

MONTCALM COUNTY CLERK'S OFFICE

VITAL RECORDS/ELECTIONS DIVISION

211 W. Main Street, PO Box 368, Stanton, Michigan 48888 phone: 989-831-7339 fax: 989-831-7474



RECEIPT FOR CLARITY HEARING REQUEST

I, Bennett R. Reynolds, hereby certify that I am a register voter in the Township of Douglass

and that this recall petition wording is being submitted for the recall of

Ronda Snyder from the office of Douglass Township Clerk.

Bennett Reynolds

Signature of Filer

Kristen Millard

Kristen Millard, Montcalm County Clerk

Ben Reynolds
Printed Name of Filer

2/14/2022

Date

5729 Ellsworth Ave
Address of Filer

Stanton, Michigan 48888
City, State, Zip

989-620-0903
Telephone Number

MONTCALM COUNTY CLERK'S OFFICE



VITAL RECORDS/ELECTIONS DIVISION

211 W. Main Street, PO Box 368, Stanton, Michigan 48888 phone: 989-831-7339 fax: 989-831-7474

February 14, 2022

Ronda Snyder
4649 N. Grow Rd.
Stanton, MI 48888

Dear Mrs. Snyder:

You are hereby notified, pursuant to provisions of Section 168.952 of Public Act 456 of 1982, that the presentation of "reasons for recall" from your office Clerk for the Township of Douglass was made in this office at approximately 12:00 p.m. on Monday, February 14, 2022, by Ben Reynolds. A copy of the petition presented are attached hereto.

You are hereby notified that a hearing of the Montcalm County Election Commission will be held at 11:00 a.m. on Monday, February 28, 2022, in the Board of Commissioners' room on third floor of the Montcalm County Administration Building in Stanton, Michigan.

The purpose of this hearing will be to rule on the clarity of the reasons for recall as provided by said Act 456 of 1982.

If you should have any questions, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristen Millard".

Kristen Millard
Montcalm County Clerk

Cc: Probate Judge
County Treasurer

Encl.

INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

→ FOR CLERK'S USE ONLY

City of
 Township of
 Village of
CHECK ONE

We, the undersigned, registered and qualified voters of the

Douglass

, in the County of Montcalm, and State of Michigan, petition for the

calling of an election to recall Ronda L. Snyder

(Name of Officer)

from the office of

Clerk

(Title of Office)

(District if Any)

for the following reason(s):

On January 5th, 2022 Douglass Township Clerk Ronda L. Snyder voted in favor of appointing Paul Olson to the Douglass Township Planning Commission.

WARNING - A PERSON WHO KNOWINGLY SIGNS A RECALL PETITION MORE THAN ONCE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTIONS LAW.

✓	SIGNATURE	PRINT NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
					Month	Day	Year
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence and was not obtained through fraud, deceit or misrepresentation; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the City or Township listed in the heading of the petition, and the elector was qualified to sign the petition.

If the circulator is not a resident of Michigan, the circulator shall make a cross [x] or check mark [✓] in the box provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark in the box provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purposes of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the Secretary of State or a designated agent of the Secretary of State has the same effect as if personally served on the circulator.

WARNING-A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

(Printed Name of Circulator)

(Complete Residence Address [Street and Number or Rural Route]) - [Do not enter a post office box]

(City or Township, State, Zip Code)

(County of Registration, if Registered to Vote, of a Circulator who is not a Resident of Michigan)

TO BE COMPLETED BY CITY OR TOWNSHIP CLERK

Check the registration of each person whose name appears on the reverse side of this petition sheet whose name is not coded in the left-hand column.

If the person was registered to vote in your City or Township on the date he or she signed the sheet, place a check mark before the person's name.

If the person was not registered to vote in your City or Township on the date he or she signed the sheet, enter "NR" (not registered) before the person's name.

If the address listed by the person does fall within your City or Township, enter "NC" (not in community) before the person's name.

Complete the following certificate after making the registration checks:

I hereby certify that the total number of persons whose names appear on the reverse side of this petition sheet who I identified as being registered in my City or Township on the date of signing the petition sheet is: _____

City (Signature of City or Township Clerk)

Township of _____

(Name of City or Township)

READ BEFORE CIRCULATING PETITION

The validity of signatures placed on this petition may be affected if the following is not observed.

Complete the heading of the petition before circulating it.

- Enter the city, township, or village and the county where the petition will be circulated. Indicate whether the local jurisdiction listed is a "city", "township" or a "village". Do not list more than one city, township or village.
- Enter the officer's complete name and office he or she holds. Include the district number of the office if there is one.
- Enter the reason(s) why the recall election is being sought. The language entered must be exactly as approved by the County Election Commission, or Board of State Canvassers.

Make sure that all signers properly complete the petition.

- Each signer must be registered to vote in the city, township or village listed in the heading.
- Each signer must sign and print his or her first and last name.²
- Each signer must enter his or her full address. A rural route number is acceptable. A post office box is not acceptable.
- Each signer must enter his or her Zip Code.²
- Each signer must date his or her signature with the month, day and year.

