

Colfax Township, Weldon Township and Village of Thompsonville  
Community Joint Planning Commission  
14731 Thompson Avenue, Thompsonville, MI 49683  
Minutes – May 4, 2017 Regular Meeting

Peg Minster opened the meeting at 7:04 P.M. followed by the Pledge of Allegiance.

Present at roll call: Commissioners Peg Minster, Shelley Greene, Irene Dunham Thayer, Don Suchocki, Sally Bobek, Chris Bobek, Debra Franke, Eugene Allen and Michael Foust; and Zoning Administrator Craig Meredith. Absent: Gene Houghton (excused).

Guests: Kay Bond and Rick Robb

Agenda Additions/Corrections: Motion/second by Debra/Irene to accept with addition of Planning & Zoning News; motion carried.

Approval of Minutes: Motion/second by Debra/Sally to approve April regular minutes; motion carried.

Public Comment: Rick Robb and Kay Bond spoke representing Advocates for Benzie County. The grassroots group started out small and has grown significantly. They are seeking to expand further with involvement from all segments of the community. Numerous topics have been addressed including housing, child care and employment. They requested time on the next meeting agenda.

Unfinished Business and Reports

A. Zoning Amendments Next Steps: Sarah Lucas spoke with and emailed Mark Eidelson for clarification on several issues related to signs. Awaiting comments from the Benzie County Planning Commission May 11 meeting.

B. 2017-2018 Budget: Eugene reported on the workgroup's suggested changes. Education would be covered by each entity. Wages would only cover quarterly meetings. Reduce legal and planning consultant fees, publishing/printing and audit. Craig confirmed that checks for permits go through the JPC first. That would mean waiting months to deposit checks and Craig wouldn't be paid monthly; it must be accounted for and approved by the JPC first. If a site plan review was needed between meetings, Shelley said a special meeting would cost the applicant \$500 and more than one meeting is likely. Discussion. Sally said it would be so convenient to meet every month and for the landowner and to pay Craig but we don't have the money. Shelley did not agree and said Colfax does. Sally said Weldon is not going to pay it. If education is proposed to be an expense for each entity, Shelley asked why not do the same for wages? Wages were divided in the first proposed budget because a third of that cost was more than the Village's share for the year based on the percentage formula. Colfax approved it but the Village and Weldon did not.

Peg said we have to decide what we want. Do we want efficient administration of the zoning ordinance? One of the biggest problems is the timeframe. Are we going to put the responsibility of special meetings on the landowner? We are not supported by a planner, and it takes a lot of time and effort for us to do. Do we want to have a streamlined zoning administration process, implement the Master Plan goals and strategies and work with organizations like the Advocates for Benzie County? Or, do we want to go bare bones, charge landowners when they have an application that needs a special meeting and not implement goals and strategies and have an uneducated, unprepared planning commission? That is what each entity needs to decide. Eugene didn't disagree; his assignment was to look at costs at Weldon's request. Shelley stated Sally has said before it's not the money and that Weldon is annoyed things take too long. How will quarterly meetings speed things up? Peg said each entity needs to decide what it wants to do. Sally said Weldon has not voted but has little doubt they will pull out so you need to think about what you're going to do then. She's not saying they should be holding the JPC hostage but we need to look at some other ideas. Whether right or wrong she said Weldon spent \$6,000 on zoning over the years and the budget is a problem for them. Peg said in 2016-17 we had the cost of a zoning

ordinance. We need to decide how we want to operate and why and tell the legislative bodies. The ball is in Weldon's court.

Debra said the training class solved a lot of problems. She learned that if Craig receives an incomplete application it should not come forward. If one comes to the board incomplete, it is to be rejected. That is one of the things Peg said she was to cover under New Business to streamline the process. Debra said the instructor was adamant about this point even if one thing is missing. She said people who want to have a business know it long before they come to us. Using the campground as an example, she said they knew their plans way before December. Why did they wait until January to come for a special use permit? They had the zoning ordinance which tells how long it takes. Weldon has to follow the same laws to be legal. Peg said the Zoning Enabling Act clearly states the guidelines, and while other municipalities may do what they want that's their deal. This commission will follow the law and not risk lawsuits for unfair or inequitable behavior. What we do is important.

