

Wales Township Board of Trustees
Special Meeting
October 18, 2022

CORRECTIONS IN BOLD

Opening

- A. Call to Order: Meeting was called to Order at 7:00 p.m. by Supervisor Masters
- B. Pledge of Allegiance
- C. Roll Call: Members present: Downey, Masters, Kimmen.
Members absent, excused: Bobcean, Messina.

Special Meeting Agenda.

- A. Approve of Agenda. **Motion** to approve agenda as presented: Kimmen; second, Downey. Vote: Kimmen, aye; Masters, aye; Downey, aye. All ayes; motion carried.

Comments from the public on agenda items. (3-minute time limit).

Vincent Messina said that the Board members cannot predisposition themselves.

Kevin Glass said he doesn't question the integrity of anyone sitting here today, including the Planning Commission members. He is trying to get additional information to help the Board.

Jeff Christie asked how much the attorney's retainer will be? Masters replied a maximum of \$275.00 an hour. Christie said that as of April 2019, we allowed this to be here; now we're hiring an attorney to stop this. He referred to Ordinance Section 20.37.

Masters addressed Mr. Christie's comments. She said there were Public Hearings on the proposed Ordinance. Kimmen said they were written to control actions such as these.

Paul Sinda of Lambs Rd. asked the name of the attorney. Mike Homier of Foster Swift.

Guest Presentations: (none)

Correspondence. Masters has the Engagement Letter from Foster Swift.

- A. Attorney Engagement letter and Agreement.

Special business of the Board.

7:10 p.m. open discussion for Board Workshop.

Downey asked if there is a guess as to how much time would be needed? Not at this time. Masters said there was zoning with guidelines on the books; this solar project goes beyond those guidelines. Kimmen said the ordinance was set to contain these types of things. After discussion on the proposed contract, Kimmen suggested amending the proposed contract to change the 30-day limit on monthly payments to 45 days, to coincide with our pay periods. Masters said we need time to examine incoming bills before paying them. Kimmen asked how this pay compares with our Planner? Our Professional Planner receives \$250.00 an hour. It was suggested we could use this company for both wind and solar; also legal representation for the Planning Commission. Masters said the P.C. needs Board back-up. There are some urgent steps needed to be taken. **Motion** by Kimmen, second by Masters, to accept this engagement to represent this township, with the condition that they amend the contract to change the payment period from 30 days to 45 days for payment before penalty; and cover wind and solar. Discussion: Downey said he doesn't see anything that says it says solar only. Motion called: Kimmen, aye; Masters, aye; Downey, aye. All ayes, motion carried.

Public comments (3minute time limit).

Theresa Hatton: She believes the contract should have in the wording, "inclusive of".

Kevin Glass: How are we going to proceed? Is the Board going to retroactively proceed, or wait until the Solar Company does something? Masters replied that we can amend Ordinances at any time, and we ~~we~~ aren't aware of any action being taken by this company at this time. Kimmen said that we don't know how this matter will proceed.

Jeff Christie said that Justin Sears from County Planning is in favor of solar.

Mrs. Maynard asked if there is a quorum present, with just three members? Yes, there is.

Tom Semos: Can the Board give us any indication of how they as a Board feel about the Solar? No, not as a Board.

Ernest Maynard: Is there anything we as residents can do to help? Masters replied that the Board can't accept donations.

Robin Engles: We need legal action now, whether the past was a mistake or not.

Tom Griskiewicz: Who pays the tax if the land is zoned Industrial? The landowner. The solar units are also taxed as Industrial.

June Bouy : Is it water cooled or air cooled? There is no application at this time, so there is no information.

Charlotte Sinda: Nextera had this long letter she read at the meeting last night.

Kimmen read the letter that Mark Trumbauler from Nextera **read** last night. She also read her reply to Nextera.

Kevin Glass: I don't believe that we shouldn't fight back.

Adjournment: **Motion** by Kimmen, second by Downey, to adjourn. All ayes; meeting closed at 7:49 p.m.

Respectfully submitted,

Judy Duncan, Recording Secretary