Complete the circulator's certificate after circulating the petition.

- Sign and print your full name and enter the month, day and year.¹ Signatures on the petition which are dated after the date on the circulator's certificate are invalid.
- Enter your complete residence address (street and number or rural route - do not enter a P.O. box), city or township, state, and Zip code.²
- If you do not reside in Michigan, enter your county of registration if you are registered to vote in your home state, and make a cross or a check mark in the box that precedes the final paragraph of the circulator certificate statement on the left side of the form.

Circulate the petition properly.

- Do not fail to question signers on their city, township or village of registration.
- Do not complete the heading of the petition after signatures have been affixed on the petition.
- Do not fill in a signer's address or a signer's signature date. Both entries must be in the signer's own handwriting. Ditto marks are not acceptable in these two entries.
- Do not leave the petition unattended.

¹The failure of the circulator or an elector who signs the petition to print his or her name or to print his or her name in the proper location does not affect the validity of the circulator's or signer's signature. However a printed name located in the space designated for printed names does not constitute the signature of the circulator or elector.

²The failure of the circulator or an elector who signs the petition to enter a Zip code or to enter his or her correct Zip Code does not affect the validity of the circulator's or signer's signature.

DOUGLASS TOWNSHIP
January 5, 2022
Board Meeting Minutes

Present: Amy Laper, Terry Anderson, Tom Jeppesen, Pat Althoff, Ronda L Snyder & Ron Redick

Guests: Mike & Robin Poulsen, Christy & Jeremy Williams, Melissa Bannen, Ben & Linda Reynolds, Pam Hemmes, Brandy & Ken Bunting, Jed Welder, Jack & Kelli Jeppesen, Linda & Albern Olson, Dena VanderHoeg, Adam Petersen, Becky Sowles, Kim Jensen, Brian Larson, Ned Welder, Trent Hilding, Patrick Carr, Laura Johnson, Paul Olson, Dave Dowling, Del Christiansen, Dave Kraft, Pau Elckenroth, Larry & Laura Engel, Dennis & Joy Pouslen, Dan Paris, Sheila Crooks, Brenda Paris, Cam Hoskin, Marty Houck, Edward Johnson, Tammy Sweeris, Keith Phelps, David Brunges, Vicky Brunges and a few others.

7:00 P.M. The meeting was called to order and the Pledge of Allegiance was recited

1. Tom made a motion that was supported by Pat, to approve the Agenda. Motion passed
2. Tom made a motion that was supported by Pat, to approve the Dec 01, 2021 meeting minutes. Motion passed
3. Tom made a motion that was supported by Pat, to approve the Treasurer's Report. Motion passed
4. Amy made a motion that was supported by Tom, to approve paying the bills in the amount of \$21,128.57

Old Business:

New Business:

1. Resolution Establishing Escrow Fee Policy for Reimbursable Zoning Expenses. Amy made a motion to approve the resolution. Tom supported the motion and the motion passed.
2. Resolution to Establish Application Fees & Initial Zoning Escrow Amount for Zoning Proceedings and Other Land-Related Proceedings. Tom made a motion to table this resolution until next month. Pat supported the motion and the motion passed.
3. PA 116 Application for Paul Main. Tom made a motion to approve the application. Amy supported the motion and the motion passed.
4. Amending the Budget for Attorney & Planning Commission Advisor. Amy made a motion to approve amending the budget. Tom supported Amy's motion and the motion passed.

5. Resolution to adopt Poverty Exemption Guidelines. Amy made a motion to adopt the Poverty Exemption Guidelines. Tom supported the motion and the motion passed.
6. Resolution to adopt Taxpayer & Non-Resident Taxpayers to Protest in Writing by Letter or Email for Board of Review. Amy made a motion to adopt the resolution. Tom supported the motion and the motion passed.
7. Amy made a motion to pass a Resolution to Adopt Alternate Start Dates for March 2022 , July 2022 and December 2022 Board of Review. Tom supported the motion and the motion passed.
8. Amy made a motion to approve the Retirement Plan Document. Tom supported the motion and the motion passed.
9. Tim Snyder's Formal Notification that he is resigning from the Planning Commission.
10. Planning Commission has 3 open seats. We were given letters from Kathy Craig, Cynthia Shick & Tamela Sweeris on their desire to fill one of the seats.
11. Ron Redick spoke on the Ordinance that the Planning Commission is currently working on.

Public Comment:

1. Terry touched briefly on “exclusionary” ordinances.
2. Terry talked about the Planning Commission seats that were up for re-appointment and why he felt we need to replace the current members. He also introduced the people he would like to appoint:

Tammy Sweeris: Tammy spoke briefly about she would bring to the board. Tom made a motion to approve Tammy for Planning Commission Member. Pat supported the motion and Amy called for a roll call vote.

Yea: Tom, Pat, Terry, Amy, Ronda

Nays: 0

Becky Sowles: Becky introduced herself and spoke briefly about herself. Tom made a motion to approve Becky for Planning Commission Member. Pat seconded the motion.

