

**THE BENZIE COUNTY BOARD OF COMMISSIONERS**  
**February 24, 2009**

The Benzie County Board of Commissioners met in a special meeting at 7:00 p.m. on Tuesday, February 24, 2009, in the DHS Conference Room, Government Center, Beulah, Michigan, 49617. This was a joint meeting with the Planning Commission regarding the Planning & Zoning Departments and proposed Planning Ordinance. This was the second meeting for this purpose.

The meeting was called to order by Vice Chairman Frank Walterhouse.

Board of Commissioners:

Present were: Commissioners Hollenbeck, Pitcher, Roper and Walterhouse  
Commissioner Damm arrived at 7:12 p.m.

Absent: Exc: Comm Kelly and Tanner

Planning Commissioners:

Present were: Moorman, Pitcher, Ralston, Robert and Ross  
Commissioner Damm arrived at 7:12 p.m.

Absent: Exc: Tanner

The pledge of allegiance was given.

Motion by Roper, seconded by Pitcher, to approve the agenda as presented. Motion carried. Ayes: Hollenbeck, Pitcher, Roper and Walterhouse Nays: None Exc: Kelley and Tanner Abs: Damm

Vice Chair Walterhouse states that he felt there would be more of the public here but we will more on. (8 guests)

Kathy Ralston states that she was pleased with the turn out at the last meeting and there was valuable information gathered; it is a work in progress; would like to see adoption of this ordinance; this information will be available on the web site.

Vice Chair Walterhouse turns the meeting over to Kurt Schindler, Land Use Specialist with MSU. Kurt states that the goal tonight is to move forward and find resolution to the remaining four issues.

- Page 5 Finalize Appointment Date – 2 months after adoption
- Page 6 Annual Report – to include zoning or not
- Page 7 Conflict of Interest
- Page 8 System of Management

Conflict of Interest:

Discussion held regarding whether or not an board member should absent themselves from the room if they have a conflict of interest; Kurt and Dick Figure feel that is good practice; the Planning Commission can set the standard for conflicts in their Bylaws; The new Planning Enabling Act says that you need to remove yourself from the room, failing to do so is malfeasance, misfeasance from office and warrants removal.

Mr. Schindler suggests don't change the ordinance – if the Planning Commission wants to add it, OK.

**Consensus: To leave along and not put in additional statement.**

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7:12 p.m. Commissioner Damm arrives

Management of Planning Staff:

Discussion held regarding removing “or its designee” from the language; the board is uncomfortable with Mr. Clarke being the “designee”. The Board of Commissioners says he is the one that runs the day-to-day of the courthouse and its department heads. The Planning Commission feels there is no communication or collaboration with the County Commissioners; perhaps quarterly joint meetings to keep the lines open.

**Consensus: KS #227 language will be used; change comment to consult; remove designee; separate hire/fire duties.**

Annual Report:

This is a Planning Commission report – not Planning Director’s report; could be given at the quarterly meeting; They need to have a proposed work program with a price tag and the annual report has the accomplishments of last year. Where does the zoning report fall into this?

**Consensus: Keep Planning & Zoning Reports together.**

Finalizing the Date to Adopt the Ordinance:

Another draft of the ordinance; A public hearing will be held and adoption of the Ordinance; then board members will be appointed; Board of Commissioners appointed to the Planning Commission will have the same dates as their term of office – they are ex officio.

**Consensus: June 2009 will be the target date for adoption.**

8:29 p.m. Public Input

Deb Lindgren asks about the two vacancies advertised in the paper.

Glenn Puit, Michigan Land Use Institute, commend all of you for these steps.

Ed Hoogterp, President of Crystal Lake Property Rights Association.

Kathy Ralston asks about the vacancies and can they be appointed now.

8:32 p.m. Public Input Closed

Closing:

Kathy Ralston states she is glad we are moving forward and glad to have communications with the Boards.

Kurt Schindler says the formal thing is adoption; the important part is this process you are going through and having a consensus; you have done a very good job.

Frank Walterhouse says we have overlooked the Planning Commission in the past – we are working on it.

Kristin Hollenbeck says the Summit was good.

Mark Roper states that we have started the process and are moving forward with a good result.

Anne Damm says quarterly meetings will help.

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Motion by Hollenbeck, seconded by Pitcher, to adjourn until March 17, 2009, or the call of the chair.  
Motion carried. Ayes: Damm, Hollenbeck, Pitcher, Roper and Walterhouse Nays: None Exc:  
Kelley and Tanner

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Frank F. Walterhouse – Vice Chairman

Dawn Olney – Benzie County Clerk