

ISABELLA COUNTY  
PLANNING COMMISSION

February 8, 2007

A Regular Meeting of the Isabella County Planning Commission was held on February 8, 2006 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Dan Hess, Marilyn Fosburg, Craig Schripsema, Bob Thompson, Jerry Neyer, Gale Willoughby, Vance Johnson.

MEMBERS ABSENT: Christine Alwood, Richard Recker (both excused).

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director  
Michael Zalewski, Planner/Zoning Administrator  
Lisa Hoisington, Recording Secretary

The meeting was called to order by Chairperson Thompson at 7:00 p.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

The Chair requested if there were any additions or deletions to the agenda.

Chairperson Thompson stated that after the approval of the agenda he would like to add a discussion of the elections.

A motion was made by Mr. Willoughby, supported by Mr. Schripsema, to approve the agenda as amended.

Yes: Hess, Fosburg, Schripsema, Willoughby, Thompson, Neyer, Johnson.

No: None.

Motion carried.

ELECTION OF OFFICERS

Chairperson Thompson stated that there was an error made in the election of the Vice-Chairperson. There must be a majority vote of the commission members present and that did not happen. He stated that because of that error there was not an election and Ms. Fosburg will remain Vice-Chairperson until a successor is elected. He explained that the rules allow for the suspension of the election of Vice-Chairperson by unanimous vote. He further stated that the election should be held at the first meeting where all nine members are present which will possibly be the February 27, 2007 goal setting session.

A motion was made by Mr. Neyer, supported by Mr. Hess, to suspend the rule and hold the election of Vice-Chairperson at the next meeting where all nine members are present.

Yes: Hess, Fosburg, Schripsema, Willoughby, Thompson, Neyer, Johnson.  
No: None.

Motion carried.

### PREVIOUS MINUTES

Minutes of the January 11, 2007 regular meeting were circulated to the Commission prior to the meeting for their review.

Chairperson Thompson pointed out that on page 4, under approval of the agenda, it should read, public comment and not public hearing.

A motion was made by Mr. Hess, supported by Mr. Willoughby, to approve the minutes of the January 11, 2007 meeting as amended.

Yes: Hess, Fosburg, Schripsema, Willoughby, Thompson, Neyer, Johnson.  
No: None.

Motion carried.

### LIASON REPORTS

ZBA – Mr. Schripsema reported that the ZBA met last month and they held an election of officers. Tom Courser was elected Chairperson; James Wynes, Vice Chairperson; and Roy Ranck, Secretary. He stated that the meeting time was discussed and it was decided to leave the time and date as it has been. He further stated that the next meeting has been canceled.

Parks & Recreation Commission – Mr. Willoughby reported that their meeting was canceled and the next meeting will be held in March.

Board of Commissioners – none reported.

### TOWNSHIP CONCERNS

None heard.

### PUBLIC COMMENT

None heard.

### **REVIEW OF POPOSED COMMISSION ON AGING FACILITY LOCATION**

Tim Dolehanty, Isabella County Administrator, presented the Planning Commission with a report outlining the Board of Commissioners reasons for considering the proposed site chosen for the new Isabella County Commission on Aging facility.

A motion was made by Ms. Fosburg, supported by Mr. Willoughby to accept the report as consistent with goals and policies of the Isabella County Master Land Use Plan.

Yes: Hess, Fosburg, Schripsema, Willoughby, Thompson, Neyer, Johnson.  
No: None.

Motion carried.

### **ZONING AMENDMENT #07-01**

A public hearing was conducted on a proposed amendment to the Isabella County Zoning Ordinance. The amendment defines and regulates private roads and access to roads and is intended to replace Section 3.01 and Section 3.21 of the Ordinance. Sections 19.01(30) and 19.05(30) will be removed.

Mr. Thompson stated that a letter was received prior to this public hearing from Vernon Township that basically stated that their township board believes the proposed amendment to the private road ordinance would put an unnecessary burden on the landowner both in regards to cost and time.