Yea: Tom, Pat, Terry, Amy, Ronda

Nays: 0

* Paul Olson: Paul introduced himself and spoke briefly about himself. Tom made a motion to approve Paul as a Planning Commission Member. Pat supported the motion.

Yea: Tom, Terry, Pat, Ronda

Nays: 0

Abstained: Amy

Tammy Sweeris, Becky Sowles & Paul Olson were all voted and approved for seats on the Planning Commission.

What's happened to everybody?'

Outrage ensues as Douglass Township Board appoints new Planning Commission members, ousts others

By Elisabeth Waldon on January 07, 2022

DOUGLASS TOWNSHIP — Lying officials ... trouble-making residents ... good-faith efforts gone with the wind.

Pick an allegation, pick a side — there's apparently no room for compromise.



"Thank you for setting me up," an angry Cindy Shick tells Douglass Township Supervisor Terry Anderson after the township board voted 5-0 on Wednesday to appoint someone new to the Planning Commission after her term expired, effectively ousting Shick from her position. Listening while standing at back are Montcalm County commissioners Adam Petersen and Patrick Q. Carr, each of whom represent a portion of Douglass Township. — DN Photo | Elisabeth Waldon

The Douglass Township Board voted Wednesday evening (at a standing-room-only meeting with more than 100 people present) to appoint three new members to the Planning Commission — effectively ousting two longtime members who have been helping work on a wind energy ordinance for the past several years.

Supervisor Terry Anderson introduced three new Planning Commission members — Paul Olson, Becky Sowles and Tammy Sweeris — which the board voted to approve, thus eliminating Kevin Rush and Cindy Shick as longtime planning commissioners whose terms had expired. Also, Tim Snyder submitted his letter of resignation on Dec. 20, 2021, (less than two weeks after the most recent Planning Commission meeting) opening up another seat.

Rush and Shick were both known as planning commissioners in favor of a restrictive wind ordinance, while Snyder was in favor of a more wind-friendly ordinance. Shick was asked by Anderson back in March 2021 to work on a new ordinance after residents began to referendum the township's amended wind ordinance (as approved by the township board in November 2020, then repealed in April 2021). Shick researched and brought forward a so-called "Citizens Ordinance" which has gone through many ups and downs over the past year.

Most recently, the Planning Commission voted 4-3 in December to recommend limiting wind turbine height to 150 feet — apparently the final straw for Anderson who announced on Wednesday that he was not renewing the terms of Rush and Shick.

"This board will not pass a wind ordinance that is exclusionary," Anderson told audience members. "The 150 feet comes under the exclusionary portion. The only way we're going to get to a non-exclusionary ordinance is to change up our Planning Commission."

"Oh, so we're a dictatorship now?" someone yelled from the audience.

"No," said Anderson who was repeatedly interrupted while he spoke. "Let me finish. There's two seats that their terms are up and there's one seat that Tim Snyder resigned from because he was tired of all the hassle, and I don't blame him."

Anderson noted the township's current wind moratorium expires in August.

"In my opinion, we need an ordinance before August," he said. "August is eight months away."

The township board also voted 5-0 on Wednesday to amend the budget "to take care of extra attorney and planning fees." The township's planner line item was originally budgeted for \$2,000, but is currently at \$14,000, while the



Douglass Township Supervisor Terry Anderson listens during Wednesday's meeting as township attorney Ron Redick reiterates his concerns the township is opening itself up to legal risk if they approve a wind energy ordinance that completely prohibits utility scale wind turbines. Anderson then announced he was appointing three new people to the Planning Commission, effectively ousting Cindy Shick and Kevin Rush, whose terms had both expired. Shick and Rush have both been working on the township's wind ordinance for the past few years, along with Tim Snyder, who resigned

from the Planning Commission on Wednesday. — DN Photo | Elisabeth Waldon

township's attorney line item was originally budgeted at \$20,000, but is currently at \$31,000, according to township records, as requested by the Daily News after the meeting.

Township attorney Ron Redick of Mika Meyers was present for the entirety of Wednesday's meeting. He told audience members that he recently gave the township board a legal opinion on the topic of a restrictive wind ordinance, but he declined to make the opinion public, citing attorney-client privilege.

NEW PLANNING COMMISSION MEMBERS

Anderson proceeded to introduce the three new Planning Commission members he had chosen, even as audience members continued to protest.

Sweeris, who was introduced first, said she has lived the last 26 years in Douglass Township and works as a senior vice president for a Utah-based real estate development firm specializing in educational facilities, where she has overseen 437 completed construction projects. She said she is familiar with many types of ordinances, land uses and state of Michigan agencies due to her work experience.

"I'm honored to be asked to serve Douglass Township," she said.

As Sowles was introduced next, laughter and shouts of "Stack the deck!" arose from the audience. Sowles said she has lived in the township for 18 years and works as a data analyst for a virtual call center.

