



**HELENA TOWNSHIP
ADVOCACY GROUP, NFP**
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HELENA TOWNSHIP PLANNING COMMISSION MEETING

Thursday, February 6, 2025 at 5:00 p.m.

HTAG RECAP

Present:

Joe Bassil
Sue McGlovkin
Fay Vandenberg
Mike Robinson
Jim Gurr
Jim Schilling (arrived late)
Butch Peeples
Bob Logee

Absent

Gordy Schafer

Recording of Meeting: The Planning Commission questioned the fact a resident planned to videotape the meeting's proceedings. Another Resident read directly from the Michigan Compiled Law (MCL) outlining the public's right to record the proceedings of a public body and shall not be dependent upon prior approval of the public body.

The meeting was called to order at 5:05 pm

Pledge of Allegiance.

Roll Call

Approval of Agenda

Jim Gurr made a motion to approve the agenda as presented; Sue seconded – motion passed.

Conflict of Interest: None.

Approval of Minutes:

Gurr made a motion to approve the 1/9/25 Minutes; Mike Robinson seconded. Passed.
A motion was NOT made to approve the Minutes of 11/7/2024.

Communications:

Gurr had no communications to share as there was nothing "sticking out of the box." There was no mention of the email the Planning Commission received about their "OMA violation regarding improper Posting of Minutes.

Public Comments

Resident (G. Mayes): "I tried twice to get (3) questions reflected in the Minutes. Mentioned he is familiar with the OMA rules and mentioned last month's meeting and today is being recorded which is needed in order to have a record of concerns being voiced during the meeting. Jim Gurr mentioned he was "surprised not to see your 3 questions in the Minutes." Might be worth your while to re-state them and ask for them to be reflected in the Minutes. Sue asked Gary to once again repeat the questions. Gary offered to just give it to them in writing.

Resident (P. Sak) mentioned there were up for Attorney review the proposed ordinance changes. Fay indicated she would provide the current wording for 5.02.01 and 5.02.02. Paul understands it must still be brought to the attorney, Antrim County and before public hearing but it would be helpful to have the current PROPOSED 5.02.01 and 5.02.02. Due to the amount of discussion regarding Greenbelt, 100ft, what is contiguous, etc.

Gurr emphasized the importance of having DRAFT documents being marked "DRAFT" to avoid any issues.

Gurr asked Jim Schilling whether he was aware of any communications – Jim Schilling said "no."

Resident (Ken Masck): Asked if Fay changed her email address – he had mistyped "ic..." instead of "lc...."

New Business:

Bob Logee's Report – only three items but didn't bring a copy.

Jim Gurr mentioned Trustream relocating electric poles in order to install new lines.

Sue mentioned the "reasonable" pricing of their services.

Paul Sak asked if the lines being installed at the end of Crystal Springs Road were Trustream. Fay offered to confirm any information about it and get back to the public.

McGlovkin made an announcement – "I am leaving the Chairmanship and turning over the reins to Mike Robinson." Jim Gurr made a motion to accept Sue's resignation, Fay seconded the motion. All in Favor – AYE – NONE opposed.

Gurr made a motion to have Mike Robinson fill the position until June of 2025. Fay seconded the motion. All in favor – AYE – NONE opposed.

Robinson took over as Chair. Not exactly sure what to do.

Gurr shared with the attendees about a discussion with Butch Peeples regarding "still having no response from the Attorney" on many issues. "it's beginning to feel like a dodge to ask for legal assistance." Jim Gurr suggested they make recommendations to the Board (which they would have to approve), they can intervene and hire a new lawyer. Jim Gurr suggested the PC stop using that as a stopper and the PC can agree what to pass on to the Board for approval –

skipping over the “attorney review” process. He then suggested to Mike that he does his best to move things along.

VandenBerg: “So you feel if we format the ordinance and the definitions and we are comfortable with it, we can send it to the Board for review/approval. **Never mentioned how any public requests for information would be handled.**

Resident (L. Mayes): “It saddens my heart it is not what I experience here – I’ve written letters to share my concerns – they do not make public – I’ve made concerns know – they don’t make it into the minutes, you don’t discuss it – I would love to work with this Board and be an outside person of the community and I don’t feel listened to – it really saddens me. We live in an amazing God-Kissed place – things are changing in our community that is affecting residents, families, safety, our lakes, our agriculture, and we don’t address it – it’s superficial and when we bring concerns forward, they are met with silence.” She also mentioned the October 2024 letter and how the PC just always put it off. “We’ve waited patiently to engage with this Board for 2 years, but my heart is in this community and many people have given up over the years because they meet a stale mate.”