Hearing no other comments the public hearing was closed at 7:29 p.m.

A motion was made by Mr. Hess, supported by Mr. Willoughby, to forward Zoning Amendment #07-01 to the Board of Commissioners with the recommendation that they approve it for adoption.

Yes: Hess, Fosburg, Schripsema, Willoughby, Thompson, Neyer, Johnson.  
No: None.

Motion carried.

### **ZONING AMENDMENT #07-02**

A public hearing was conducted on a proposed amendment to the public hearing notice requirements in Article XIX, Article XXII and Article XXIV of the Isabella County Zoning Ordinance.

This amendment will bring the zoning ordinance into compliance with the new public hearing requirements of the Michigan Zoning Enabling Act.

Hearing no comments the public hearing was closed at 7:31 p.m.

A motion was made by Mr. Willoughby, supported by Mr. Schripsema, to recommend that the Board of Commissioners adopt Zoning Amendment #07-02.

Yes: Hess, Fosburg, Schripsema, Willoughby, Thompson, Neyer, Johnson.

No: None.

Motion carried.

### **ZONING AMENDMENT #07-03**

A public hearing was conducted on a proposed amendment to the Zoning Board of Appeals appointment requirements in Article XXII of the Isabella County Zoning Ordinance.

Chairperson Thompson explained that this amendment would require that ZBA members reside in the townships affected by the ordinance and also allows alternate members to the ZBA.

This amendment will bring the zoning ordinance into compliance with the Michigan Zoning Enabling Act.

Hearing no comments the public hearing was closed at 7:34 p.m.

A motion was made by Mr. Hess, supported by Mr. Johnson, to recommend that the Board of Commissioners adopt Zoning Amendment #07-03.

Yes: Hess, Fosburg, Schripsema, Willoughby, Thompson, Neyer, Johnson.

No: None.

Motion carried.

### **BYLAW REVIEW/ENFORCEMENT MECHANISM SUBCOMMITTEE UPDATE**

Mr. Schripsema stated that they have not received any feedback on the letters sent to the townships and to the Board of Commissioners regarding the enforcement mechanism.

A recommended list of changes to the bylaws was forwarded to the members.

Mr. Schripsema stated that there would be some discussion on the conflict of interest.

Chairperson Thompson expressed concern regarding the attendance and training. Where it states that the members “shall attend” he would rather it stated “are encouraged to attend” and also where it states that members who have not attended training “are not eligible for reappointment” it could read “should not be considered for reappointment” because it is up to the Board of Commissioners and not the Planning Commission to appoint the members.

Mr. Schripsema suggested it read “may not be considered for reappointment”.

Chairperson Thompson also noted that under Meetings it states the regular meeting schedule for the year “is” established, he suggested it read “shall be” established.

Chairperson Thompson expressed concern over the stating of “a majority of the Commission members present” that appears on page 5 and page 8. He stated that if only five members were

present three members out of the nine could make a decision. He also stated another item that should be addressed is subcommittees. He explained that when the subcommittees were established ground rules for those subcommittees were set up and adopted as policy and they have been incorporated into the bylaws but have not been written into them.

Mr. Willoughby expressed concern with page 7, item 2C, under conflict of interest that the member must leave the meeting room until that agenda item is concluded. He read a letter that he wrote regarding the issue and asked that it be incorporated into the minutes (see attached copy).

Ms. Fosburg stated that on page 7, Order of Business, item 2, A motion from the Commission must be made and passed in order to “dispense” with any item on the agenda. She would like to also be able to add to the agenda.

Mr. Schripsema stated that under conflict of interest, language should be added that defines the distance away from the subject property, such as, you would have a conflict of interest if you are receiving the 300 ft. notice. He also stated that on page 9 section 7 they took out “fill out an information form containing their name, address, and phone number prior to discussion of the topic”. He stated that we do require them to sign in but have not asked for their questions or comments in writing and possibly this should be put back in to try to stay consistent with what we have been doing.