"We need to work together and compromise," Sowles said. "There has to be a way to make safety and prosperity for everyone. I appreciate the opportunity to serve."

Olson was then introduced to fill the remainder of Snyder's term. As Olson, a lifelong resident of the township where his family has farmed for more than a century, stood to speak, he didn't end up saying much as audience laughter and shouts of "Stack the deck!" and "Shame on you, Terry!" drowned him out.

Audience members were protesting Olson's lease agreement with Apex Clean Energy on Douglass Township land. The signature of a Paul Olson also appeared on a November 2019 letter bearing Apex's logo (that letter was also signed by Montcalm Township Planning Commission Chairman Richard Karnatz, Winfield Township Planning



Tammy Sweeris addresses the Douglass Township Board and audience members at Wednesday's meeting after the board voted 5-0 to appoint her to the Planning Commission, thus replacing a current member whose term had expired. — DN Photo | Elisabeth Waldon

Commission Chairman Chris Rader, Roger Betten Sr., Roger Betten Jr., Brandon Carlson, Scott Karnatz, Gary Nielsen and Ken Rader).

The township board voted 5-0 without comment to approve Sowles and Sweeris, and voted 4-0 (with Treasurer Amy Laper abstaining) to approve Olson to the Planning Commission. When asked by the Daily News after the meeting why she abstained from voting for Olson, Laper said, "I have no comment."

Later in the meeting, as many angry words were exchanged during public comment, both Sowles and Sweeris spoke up to defend themselves.

"You have no idea my position (regarding wind)," Sweeris said. "I've never been pro or against. I will look at things from a technical perspective, but I will tell you right now the Citizens Ordinance is technically wrong. I will look at things honestly, fairly and ethically. I am appalled that you are all making assumptions and you don't even know who I am."

"I'd just like to clarify, I've heard a couple of 'stacking the deck, all pro-wind PC members.' I have never said I'm pro-wind. Nobody has asked me how I feel about wind ..." Sowles began, but she was interrupted.

"You were wearing a blue shirt!" multiple people shouted, referring to the blue Apex gear sported by many pro-wind people in the audience.

"I do not have a blue shirt, I have never worn a blue shirt, I don't own a blue shirt," Sowles declared as she was repeatedly interrupted. "I am not pro-wind, I am not anti-wind. I am for our community, I am for compromise for our community. Please don't accuse them of stacking the deck with pro-wind, that's not at all what this is."



Becky Sowles addresses the Douglass Township Board and audience members at Wednesday's meeting after the board voted 5-0 to appoint her to the Planning Commission, thus replacing a current member whose term had expired. — DN

Photo | Elisabeth Waldon

REACTION FROM PLANNERS

Don Smucker of Stanton, who is a member of the Stanton Planning Commission and a Michigan State University Extension land use educator and director emeritus, shared his thoughts during public comment, even as people laughed and interjected comments repeatedly

"I've been in this county for more than 30 years and I must say I'm really amazed at what I see going on in townships," Smucker said. "I see bitter, contentious public meetings, fierce disputes among neighbors, local officials being accused of corruption and unethical behavior and they're being called liars in public meetings.

Officials who have signed wind exploratory easements are being treated like they've committed a crime and Apex wind energy representatives are being treated like pariahs. So what's going on here, one must ask?

"If you dig deeper, you find the same pattern of tactics which we're observing here, the same

outside experts that have been involved in similar controversies in other municipalities though Michigan have paid us a visit," Smucker continued. "The anti-wind message has been promoted by chaotic Zoom meetings and the faithful partner of misinformation that's readily available on the internet, which some people call research. The Facebook partner has done its part with its unprecedented effectiveness in disseminating unsubstantiated and distorted facts, all skillfully designed to stir up fear and hate and suspicion in the neighborhood.

"No, the issue is not really health and safety — the real issue and goal is the total exclusion of wind turbines in our county," he said (this comment was met with cheers and applause from some in the audience).

"The tactic of filling the room with unruly supporters, many of whom do not reside in the township, are doing all they can to promote the controversy and chaos," Smucker said. "This is not democracy in action. This is nowhere close to the good faith deliberation that planning commissions are charged with doing. Those planning commissioners that are taking their cues from the audience are not fulfilling their responsibility of considering the needs of all the interested parties that include agricultural landowners use of their own land."

Shick, one of the ousted Planning Commission members, stood and responded.

"Don Smucker, I'm embarrassed," she declared. "You brought me into the Planning Commission, you sent me to training, training where we talked about what our township and the people in it wanted. You sent me to training to create a master plan specifically because our



Don Smucker of Stanton speaks about how he believes Facebook has had "unprecedented effectiveness in disseminating unsubstantiated and distorted facts, all skillfully designed to stir up fear and hate and suspicion in the neighborhood" regarding the ongoing wind ordinance debate at Wednesday's Douglass Township Board meeting. —

DN Photo | Elisabeth Waldon



Kevin Rush says wind turbines will destroy "the unique beauty" of Douglass Township after the Douglass Township Board voted 5-0 on Wednesday to appoint someone new to the Planning Commission after his term expired,

Planning Commission was faced with that task immediately after I began. I completed all the training and you were proud of me. In that meeting, we talked about wind and solar and the many different ways it can be brought in. It is not limited to 600 feet tall, it can be much smaller. I'm embarrassed to hear you say 'the research,' as if it wasn't real. You know I'm an educator. I spent hundreds of hours searching. I am personally offended."

