

**BENZIE COUNTY PLANNING COMMISSION
JANUARY 14, 2010
MINUTES**

MEMBERS PRESENT: Kathy Ralston, Karen Roberts, Katherine Ross, John Schluter,
Mike Moorman, Peg Minster, Don Tanner, Clint Brian, Tim Schwerin
MEMBERS ABSENT: Mary Pitcher, George Granlund
STAFF PRESENT: None
OTHERS PRESENT: John Minster

I. Open Meeting and Pledge of Allegiance Chairperson Ralston called the meeting to order at 7:05 p.m., leading the Pledge of Allegiance

II. Approval of the Agenda Add By-Laws and Staff/Housekeeping under New Business as B and C. Tanner will talk about the township meeting and the joint meeting under Intergovernmental Co-operation. **Motion** by Tanner seconded by Moorman to approve the Agenda as amended. Ayes: All Absent: Pitcher, ^Granlund Nays: None **Motion Carried**

III. Approval of the Minutes of the December 29, 2009 Meeting The minutes were corrected as follows: Page 1 line 28 delete repeated phrase "reviewed public input procedure". Page 2 line 5 delete towner and replace with tower, delete the word "it". Motion by Moorman to approve the minutes as corrected, seconded by Roberts. Ayes: All Absent: Pitcher Nays: None **Motion Carried**

IV. Public Input – Items on the Agenda None

V. Reports

A. Intergovernmental Cooperation

- Tanner reports from Joyfield Township that they are not going to fund the county or any other entity for any joint zoning venture. They will go for a year without zoning. That motion passed unanimously. There was discussion that County Planning would cover them.

- Tanner reports Joyfield Twp. was interested in Dick Figura's (Counsel for Benzie County and Benzonia Township) discussion of a concise ordinance (at the joint meeting) and discussed possibly looking at that. There is a compact model available. He states they dislike the size and complexity of our ordinance. He comments that they could adopt the County Master plan.

- Tanner states that Guy Sauer, Assessor for Joyfield Township estimates that assessments will drop 20 million dollars this year. Joyfield Township believes that funds put toward planning/zoning would be quickly exhausted.

- There was some discussion that County Zoning is finished

- Tanner reports on the Joint Committee (Townships, County Board and County Planning Commission members) meeting on Dec 16, 2009. He states the County Board has not had an opportunity to talk about the townships proposal. He states the townships proposal was they would pay \$50,000 and they want to know what the County can do for that amount. He states the offer will be discussed at the next board meeting.

- Moorman reports that Colfax is willing to go in and pay their share, short term.

They will eventually join with Weldon Township and the Village. They don't want to be without zoning until that happens.

- 1 ● There is discussion of creating zoning commission and boards of appeals from the old
2 Enabling Act. Could easily adopt the county plan and, by resolution, the county ordinance until
3 joint ventures are in place. There is discussion that Dick Figura believes it can be done in
4 about 8 weeks. There is a discussion of an estimate that this plan would cost.
- 5 ● There is discussion that Gilmore, Benzonia and Crystal Lake have advertised for a
6 zoning commission.
- 7 ● Roberts reports that Gilmore is going ahead to get something in place. At this time they
8 have made no commitment to work with anyone other than Elberta.
- 9 ● Tanner comments that the numbers all change again without Joyfield.
- 10 ● There is discussion on the Planning Commissions future role.
- 11 ▪ There is discussion on fixing the Ordinance . Roberts comments that it wouldn't
12 work, it is not substantially what the townships want and is not flexible enough to be changed
13 without the townships having to go through the whole process.
- 14 ● Another suggestion is transcribing the Ordinance through the ZORC into something the
15 townships could modify. Tanner comments all we can do is hand them what we have already
16 adopted.
- 17 ● There is discussion on the role the Planning Commission will play.
- 18 ▪ Creating ordinances that can be approved by the various zoning entities.
- 19 ● There is more discussion on funding, will it be funded after March?
- 20 ▪ That it hasn't been decided yet.
- 21 ▪ The County will fund the Planning Commission. Tanner believes it is an
22 important tool for this community. He believes there will be a Planning Commission.
- 23 ▪ Ralston states we will need to pursue grants aggressively if there is desire to
24 keep the planning function.
- 25 ● There is discussion on the need to update the Master plan with no funds to do it. It may
26 have to be updated piecemeal.
- 27 ▪ Ralston proposes starting with the Economic Plan.
- 28 ● There is discussion on limited functioning.
- 29 ● Ralston comments that Graceland Fruit has applied for a permit. There is discussion
30 that the public hearing would have to happen by the March meeting.
- 31 ● We need to keep the Planning Commission at 11 people because of committee work,
32 reviewing ordinances.
- 33 ● Another role of a Planning Commission could be to promote as much consistency as
34 possible in Planning and Zoning throughout the County.
- 35 ● There is discussion on reviewing township master plans and ordinances, and how to do
36 that with no staff. It is suggested that the position of planner may need to be revisited.
- 37 ● Could the Leelanau County Planner ~~could~~ be invited to a meeting to let us know how it
38 works up there.
- 39 ▪ There is discussion about inviting Manistee and Antrim County planners as well.
- 40 ● There is discussion about who appoints Planning Commissioners and who can sit on
41 the Planning Commission.
- 42 ▪ The township boards can recommend members, but ultimately are appointed by
43 the Board Of Commissioners.
- 44 ▪ A township board member can sit on the Planning Commission.
- 45 ● The level of control the townships want can't be achieved unless they do it themselves.
- 46 ● Intergovernmental Cooperation is the answer. The situation may change in time and
47 keeping the cooperation/ dialogue going will support all the entities.
- 48
- 49 B. Goals and Objectives
- 50 ● Current draft Goals and Objectives.

