requirements. Systems shall comply with FAA requirements and Michigan Tall Structures Act (P.A. 259 of 1959, MCL 259.481 et seq.) The minimum FAA lighting standards shall not be exceeded; lighting must be shielded to the extent possible to reduce glare and visibility from the ground. CWPG systems shall comply with applicable utility, Michigan Public Service Commission, and Federal Energy Regulatory Commission interconnection standards.
4. Safety: All CWPG systems shall be designed to prevent unauthorized access to electrical and mechanical components and shall have access doors that are securely locked at all times when service personnel are not present. All spent lubricants and cooling fluids shall be properly and safely removed in a timely manner from the site. Emergency contact information shall be kept current with the zoning administrator. A minimum 4sq.ft. sign, shall be placed at the road entrance to warn visitors of the potential danger and will contain emergency contact information. The minimum vertical blade clearance from grade shall be 50 feet for a system using a horizontal axis rotor.
5. Visual Impact: All CWPG systems shall use tubular towers and blades which are finished in a single, non-reflective matte finished color. No lettering, company insignia, advertising, or graphics shall be on any part of the tower, hub, or blades. Nacelles may have the lettering that exhibits the manufacturers' and /or owners identification.
6. Decommissioning: The applicant shall submit a decommissioning plan approved by the township. The plan shall include: 1) the anticipated life of the project. 2) estimated cost of decommissioning and salvage value in current dollars, 3) bonding to cover the cost of decommissioning, restoration, and maintenance and repair of roads, 4) anticipated manner in which the project will be decommissioned and the site restored.

7. Compliant Resolution: The applicant shall develop a process to resolve complaints from nearby residents concerning the construction or operation of the project. The process may use an independent mediator or arbitrator and shall include a time limit for acting on a complaint. The process shall not preclude the local government from acting on a complaint or violation of this ordinance. During construction and operation the applicant shall maintain and make available to nearby residents and the zoning administrator a telephone number where a project representative can be reached during normal business hours.  
All yes motion carried.

Discussion on The Golden Township Officer, Kolosci asked the board to approve the 1<sup>st</sup> officer for the 2007 season, amount not to exceed \$5,000.00. Kolosci explained that in error she had asked the board to approve a second officer before having the 1<sup>st</sup> officer approved the 2007 season, it was her understanding that the board was aware of the 2<sup>nd</sup> Officer as the board had approved the additional \$5,000.00 for an additional officer at a prior meeting. The board felt that the \$5,000.00 Golden pays already is sufficient and with the issue pending on whether or not the DNR Grant would be raised to help provide a second officer it would be best left as is, with Golden asking for 2 officers but contributing only up to \$5,000.00.

Private Road naming was discussed Kolosci explained that on some of the site plans approved the roads are being assumed as approved by the equalization office and the roads are not being recognized. Whelpley will work on a road naming policy to be handled at the time of site plan approval:

Motion by Fuehring support by Cargill to name a private road located in section 32, off of Duck rd. All Wheel Drive all yes motion carried.

Motion by Fuehring support by Cargill to approve the roads named on the approved site plan for Golden Pond Estates W. North Lake Court, W. South Lake Court, Apple Court, Cherry Court Lake Boulevard. Located in section 13 off of 56<sup>th</sup> Ave. contingent on Equalizations review of names, all yes motion carried.

The Log road bid was discussed and clarified for the board.

Motion by Fuehring, Support by Cargill to approve the work order for Log road \$193,25.60 which includes the previous approved \$135,000.00 bid. Roll Call vote Fuehring, Walsworth Cargill and Kolosci all yes motion carried

Old Business:

Community members who own property in the Village have asked the board to review the undeveloped alley/roads within the village and allow them to be abandoned with the understanding that the persons asking for the abandonment's will be responsible for the OCRC fee of \$500.00.

**VILLAGE OF MEARS PLAT UNDEVELOPED ALLEY AND ROAD  
ABANDONMENT'S  
RESOLUTION**

**8-15-06**

**WHEREAS,**

The Golden Township board has deemed that in the best interest of the Township the following undeveloped roads and undeveloped alleys be abandon.

**Any existing utility rights of way will not be abandoned by this resolution.**

**Undeveloped Roads**

9<sup>th</sup> Street from Rail Road R.O.W. to 56<sup>th</sup> Ave.

8<sup>th</sup> Street from Morrison to 56<sup>th</sup> Ave.

7<sup>th</sup> Street from Morrison to Rail Road R.O.W.

6<sup>th</sup> Street from Morrison to 56<sup>th</sup> Ave.

6<sup>th</sup> Street from 56<sup>th</sup> to East Street

Center Street from Alley in Center of Block 48 to 5<sup>th</sup> Street

Center Street from 3<sup>rd</sup> Street Alley in Center Block 9

Center Street from 2<sup>nd</sup> to 1<sup>st</sup> Street

Fifth Street road end from East Street to end

Sixth Street road end from East Street to end

**Undeveloped Alleys**

From Morrison to 56<sup>th</sup> Block 48

From Center Street to East Street Block 36, 37 & 38

From Center to East Block 31, 32 & 33

From Morrison to Rail Road R.O.W. Block 15

From Center to 56<sup>th</sup> Block 9

From Mears to 56<sup>th</sup> Block 6, 7 & 8

Alley North of Block 7 & 8 from 56<sup>th</sup> to Morrison

Mears Street to Morrison Block 29

Block 17 & 18 from McPherson to end (Gray & Co. Property)

Section 23 & 24 Golden Township T15N R18W

**WHEREAS,**

Under Section 18 of Public Act 283 of 1909 as amended by Public Act 218 of 1996, being MCL 224.18 amended by Public Act No. 342 of 2000.