Shick then turned to face the township board.

"Thank you for setting me up," she declared with angry emotion. "Terry, from the beginning, you wanted my opinion, you asked me to look at research. You know where I stood. I told you all upfront, 100 foot to the tip (for turbines)."

"I'm hurt, I'm saddened," Shick's husband, Harvey Shick added to the township board. "I'm saddened for you guys because I used to respect you. Obviously, you've lost your moral compass, you've lost your ethics and for years to come this is what you're going to be known for — not for your achievements in the community, but for the greed you've fallen to."

Planning Commissioner Rick Baldwin noted that attorney Redick called a proposed 150-foot height limit for wind turbines exclusionary, even though Redick sits on the Grand Haven Township Board, which voted to restrict turbine height to 150 feet. Redick has previously said it's nearly impossible for utility wind turbines to be built along the shore of Lake Michigan anyway due to bird migratory patterns.

"This whole thing I find really disgusting," Baldwin said. "There's three families that have got 50% of the people on these two boards (referring to the Andersons, the Jeppesens and the Snyders). This is terrible, this is really bad. As far as Paul Olson being on it (the Planning Commission) he's going to be in violation of the (conflict of interest) bylaws as soon as he walks in."

'WHAT'S HAPPENED TO EVERYBODY?'

Other comments were made Wednesday which the Daily News did not deem appropriate to print (a man calling Anderson a repeated expletive, a woman naming expletives she said Anderson has called others). Multiple people called for Anderson's resignation.



Paul Olson stands to introduce himself to audience members at Wednesday's meeting after the Douglass Township Board voted 4-0 (Treasurer Amy Laper abstained) to appoint him to the Planning Commission, filling the seat of Tim Snyder, who

"Some time ago, Terry, you talked about how you would not become like the other townships with the fighting and disputing and what have you," said Linda Reynolds of Douglass Township. "I'm sure you all have seen this (Dec. 31, 2021) article from the Daily News, the top stories of the year — sadly we made No. 1 as being the worst (township). Part of that I attribute to you and I'm sorry, I wanted to think better of you. This is embarrassing. You have divided this community more than I thought possible. You can resign."

"You stacked the deck," Melissa Bannen of Douglass Township told the township board. "You took everybody off that were great, wonderful people who have done their jobs for years so that Terry Anderson could get his own way. You are shameful, you are an embarrassment. You're kissing a person from out of town that's going to come in and destroy this community. All you see is the green money. Shame on you. I hope you can go home and look in the mirror and be proud of what you have done to this community."

Many residents became visibly emotional in trying to make sense of the escalating unrest in multiple local townships.

"Terry, the community has been very supportive of you and your business (Anderson & Girls Orchard) and this is what you're doing — you, in turn, are not supporting what the majority of people in your community do not want," Lori Hecksel of Douglass Township said. "We do not want those turbines. The last two years have been hard on us with this COVID pandemic and everything else

and look at what's happened, everybody's turned against each other. When is it ever going to end? Where's the integrity and honesty? What's happened to everybody? We're just calling each other names. Why can't we just don't what's right?"

Eric Tester of Douglass Township was also emotional when he spoke.

"I don't even like going to these meetings," he admitted in a shaky voice. "I wish Apex would have never walked in the door. I see what this has done. We've got to have a better way. We just can't throw people away because

submitted his resignation letter that same night. Olson didn't say much during his introduction as audience members immediately began scoffing and protesting that he has signed a lease with Apex Clean Energy. — DN Photo | Elisabeth Waldon



Linda Reynolds of Douglass Township holds up an issue of the Dec. 31, 2021, Daily News detailing how local wind ordinance work (and related drama) was the top story of 2021. "Sadly we made No. 1 as being the worst (township)," Reynolds told Supervisor Terry Anderson. "Part of that I attribute to you." — DN Photo | Elisabeth Waldon

they're not looking at it our way. I had a lot of confidence in you guys. Now I don't have any confidence, and it scares me. This is destroying the community and I wish you could see it."

Others spoke in support of the Douglass Township Board, such as McBride Village President Kim Jensen, who resides in Day Township.

"I have been in the village of McBride for a very long time," Jensen said. "If I was treated the way these folks (the Douglass Township Board) are being treated, I wouldn't be there anymore. I think as people we should love one another and come to some sort of compromise."



McBride Village President Kim Jensen asks township officials and residents to "love one another and come to some sort of compromise" regarding a wind ordinance during Wednesday's Douglass Township Board meeting. — DN Photo | Elisabeth Waldon

"I don't think this board is a bad board ... and all you people are wonderful people," she added with emotion. "I'm just sitting here and I feel bad, I feel really bad. We should be working together. I just really feel bad. You're all very important to me, I know most of you, but I feel really bad that we're pointing fingers at everybody."