Gurr: “I hope people don’t feel like we are stonewalling you. The Zoning Ordinance....it took a lot of seat time “out there” to get “up here.” **LENGTHY Speech followed...** I hope people watched while I made sure while the survey concerns were included in the Master Plan. For the last year, we’ve run into a concerted effort in opposition.....which is dis-concerning to me....” This body does have give and take – we do compromise.

Resident (Wilcox) asked about the Planning Commission’s refusal to allow Public Engagement.

Gurr focused on Public Comment and how he felt they got to be combative. “**I have a high level of confidence with developing language WITHOUT the attorney...we’re so fortunate to live here.**” “**In every case, the Board reserves the right to hold it up.**” He then said he thinks the Board should take ownership of hiring the Attorney and take care of it themselves.

McGlovkin mentioned the challenge of the township’s attorney and not returning calls inquiries.

Resident (Wilcox) asked if the Board uses the same attorney? - Yes!

Gurr recapped how Chris Bzdok’s practice has changed – he is now on his own and thinks he is an excellent attorney.

Resident (P. Sak): **I would certainly hope at the Board’s meeting next week; they take up and discuss this issue. He added / questionedreferencing OMA, MCL – “...for 20 some years, I’ve been coming to these meetings and there has been a process I’ve always heard you talk about and discuss, and that process involve the lawyer.” Questioned why this would change?**

Gurr: At the State level for how townships run and how planning is done, ordinances are done and at the County level, is there a legal process that states the sequence of events (i.e., public hearing); what I’m hearing you propose is change what has been done for the last 20 years. Has anyone on the Board, with true knowledge of those acts, and the most recent changes, a whole new OMA handbook and state court changes. I want to make sure that someone with knowledge approves of this process.

VandenBerg: Step Action Table – No historical data to look back at. If we are going to write a new, amend, dissolve part of an ordinance, what steps need to be taken – it's a 10-page document – answer yes or no. This is one of the things I wanted Chris to look at. We are a long....I am very...uh...if something needs to be done...let's just do it....blaming it on Chris is easy because he's not here...

Schilling said he was going to get with Butch – they gave Bzdok 30 days to reply.
Butch Peeples – "It is on the agenda for next week's Board Meeting; meeting with a lawyer tonight....we need one dedicated to townships."

Schilling made a motion to find a new attorney. Ignored by entire Planning Commission.

Marijuana Shop:

Robinson addressed this comment to Jim Schilling and Butch.

"There is a thing going on about the subway restaurant being turned into a marijuana shop."

From what he heard, the ordinance can be changed, amended and you don't have to have a public hearing to do it. Jim Gurr said they would be challenged...

Gurr: Municipalities had to opt in instead of opting out – ANTRIM COUNTY DID NOT OPT IN. Two parties approached the Board and thought they should consider. A member of the public can try and put something on the ballot.

Resident (P. Sak): "We need to be careful that we proceed and make sure we are dotting the I's and crossing the t's and that will require someone with legal background. If it delays by 30 days...I think that's 30 days well spent but if it delays 6 months, that's a whole other issue and puts the burden on Butch and PC to move forward.

Gurr: We've been through 1-1/2 years and that is the reason I thought of pushing it through to the Board.

Resident (P. Sak): Mentioned a retired judge/attorney that could help in pointing towards the right people. Jim Schilling suggested terminating the guy we have and trying to find someone new.

Old Business:

Gurr complimented Paul Sak and Gary Mayes on being patient.

If the PC is not going to review/discuss the ordinance language, suggested we draw near to ending the meeting.

Robinson: Asked if Fay is still having issues with getting things posted on the website. Not sure what is going on with the website – is being revamped.

Robinson asked the public if there were any issues with the Website.
Comments were shared about easily finding minutes.

Gurr: My suggestion about raising the issue and putting it off to the Board, for me, that is a desperate move to basically get action. For the years I've been involved, the Township has always sought for these appointed boards to do a majority of the work necessary to satisfy the MCL so the Board could choose to act. The Board has always reserved for themselves, the right to make changes at that meeting. We have a Planning Commission that has the responsibility of dotting the I's and crossing the t's. It's become very useful for those bodies to deliberate and meet and do a lot of the birddogging necessary to move public policy. I hope we continue to be useful.

Robinson made a motion to adjourn; Jim Gurr seconded the motion.

Meeting adjourned at 6:00 pm.

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