Mr. Willoughby stated that on the topic of conflict of interest, at the seminar, there was a list of conflicts of interest and he would like to have that included so it could be referred to. He stated that because if you do not have a legitimate conflict of interest you are negligent in your duties if you walk off the Board.

Mr. Schripsema stated it is defined in the bylaws what a conflict of interest is and possible we could also define what a conflict is not.

Mr. Johnson stated that, in the case of a conflict of interest, he would support the member being allowed to stay in the room and hear the discussion.

Mr. Neyer stated that it should be up to the Board to decide whether or not the member should have to remove themselves from the room. He stated that he agrees that there would not be a need very often but it should not be thrown out altogether.

Chairperson Thompson stated that the Commission will need to continue to take a look at the issue of conflict of interest.

Mr. Nieporte stated that it would be in the best interest of the members to have the Prosecuting Attorney review the language as he will be the one representing the members. He stated that there is no question that they should not be participating in the discussion but the question of leaving the room should be up to legal counsel and the Planning Commission should follow what the counsel recommends.

#### PUBLIC COMMENT

None heard.

### STAFF COMMENTS

Mr. Zalewski stated that the planning commission received a notice of intent to establish a condominium project. He stated that the Condominium Act requires that the developer notify the appropriate city, village, township or county. This project is in the City of Mt. Pleasant and we have no jurisdiction over the City. He further stated that we will put it on record that we received it and file it with the Clerk's office.

Mr. Nieporte stated that last month we had two map amendments and he would like the Board to consider setting a public hearing for the map amendments. He further stated that the township is supportive of the Commission moving ahead with this as the law allows. He stated that the other amendment was a large parcel with split zoning owned by Mr. Lewis Main and he spoke with Mr. Main and he is in favor of the commission doing what they have to do.

A motion was made by Mr. Hess, supported by Mr. Schripsema, to set the public hearing for the zoning map amendments for the next regular meeting of the Planning Commission on March 8, 2007 at 7:00 p.m.

Yes: Hess, Fosburg, Schripsema, Willoughby, Thompson, Neyer, Johnson.

No: None.

Motion carried.

Mr. Nieporte explained the process he would like to follow for the Master Plan workshop on February 22, 2007. He stated that he would like to give a presentation at 6:00 p.m., displaying the maps on easels followed by an open forum discussion and repeat the process at 7:00 p.m. for those that could not make it at 6:00 p.m. He further stated that this will be a time for the townships to discuss the Master Plan with us and then they can submit their comments to us in writing or they can present them at the public hearing.

Discussion was held on meeting with the Board of Commissioners on the February 20, 2007 to update them on the civil infraction ordinance. The consensus was to cancel our attendance at that meeting until we have all the comments together.

Mr. Nieporte stated that staff would like a member to attend the meeting on February 20, 2007 at 3:30 p.m. to answer any questions the Board may have regarding the zoning amendments that will be presented. Mr. Johnson stated that he would be able to attend.

Mr. Nieporte stated that the goal setting meeting on February 27, 2006 at 7:00 p.m. will be run as a special meeting. He stated they will take care of the Vice Chairperson issue and then move into the goal setting session. Staff will put together some of the duties and responsibilities of the planning commission members and review of site plans. He stated that other trainings will be coming in the near future.

PLANNING COMMISSIONER'S COMMENTS

Mr. Johnson stated that he will be unable to attend the March 8, 2007 meeting as he will be out of the country.

Mr. Willoughby stated that this was a very productive meeting.

Mr. Neyer commented that the Farm Land Preservation Committee received some money from the Commissioners and they are in the process of finalizing their first Purchase Development Rights and will have money left for educational programs. He stated that he will keep the board updated.

ADJOURNMENT

A motion was made by Mr. Hess, supported by Mr. Neyer, to adjourn at 8:22 p.m.

Yes: Hess, Fosburg, Schripsema, Willoughby, Thompson, Neyer, Johnson.  
No: None.

Motion carried.

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Jerry Neyer, Secretary

Lisa Hoisington, Recording Secretary