Jeanne Poulsen of Maple Valley Township also spoke in support of the Douglass Township Board.

"I'm sorry you're getting picked on, I think it's horrible," she said.

"But we're forgetting the fact that we all need electricity!" she yelled, turning to face the audience, some of whom responded, "We already have electricity!"

"It's going away!" Poulsen yelled in return.

Wednesday's meeting ended abruptly without a final call for public comment. Trustee Tom Jeppesen made a motion to adjourn, which immediately passed. Brandy Bunting of Douglass Township protested that her husband Ken was waiting to speak.

"I didn't see any hands and Tom made a motion to adjourn and we went with it," said Anderson when asked about ending public comment by the Daily News after the meeting.



Court Square Building
310 4th Street NE, Suite 300
Charlottesville, VA 22902
T 434.220.7595 / F 434.220.3712
apexcleanenergy.com

November 4, 2019

To Whom It May Concern,

Apex Clean Energy has expressed an interest to develop a new wind farm in our area of Montcalm County, and has approached our landowner group to discuss the potential for signing easements. We have convened a leadership steering committee representing approximately 15,000 acres of land in the Montcalm Wind Project footprint. We are exclusively negotiating in good faith with Apex for long-term wind easements with Apex Clean Energy, and hope to conclude those negotiations and execute easements by the end of this year. Based on our knowledge of the community and conversations we've had with our neighbors, we believe there will be a high degree of participation in this area once the final terms with Apex are set.

Sincerely,

Chris Rader
Ken Rader
Brandon Carlson
Gary Nielsen
Roger Betten Sr.
Roger Betten Jr.
Paul Olson
Scott Karnatz
Dick Karnatz

Chris Rader
Ken Rader
Brandon Carlson
Gary Nielsen
Roger Betten Sr.
Roger Betten Jr.
Paul Olson
Scott Karnatz
Dick Karnatz

Paul Olson
Scott Karnatz
Dick Karnatz

8106404
Tx: 4075034

2020R-11642
MONTCALM COUNTY MI
LORI WILSON
REGISTER OF DEEDS

RECEIVED AND RECORDED

Instrument Number: 2020R-11642

Document Type: EASEMENT DOCUMENT

Number of Pages: 9

Arrival Date and Time: 10/23/2020 12:15:00PM

Recording Date and Time: 10/23/2020 1:13:50PM

I hereby certify that this instrument was RECEIVED and
RECORDED on the date and times stamped above in the
OFFICIAL PUBLIC RECORDS of the REGISTER OF
DEEDS, Montcalm County, Michigan.



Lori A. Wilson

Lori A. Wilson, Register
Register of Deeds
Montcalm County Michigan

This cover page is PAGE 1 of your document and is part of the Official Public Record.

MONTCALM COUNTY MI
2020R-11642
10/23/2020 01:13 PM

Drafted by: Eugene Lerman, Esq.

Prepared by and return to:

Apex Clean Energy, Inc.
Court Square Building
310 4th Street NE, Suite 300
Charlottesville, VA 22902

Attention: Eugene Lerman, Esq.

MEMORANDUM OF WIND ENERGY EASEMENT AGREEMENT

This Memorandum of Wind Energy Easement Agreement is made as of March 30 2020, between Paul A. Olson, a married person, Life Estate Tenant, and Albern L. Olson and Linda R. Olson, Trustees of the Albern L. Olson and Linda R. Olson Trust, Remainderman, (collectively, "Landowner") whose address is 481 Musson Road, Stanton, MI 48888, and Coral Wind I, LLC, a Delaware limited liability company, ("Grantee"), whose address is 310 4th St. NE, Suite 300, Charlottesville, VA 22902, with reference to the following recitals:

A. Landowner owns that certain real property (including all air space thereof) described on Exhibit "A" attached hereto (the "Property"), which Property is located in the County of Montcalm, in the State of Michigan.

B. Landowner and Grantee (together, the "Parties" and each a "Party") have entered into that certain unrecorded Wind Energy Easement Agreement dated the date of this Memorandum (the "Easement"), which affects the Property.

C. The Parties have executed and acknowledged this Memorandum and are recording the same for the purpose of providing constructive notice of the easement and Grantee's rights under the Easement. Capitalized terms used and not defined herein have the meaning given them in the Easement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. The Easement includes the following provisions, among others:

1.2. **Purposes of Easement.** Pursuant to this Easement, Grantee shall have use and possession of the Property for the following purposes (collectively, "Operations"):

1.2.1. Determining the feasibility of wind energy conversion on the Property or on neighboring lands including studies of wind speed, wind direction and other meteorological data;