Sally said if we don't go with the Proposal A revised budget we will run out of money, and when we started working on the budget we had \$5,000 in the bank. Eugene said the original rollover amount was inaccurate. Shelley said the year end balance came from Carrie when the workgroup met in January, and December wages and a November legal bill both paid in January were deducted from that amount to arrive at the rollover. Debra said we couldn't foresee the fees related to the campground application, and Sally said that could happen again this year. Sally said we are \$3,000 below if we are going to meet every month, and if we don't follow Proposal A we will have to go back to the entities. Shelley said go back to them on the wages. Sally thought we decided we had to do a budget amendment because it's in the ordinance. Shelley said the ordinance only calls for an annual budget which has been adopted and funds transferred. She felt it is a legislative issue if we want to back out wages and education from the budget. Speaking for Colfax, she didn't feel the board would have an issue. The way Eugene understands it, with an approved budget and shares paid there is no ordinance violation and we would simply need to tell each entity the extra that's needed. Don said we should start preparing for Weldon to pull out from what he's heard here and elsewhere. It isn't a money issue and they're pulling out no matter what. Chris felt the board was looking at it from a money factor and there were other issues going on maybe with some of the members, but most of the board was looking to see what we were going to do about the costs Weldon is incurring from this board. Sally said they put their vote off for two months to see what happens. Speaking as a township board member, Shelley said this is a partnership and this body is a government entity that stands alone based on state laws. In her view, using Carrie's statement of what she wanted from the planning commission, one partner cannot unilaterally dictate to this body. It is a partnership for a reason; it is joint. She understood what Carrie and Weldon wanted, but Weldon cannot dictate, for lack of a better word which she did not at all mean disparagingly, to the planning commission and direct how we function when we are here by virtue of an ordinance signed by three entities. If there are issues, it needs to go back to them for discussion. Another joint legislative meeting is needed. That is where she feels it should have gone in the first place. The JPC never should have been talking about it. We had the public asking why it wasn't on the agenda. As far as members, there are all kinds on every board.

Peg said this board needs to serve property owners in our community as best as we can per the ordinance and decide how we are going to operate. If we go to quarterly meetings, the entities need to understand property owners will foot the bill and they won't be happy because they pay the commission to do this work and we do it for \$25 a meeting. We are not supported by a professional planner. We will not be able to effectively serve and administer the zoning ordinance in a time efficient way. Sally asked how many townships in Benzie meet monthly. Peg said almost all do. Sally said several she talked to do not. Peg repeated that quarterly meetings will cost property owners and will make the process less timely than it already is by statute. Eugene said it's a matter of what we can afford. Peg asked can we afford not to. Sally asked do we decide or do the entities. Peg said we do. Shelley said the JPC establishes the proposed budget based on the ordinance for discussion by the boards. If there are issues, they need to

talk because they foot the bill. Peg is in favor of planning and zoning and our entities should be sent a letter of rationale of what we do and why. Shelley said they already know. Peg and Irene said we have to reiterate it. Sally told Peg there was a lot of unhappiness that she was not at any of Weldon's meetings. Peg said if the board wants to pull out they need to do it. They need not tell us what we are or are not going to do as a commission. If they want to go because they don't like Shelley they should go.

Craig said if a Village water check isn't cashed in a timely manner, residents are really upset. He felt we need to keep our regular schedule of 12 meetings a year. It's easier to cancel a meeting for lack of business than to schedule one. Eugene is okay with that but we probably have to ask for more money. Shelley said we have been busy with zoning and was disappointed we have done really nothing on planning and we are a planning commission. There is no ordinance provision to amend the budget but we can ask for more. She suggested a joint legislative meeting to propose each entity cover wages and education. Eugene said it's still coming out of their pocket, but Shelley said it would be actual costs for their own appointees. Discussed budget shortfall. Sally said expenses from year end to next fiscal year exceeded expectations. Contract per diem versus employee was discussed and as well as taxes. It was Weldon's policy to issue checks net of taxes which continued when the JPC began. Payroll taxes are an additional expense. Craig covered Weldon's history of needing a planning commission when the law changed and advocated for a joint planning commission and still feels it is the right way to go. If we need more money, ask for it. Eugene said we need to figure out how much more we need and felt the idea of each entity covering wages was good. It was decided to wait until the budget runs low to ask for additional funds. Shelley noted the ZBA was never paid because a per diem rate was not established until its last meeting and no comp authorization form was prepared for approval. A meeting will be convened in the near future. Peg said line item budget adjustments can be made through the year as we review it no less than quarterly.

Motion/second by Don/Debra to continue as a commission with monthly meetings. Discussion. Don agreed that if there is an issue with this commission, the entities need to discuss it among themselves and not by just one entity. It gets directed at us and he is hearing things through hearsay which he feels is inappropriate and needs to be handled the correct way. Don felt a month between meetings is sometimes long to retain details of certain issues, but quarterly meetings would be difficult and like walking in cold. Eugene agreed and said the budget review and discussion served its purpose. The motion was restated and Peg called for a vote. All ayes; motion carried. The approved budget remains as is and the JPC will be diligent in watching costs to follow Proposal A. Don felt it brought to light a lot of things. Fees including published ads will be passed on to the applicant.