- 1 ▪ Update Master Plan
2 ▪ Bylaws
3 * We have a certain amount of time to adopt bylaws to be consistent with new
4 Planning Act. This needs a committee.
5 * Discussion on previous work on the bylaws.
6 * There is good information in Kurt Schindler's model bylaws.
7 * Anything we do could be a good model for the townships.
8 * Code of Conduct should be attached.
- 9 ● Intergovernmental Cooperation
10 ▪ Increase community outreach and intergovernmental cooperation.
11 ▪ There is a draft of the Capital Improvements Plan.
12 ▪ Did any annual report information get presented to the County Board?
13 * Flynn gave an annual permitting report and has just given the Board one
14 for this last year.
15 * It is unknown if Dave sent his information.
- 16 C. Parks and Recreation Commission
17 ▪ Tanner reports on Railroad Point Natural Area. During the process of writing the
18 Master Plan discovered there was a "conversion issue" and the Natural Resources
19 Commission discussed taking the property away from the county. The issue is by creating a
20 conservation easement on a parcel, it is devalued. Regional Land Conservancy easement was
21 like selling the property. Issue will be resolved by amending the contract with the
22 Conservancy.
23 ▪ Unknown if Parks & Recreation Master Plan is in digital format to be posted on
24 the website. Will refer it to website committee.
25 ▪ There is discussion on loss of staff (Neiger & recording secretary)
- 26 D. Zoning Board of Appeals Tanner reports no hearings and no meetings.
27
- 28 E. Executive Committee Report
29 ▪ 50 Thousand dollar proposal from the townships. County makes a plan to divide
30 it up and Townships decide how to spend it.
31 ▪ Discussion on the applicants for Zoning Administrator issue. There is discussion
32 on the County policy for hiring. There is discussion on Planning Commission involvement in
33 the process.
34
- 35 **VI. Unfinished Business None**
36
- 37 **VII. New Business**
- 38 A. City of Frankfort Master Plan
39 ● Does Neiger still do staff analysis? That is a planning function.
40 ● Tanner read the job description and there is little time for planning functions.
41 ● Ralston will request Neiger to do an analysis for the next meeting.
42
- 43 B. Bylaws
44 ● We need to look at the 2008 draft, Planning Commission Ordinance, and sample
45 Schindler bylaws, and a Code of Conduct.
46
- 47 C. Staff and Housekeeping
48 ● Tanner read job description for recording secretary. Posting meetings is not part of it.
49 That function will need to be coordinated with Dave.
50 ● Recording Secretary will have to coordinate with Ross (secretary).

- 1 ● Review of what C. Flynn will be doing and the email she sent with documents that will
- 2 be needed.
- 3 ● Discussion on who will be responsible for notices etc. Neiger has stated he will help.
- 4 ● Discussion on emailing to Dawn and have her post meetings. Who is responsible for
- 5 sending notices to the paper?
- 6

7 **VIII. Director's Report** None

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9 **IX. Correspondence** Schluter reports that he spoke with Chris Flynn who said the
10 Record Patriot got some of the article wrong with staff/bumping issue. Several Commissioners
11 agreed. Ross expresses concern about Animal Control and the bumping issue.

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13 **X. Presentations and Announcements**

- 14 ● Tanner reports on Micinski/Zeilinski BCCS will present to BOC at the meeting on first
- 15 Tuesday in February @ 9:00 a.m.
- 16 ● Ralston revisits her resignation of last year, at which time she decided to stay on
- 17 temporarily. She will not be doing a full term. Bylaws should require the organizational
- 18 meeting in September, as 1/3 of commissioners will be leaving then. She will chair one more
- 19 meeting, February and then will resign the planning commission.
- 20 ● The frequency of meetings is discussed.
- 21 ● Tanner gave kudos to Ralston.
- 22 ● Ross expressed regrets.
- 23 ● Moorman read from ordinance, which referred to bylaws. Moorman (vice-chair) will
- 24 become chair.
- 25

26 **XI. Public Input – Items On or Off the Agenda, within the Planning Commission's**
27 **Jurisdiction** John Minster comments if zoning is not funded and we become a Planning
28 Commission only, we will become a façade without any persuasive power, and could give
29 legitimacy to an illegitimate purpose. He asks if Zoning has a monetary value to the townships.
30 They can fund or not fund, according to their needs. There are many disparate interests that
31 cannot be served well at the county level. There needs to be a specific cash value to zoning.
32 We are not a long-term society. It is a visionary thing for townships to look that far ahead.

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34 **XII. Adjourn** Chairman Ralston adjourned the meeting at

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37 Respectfully Submitted:

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40 _____
41 Katherine Ross, Secretary

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45 _____
46 Christi Flynn, Recoding Secretary