1.2.2. Developing, constructing, reconstructing, erecting, installing, improving, replacing, repowering, relocating and removing from time to time, and using, maintaining, repairing, operating and monitoring, the following, for the benefit of one or more Projects (as defined below): (a) wind energy conversion systems and wind power generating facilities (including associated towers, foundations, support structures and other structures and equipment), as well as other types of power generation facilities to be operated in conjunction with wind power generating facilities, in each case of any type or technology (collectively, "**Generating Units**"); (b) electrical transmission and distribution facilities, including overhead and underground transmission, distribution and collector lines, wires and cables, conduit, footings, foundations, towers, poles, crossarms, guy lines and anchors, substations, interconnection and/or switching facilities, circuit breakers and transformers, and energy storage facilities; (c) overhead and underground control, communications and radio relay systems and telecommunications equipment, including fiber, wires, cables, conduit and poles; (d) anemometers, meteorological towers and wind measurement, monitoring and recording equipment and facilities; (e) roads and erosion control facilities; (f) utility lines and installations; (g) signs; (h) fences and other safety and protection facilities; and (i) other improvements, fixtures, facilities, appliances, machinery and equipment in any way related to or associated with any of the foregoing (all of the foregoing, including the Generating Units, collectively, "**Wind Power Facilities**")

1.2.3. Vehicular and pedestrian ingress, egress and access to and from Wind Power Facilities on, over and across the Property, in each case for the benefit of one or more Projects (collectively, "**Access Rights**").

1.2.4. Undertaking those activities that are customary within the industry and are necessary, helpful, appropriate or convenient in connection with, incidental to or to accomplish any of the foregoing purposes or for the benefit of this Project or for converting wind energy into electrical energy and collecting and transmitting that energy, including conducting surveys and environmental, biological, cultural and other tests and studies. Without limiting the generality of the foregoing, the Parties recognize that (a) power generation technologies are improving at a rapid rate and that Grantee is hereby authorized to (but shall not be required to) from time to time replace or repower Generating Units on the Property with newer model (and potentially larger) Generating Units (provided, that Grantee will follow the procedures set forth in Section 4.5 before making any material changes to the location of Wind Power Facilities located on the Property) and (b) the Operations may be accomplished by Grantee or one or more third parties authorized by Grantee.

1.3.1. In addition, Landowner hereby grants, warrants and conveys to Grantee the following additional easements (together, the "**Operations Easement**") for the term hereinafter set forth: (a) an exclusive easement to use, convert, maintain and capture the free and unobstructed flow of wind currents and

wind resources over and across the Property; and (b) an exclusive easement to permit the rotors of Generating Units located on adjacent properties to overhang the Property.

1.3.2. To the extent that Landowner holds any access, utility, transmission or other easements, rights of way or licenses over lands in the general vicinity of the Property (the "**Landowner Easements**"), and Grantee determines that such Landowner Easements could be used for the benefit of a Project, then upon the request of Grantee from time to time, Landowner shall to the extent it has such rights grant thereto (in recordable form and containing such terms and provisions as may reasonably be requested by Grantee), for no additional consideration, one or more subeasements of the Landowner Easements (each, a "**Landowner Subeasement**").

1.3.3. Upon Grantee's request from time to time, Landowner shall grant (in recordable form and containing such terms and provisions as may reasonably be requested by Grantee), for no additional consideration, the following stand-alone easements (each, a "**Separate Easement**"):

- (a) one or more nonexclusive easements for Access Rights on, over and across the Property, including for vehicular and pedestrian ingress, egress and access to and from one or more Projects; and
- (b) one or more easements for Wind Power Facilities on, under, over and across the Property, for the benefit of one or more Projects; in each such case as, where and to whom designated by Grantee. The term of each Separate Easement shall run concurrently with the term of this Easement, and shall terminate upon the expiration or termination hereof. For purposes of this Easement, the term "**Project**" means one or more Generating Units and associated Wind Power Facilities that are constructed, installed and/or operated on the Property and/or on other lands in the general vicinity of the Property by or on behalf of Grantee or an affiliate thereof, as an integrated energy generating and delivery system.

5.1. **No Interference.** Neither Landowner's activities nor the exercise of any rights or interests heretofore or hereafter given or granted by Landowner to any Related Person of Landowner, whether exercised on the Property or elsewhere, shall, currently or prospectively, interfere with, impair or materially increase the cost of (a) the construction, installation, maintenance or operation of any Project, (b) vehicular or pedestrian access to, or the transmission of energy from, any Project, (c) any Operations of Grantee with respect to any Project or (d) the free enjoyment and exercise of any other rights or benefits given to or permitted Grantee hereunder. Without limiting the generality of the foregoing, neither Landowner nor any Related Person of Landowner shall: (i) interfere with or impair (A) the unobstructed and natural availability, flow, frequency, speed or direction of air or wind over and across the Property (whether by planting trees, constructing buildings or other structures, or otherwise) or (B) the operation of Generating Unit rotors that overhang the Property; or (ii) engage in any other activity on the Property or elsewhere that might cause a decrease in the output or efficiency of Grantee's Generating Units.