C. Meeting Schedule: Peg said the schedule needs to be published by statute. Notices of cancelled meetings are to be posted. Continue the same schedule of day, time and location. Motion/second by Irene/Don to publish the monthly meeting schedule for 2017-2018. Discussion. Shelley suggested canceling the July 6 meeting. Motion reconsidered. Motion/second by Irene/Don to publish the monthly meeting schedule for 2017-2018 with no meeting July 6; motion carried. Motion/second by Shelley/Debra to establish the Record Patriot as newspaper of record; motion carried. Motion/second by Debra/Shelley to retain Dick Figura as legal counsel; motion carried.

D. Capital Improvements Plan: Peg, Debra and Chris will consolidate the three submissions into a master document.

E. Lindy Road Property: Prior communications have been letters, not a Notice of Violation. The MCI ordinance has been published by all three entities so citations can be issued. As a matter of courtesy for communication purposes, the Zoning Administrator is to notify the township supervisors or Village president prior to issuing a citation for a violation in their jurisdiction. Eugene said he definitely wants to be notified prior to a citation being issued so he is informed. Craig will have a deputy accompany him for safety when delivering citations.

F. Professional Fees for Site Plans: Don questioned the level of detail we need. Discussion. Depends on complexity. JPC to list site plan review questions rather than submit an entire plan for review to minimize costs. Complete applications are critical. Develop a review policy; an application is not to be reviewed at the meeting when the ZA distributes it. Fees are to be passed on to the applicant when professional opinions are necessary.

G. Zoning Administrator Report: Written and oral reports were provided. Craig reported that Verizon has identified Thompsonville Highway and Milnichol Road as an area for a Class Two Wireless Communication Tower and must install it on private property rather than state land. Craig will be issuing a Notice of Violation for a Lindy Road property.

G. Village/Township Reports: Debra reported that a new contract was signed for ambulance billing. An April 25 meeting is set for a revenue bond covering the water project. Sally said Weldon is in the process of fencing in the community garden. Rob Aldrich is the contact to reserve space. Chris Bobek was appointed nuisance abatement officer. Several bids were received for a furnace. Shelley said the fire extinguishers need to be recertified and the flag needs to be replaced. Information was provided on Inland Township's annual blood drive and propane tank refills to benefit Benzie Senior Resources.

H. Budget/Compensation Authorization: Craig's expenses and the comp authorization were presented. Renewal of P&Z News was discussed. Motion/second by Shelley/Irene to order one copy of P&Z News at a cost of \$185. Aye: Irene Dunham Thayer, Chris Bobek, Eugene Allen, Shelley Greene, Peg Minster, Michael Foust. Nay: Don Suchocki, Sally Bobek, Debra Franke. Motion carried.

#### New Business

A. Resolution on Contacting Attorney: Peg felt it is good policy to have a resolution on who may contact the attorney and read a draft resolution giving power to the Chair and/or Vice Chair. Resolution 05042017 was adopted by a vote of 9-0.

B. Nonconforming Structures: Peg led a general discussion on nonconformance prompted by a letter of denial issued by Craig. Structures destroyed or deteriorated greater than 50% cannot be replaced. Craig's letter addressed expansion of a nonconforming use (residential) in a commercial district. The property owner mentioned appealing but the ZBA is not authorized to grant variances on uses. Property owners are welcome to discuss general zoning ordinance issues with the JPC. Craig mentioned the old bank building is up for sale; it can't be used for residential because it is in a commercial district.

C. Planning and Zoning: Peg covered the issue earlier in the agenda.

D. Secretary: Shelley said the JPC needs to seek nominations for a secretary at the next meeting and spoke at length giving examples of unfounded personal attacks from several fronts. She is humbled and honored to have served since the JPC's inception and was complimented by several. Don said it takes all of us as a group to function, sometimes with positive attitudes, sometimes negative attitudes and sometimes saying no and having deep discussion and that we need to step back and look at ourselves. Peg agreed with Don saying we need to be tolerant of each other, and one of the good things about this commission representing three communities is that we are different and always treated each other with respect while disagreeing with grace and tolerance but it has been derailed. Sally asked Peg if she really believed Shelley was the reason for Weldon's position to which she answered yes but said it is Weldon's decision for whatever reason be it money, Shelley or something else.

Correspondence: None.

Public Comment: None.

Adjournment: Motion/second by Don/Irene to adjourn at 9:52 P.M.

Respectfully submitted,

Shelley Greene  
Secretary

*Minutes are proposed until approved at the next meeting*