**WHEREAS,**

The Golden Township board and the adjacent property owners of said undeveloped alleys and roads in the plat of Mears feel that in the best interest of all the afore mentioned undeveloped alleys and roads be abandon.

**NOW, THEREFORE, BE IT RESOLVED** that the Golden Township board at it's regular meeting on August 15<sup>th</sup>, 2006 has approved and shall begin the abandonment process with the Oceana County Road Commission and pay the \$500.00 fee to the Oceana County Road Commission, which will be collected from the adjacent property owners of the said abandonment's.

**Any existing utility rights of way will not be abandoned by this resolution.**

**Undeveloped Roads**

9<sup>th</sup> Street from Rail Road R.O.W. to 56<sup>th</sup> Ave.  
8<sup>th</sup> Street from Morrison to 56<sup>th</sup> Ave.  
7<sup>th</sup> Street from Morrison to Rail Road R.O.W.  
6<sup>th</sup> Street from Morrison to 56<sup>th</sup> Ave.  
6<sup>th</sup> Street from 56<sup>th</sup> to East Street  
Center Street from Alley in Center of Block 48 to 5<sup>th</sup> Street  
Center Street from 3<sup>rd</sup> Street Alley in Center Block 9  
Center Street from 2<sup>nd</sup> to 1<sup>st</sup> Street  
Fifth Street road end from East Street to end  
Sixth Street road end from East Street to end

**Undeveloped Alleys**

From Morrison to 56<sup>th</sup> Block 48  
From Center Street to East Street Block 36, 37 & 38  
From Center to East Block 31, 32 & 33  
From Morrison to Rail Road R.O.W. Block 15  
From Center to 56<sup>th</sup> Block 9  
From Mears to 56<sup>th</sup> Block 6, 7 & 8  
Alley North of Block 7 & 8 from 56<sup>th</sup> to Morrison  
Mears Street to Morrison Block 29  
Block 17 & 18 from McPherson to end (Gray & Co. Property)

Section 23 & 24 Golden Township T15N R18W  
The Foregoing resolution offered by Board Member Cargill  
Second offered by Board Member Fuehring

Upon roll call vote the following voted  
"Aye" Fuehring, Cargill, Walsworth, Kolosci. Ackley Absent  
"Nay" \_\_\_\_\_  
The Supervisor declared the resolution adopted.

\_\_\_\_\_  
Laurie Kolosci, Clerk

**LAKE MICHIGAN SHORES ROAD ABANDONMENT'S  
RESOLUTION**

08-15-06

**WHEREAS,**

The Golden Township board has deemed that in the best interest of the Township the following undeveloped roads in the Lake Michigan Shores plat be abandoned.

Oak from Range to Reynolds  
Reynolds from Oak to Ridge

**WHEREAS,**

Under Section 18 of Public Act 283 of 1909 as amended by Public Act 218 of 1996, being MCL 224.18 amended by Public Act No. 342 of 2000.

**WHEREAS,**

The Golden Township board and the adjacent property owners of said undeveloped roads in the plat of Lake Michigan Shores feel that in the best interest of the Township the afore mentioned undeveloped roads be abandoned.

**NOW, THEREFORE, BE IT RESOLVED** that the golden Township board at it's regular meeting on August 15<sup>th</sup>, 2006 has approved the abandonment of Oak from Range to Reynolds and Reynolds from Oak to Ridge located in the Lake Michigan Shores Plat.

The Foregoing resolution was offered by Board Member Cargill.  
Second offered by, Board Member Fuehring.

Upon roll call vote the following voted  
"Aye" Fuehring, Cargill Walsworth, Kolosci Ackley absent  
"Nay" –  
The Supervisor declared the resolution adopted.

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Laurie Kolosci, Clerk

The Log road bid was explained, the Board had approved a portion of the project but needed clarification on the bid.

Motion by Fuehring support by Cargill to approve the bid for \$193,025.60 which includes the \$135,000.00 bid first approved. Roll Call vote: Fuehring, Walsworth, Cargill & Kolosci all yes motion carried.

There was much discussion about the motion which was passed at the July meeting about the additional officer for Silver Lake. It was said that we should offer only the up to \$5000.00 amount for the additional officer still asking for 2 officers.

Motion by Fuehring Support by Cargill to approve the name of a road in Golden Township off of Duck rd..

Motion by Fuehring Support by Cargill to approve All Wheel Drive in section 32 all yes motion carried.

Chairman Walsworth asked for public comment:

Joe Nameth stated that there are many campers, tents etc. on Pine St. located in Lake Michigan Shores. Zoning Administrator Whelpley stated that the Health Department needs to enforce their campground rules, 4 or more camping units is considered a campground. Whelpley will contact the Health Department on the issue.

Jim Kidd asked what could be done to make county inspectors follow their own guidelines. Chairman Walsworth told Mr. Kidd to contact Paul Inglis the County administrator and to place his complaints in writing.

Motion by Fuehring support by Cargill to adjourn, meeting adjourned 9:20 p.m.

Respectfully Submitted by:

Laurie Kolosci  
Golden Township Clerk