2. The term of the Easement commenced as of the date of this Memorandum and

shall continue for a period of six (6) years (Development Option Term), if not extended or sooner terminated as provided in the Easement. Grantee may at its sole discretion extend the term of the Easement for an additional thirty-five (35) year term, with the further option to extend the term for two (2) additional ten (10) year terms.

3. All of the terms, conditions and covenants of the Easement are incorporated herein by reference as though fully set forth herein. This Memorandum does not supersede, modify, amend or otherwise change the terms, conditions or covenants of the Easement, and this Memorandum shall not be used in interpreting the terms, conditions or covenants of the Easement. In the event of any conflict between this Memorandum and the Easement, the Easement shall control.

4. The Property shall be held, conveyed, hypothecated, encumbered, leased, used and occupied subject to the covenants, terms and provisions set forth in the Easement and herein, which shall run with the Property as equitable servitudes, and shall be binding upon and inure to the benefit of the Parties and each of their respective grantees, heirs, executors, administrators, successors and assigns, and all persons claiming under them.

5. A Real Estate Transfer Tax Valuation Affidavit may be filed in connection with the recording of this Memorandum.

[Signatures appear on following pages]

IN WITNESS WHEREOF, the undersigned have executed this Memorandum as of the date first set forth above.

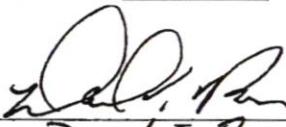
LANDOWNER:

By: 
Name: Paul A. Olson

STATE OF MICHIGAN §
COUNTY OF MONTGOMERY §

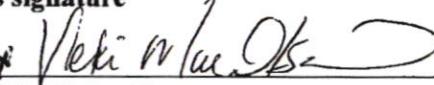
The foregoing instrument was acknowledged before me this 30th day of
March 2020, by Paul A. Olson.

(SEAL)

By: 
Name: Daniel J. Paris
Notary Public, Montcalm County, MI
Acting in County of Montcalm
My Commission Expires: 5/14/2022

With respect to the Easement and Grantee's and Lender's rights thereunder, Spouse hereby relinquishes all rights of homestead and distributive share in and to the Property and waives all rights of exemption as to the Property, and ratifies the contents of the Easement.

Spouse's signature

By: 
Name: Vicki Mae Olson

STATE OF MICHIGAN §
COUNTY OF MONTGOMERY §

The foregoing instrument was acknowledged before me this 30th day of
March 2020, by Vicki Mae Olson.

(SEAL)

By: 
Name: Daniel J. Paris
Notary Public, Montcalm County, MI
Acting in County of Montcalm
My Commission Expires: 5/14/2022

LANDOWNER:

By: Albern L Olson Trustee
 Name: Albern L. Olson, Trustee of the Albern L. Olson and Linda R. Olson Trust

STATE OF MICHIGAN §
 COUNTY OF MONTCALM §

The foregoing instrument was acknowledged before me this 30th day of
March 2020, by Albern L. Olson, Trustee of the Albern L. Olson and Linda R. Olson Trust.

By: Daniel J. Paris
 Name: Daniel J. Paris
 Notary Public, Montcalm County, MI
 Acting in County of Montcalm
 My Commission Expires: 5/14/2022

(SEAL)

By: Linda R. Olson Trustee
 Name: Linda R. Olson, Trustee of the Albern L. Olson and Linda R. Olson Trust

STATE OF MICHIGAN §
 COUNTY OF MONTCALM §

The foregoing instrument was acknowledged before me this 30th day of
March 2020, by Linda R. Olson, Trustee of the Albern L. Olson and Linda R. Olson Trust.

By: Daniel J. Paris
 Name: Daniel J. Paris
 Notary Public, Montcalm County, MI
 Acting in County of Montcalm
 My Commission Expires: 5/14/2022

(SEAL)

GRANTEE:

CORAL WIND I, LLC, a Delaware limited liability company

By: Apex GCL, LLC, a Delaware limited liability company, its sole member

By: Apex Clean Energy Holdings, LLC, a Delaware limited liability company, its sole member

By: Jeanine G. Wolanski
 Name: Jeanine G. Wolanski
 Title: Senior Vice President of Land Management

COMMONWEALTH OF VIRGINIA
 CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this 15 day of April 2020 by Jeanine G. Wolanski, the Senior Vice President of Land Management of Apex Clean Energy Holdings, LLC, a Delaware limited liability company, Sole Member of Apex GCL, LLC, a Delaware limited liability company, Sole Member of Coral Wind I, LLC, a Delaware limited liability company, on behalf of the company.

[SEAL]



Elizabeth Joandaly
 Notary Public, Commonwealth of Virginia

Drafted by: Eugene Lerman, Esq.

Prepared by and return to:
 Apex Clean Energy, Inc.
 Court Square Building
 310 4th Street NE, Suite 300
 Charlottesville, VA 22902
 Attention: Eugene Lerman, Esq.

EXHIBIT A

The following real property located in the Township of Douglass, County of Montcalm, State of Michigan:

The Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 22, Town 11 North, Range 7 West, Douglass Township, Montcalm County, Michigan.