

DALLAS TOWNSHIP
Minutes of the Special Board Meeting
August 1, 2013 @ 6:30 p.m.

Members	Arens, Gerry	Koenigsknecht, Therese	Schafer, Stephanie
Present:	Feldpausch, Vern	Schafer, Phil	
Guest:	Fahey, William – Township Attorney	McGraw, Tom – Township Attorney	
	Ferguson, Lynn – Essex Township Trustee	Ferguson, Rex – Essex Township Supervisor	
	Rademacher, Jim – Dallas Twp. resident	Wieber, Ken – Lebanon Twp. resident	

Call to Order: The meeting was called to order by Supervisor Feldpausch at 7:00 p.m. followed by the Pledge of Allegiance.

Recognition of Guests: Supervisor Feldpausch also recognized the guests listed above.

UNFINISHED BUSINESS:

1. Wind Turbines: Bill Fahey advised the Township Board on Judge Tahvonen’s ruling at the Tuesday, July 30th motion. He advised that Judge Tahvonen stated that the Township’s Ordinance regarding the height of towers, setbacks, noise and shadow flicker is inconsistent with the County’s Ordinance, and that on those four points, the Township’s Ordinance is not enforceable. That is as far as Judge Tahvonen went as far as his ruling because in his view, that is all they were asking him to do on Tuesday. Judge Tahvonen also indicated that this wasn’t the end of the case because he didn’t rule on all of the issues. He also asked legal counsel to enter an order that formalizes what he did that day; entering an order is a formal process whereby the attorneys submit a written document to the Judge that embodies his decision and implements his decision. Legal counsel advised that judges only speak through their orders. ***A motion was made by T. Koenigsknecht to go into close session @ 6:40 p.m., in order to discuss trial or settlement strategy in connection with specific litigation that may have an adverse financial affect on the township, supported by S. Schafer. A roll call vote was taken by the Clerk. P. Schafer – yes; G. Arens - yes; V. Feldpausch – yes; T. Koenigsknecht – yes; S. Schafer – yes. Motion carried unanimously.*** Supervisor Feldpausch declared a closed session meeting to begin at 6:40 p.m.

Closed Session:

In attendance were the following Dallas Township Board members:

Gerry Arens	Vern Feldpausch	Therese Koenigsknecht
Phil Schafer	Stephanie Schafer	

Legal Counsel for Dallas Township in attendance was as follows:

William Fahey	Tom McGraw
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Legal counsel discussed various legal options available for Dallas Township board members to consider. ***V. Feldpausch declared that the closed session ended at 8:00 p.m. V. Feldpausch declared the meeting to be open to the public at 8:00 p.m.***

A motion was made by P. Schafer, supported by G. Arens to proceed with the recommendations put forth by our attorneys during the closed session. Motion carried unanimously.

Public Comment:

J. Rademacher asked what direction Dallas Township Board is going in, to which V. Feldpausch stated that the Township Board could not divulge what direction they are going to take due to recommendations by our legal counsel. Mr. Rademacher stated that the County has a responsibility to protect the health, safety and well-being of all county residents. If the wind turbine company can come in and place these turbines without people getting hurt, he doesn’t have a problem with them existing. He has repeatedly asked the County why it states in their language that numerous tall tower structures will decrease property values and never receives an answer from them. He stated for a judge to say the Township Board doesn’t have the right to protect their people; that’s not right.

K. Wieber stated he is encouraging the Township Board to continue going in the direction where we have been going since the beginning of this project. Our founders set up local government for a reason but feels that the County government did not listen to their residents. He was also speaking for the ICC (Inter)

ADJOURNMENT OF MEETING:

There being no further business, a motion was made by V. Feldpausch supported by G. Arens to adjourn the meeting at 8:15 p.m. Motion carried unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Therese Koenigsknecht".

Therese Koenigsknecht, Twp. Clerk