

Leelanau County Housing Action Committee (HAC) Meeting

Date: Monday, January 11, 2021 at 3:00 PM

Location: Leelanau County Government Center
8527 E. Government Center Dr.
Suttons Bay MI 49682

Due to COVID-19, this session will be held virtually via Zoom, and in the Commissioner Meeting Room, Leelanau County Government Center, Suttons Bay, Michigan.
(Please silence any unnecessary cellular/electronic devices)

A live streaming of this meeting will be available for viewing via the following link –
https://www.youtube.com/channel/UCNQTglgcTedF2qB8floC1GQ?view_as=subscriber

If you would like to provide comment during the meeting, please watch the livestreamed video, and call in during one of the two public comment portions on the agenda, to 231-256-8109. There will be no queue, and calls will be taken in the order they are received. Emailed comments are also welcome prior to the meeting, and can be addressed to planning@leelanau.gov

(Proceedings of the meeting are being recorded and are not the official record of the meeting; the formally approved/accepted written copy of the minutes will be the official record of the meeting.)

Draft Agenda

Call to Order

Proposed Agenda

Organizational Items:

1. Elect Chairman
2. Elect Vice-Chair

Public Comments (Ph. 231-256-8109)

Staff Comments

Consideration of December 14, 2020 Minutes *pgs 2-5*

Old Business:

Discussion / Action:

1. Summary of the Housing North conference
2. Identify 2021 Goals *pgs 6-7*
3. Foreclosures / Evictions
4. Outreach Opportunities (Revisit townships/villages for Checklist, New Forum piece for media, etc.)

Communication Items

- Approved Meeting schedule for 2021 *pg 8*
- Copy of County Planning Commission Bylaws *pgs 9-16*

Public Comments (Ph. 231-256-8109)

Staff Comments

Member Comments/Chair Comments

Adjournment

A regular meeting of the Leelanau County Housing Action Committee was held on Monday, December 14, 2020 at the Government Center, in person and by ZOOM.

CALL TO ORDER

Meeting was called to order at 3:15 pm after some brief technical difficulties.

MEMBERS PRESENT

Members (in person): T. Wessell

Members (ZOOM): T. Lentych, J. O'Neill, K. Birney, S. Oriel, M. Lautner, L. Bahle, F. Clements, R. Foster

Staff (in person): T. Galla (in person)

Public (ZOOM): K. Emerson, Y. Brown, S. Hughes

Proposed Agenda - the agenda was accepted as presented.

Staff Comments - none

Public Comments

Wessell announced the call-in number for public comment. No public comment.

Consideration of November 9, 2020 Minutes

Motion by Wessell, seconded by O'Neill to approve the minutes as presented.

O'Neill asked if the minutes could be shortened and still retain the essence of what was being said. He was thankful his suggestions from last meeting were added to the end of the minutes.

Foster appreciated the minutes as drafted as he was not at the meeting and could follow what happened. Lentych agreed.

Motion carried unanimously.

Discussion / Action

1. Discussion RE: Foreclosure Prevention

Galla introduced the topic and noted that Yarrow Brown from Housing North was joining in the discussion today, as well as Karen Emerson and Sarah Hughes from Northwest Michigan Community Action Agency (NMCAA).

Brown stated Housing North started with existing programs and is learning. They don't have the capacity to expand programs right now but Emerson and Hughes may be able to discuss that. The Michigan State Housing Development Authority (MSHDA) program for foreclosures is done. She suggested we try and bring someone in from the state and learn more.

Karen Emerson, NMCAA, stated she is the Manager of homeownership with NMCAA. She also asked Hughes to join today to talk about homeless prevention but Hughes has limited time due to another commitment. (*Staff Note: meeting started late so Hughes was unable to join*). Emerson will discuss foreclosure prevention and what they can provide. It sounds like there are a lot of things bubbling up in Leelanau County and you want to find out what resources are available. There are a lot of things available, virtually.

Emerson discussed the current foreclosure prevention counseling and mentioned MSHDA and their step prevention which is no longer available. NMCAA is a 10-county non-profit that provides Meals on Wheels, Head Start, and Weatherization programs, to name a few. They have 4 certified HUD counselors which means they have all had to pass a test to be a HUD counselor. This is one way they can assure the people providing the coaching are educated in what they do – foreclosure prevention. They are held to national housing standards and the coaches get continued education with at least 40 hours minimum each year to stay up on what is going on with counseling and products offered.

Emerson continued by saying that right now they have not seen a ton of foreclosure prevention requests. It is mainly requests for property tax help and for assistance. They just put out advertising that they are the recipients of CARES funds to help people in arrears on their mortgage. Some people in your county are experiencing this and due to COVID they don't have as many work hours to pay for their bills. People can call them at **231-947-3780** and explain that they are having trouble paying their mortgage. Or call **231-714-4578** or email apopa@nmcaa.net. Homeowners do not have to be in foreclosure yet to ask for help. They can assist with up to \$1,200 with mortgage or property tax help and up to \$2,000 for rent. Household income is 200% of poverty. With CARES and CFA funds they are able to help people. There has been success working with mortgage servicers with workout plans and forbearance. Smaller banks that are not government owned, are also working things out with homeowners. They anticipate in January or February they will probably be hit with more tax foreclosure customers. By December 31, this is supposed to be lifted with the servicers but there is talk that banks are going to try and continue the services. Currently, there is some help to keep a roof over their heads during this pandemic. On the homeless side of things, keeping people in houses is a form of medicine right now. We want to keep people where they are at, so they are safe. We do whatever it takes to help folks through the process to secure funds, or to get coached.

Emerson noted the STEP Forward program from MSHDA went away. We are giving MSHDA reports every week on what we are seeing. We are fortunate to have CARES funding. Emerson added that she could have a coach participate in a future meeting, if we would like to have another speaker.

O'Neill asked if January 1 was expiration of forbearance. Emerson said it is December 31. There is actually a national meeting going on right now so something might change. O'Neill asked for a list of resources that we could share with people in need. Also, when NMCAA helps someone do they also ask about addressing bigger issues they may be facing? Emerson replied, yes. Budgeting is the foundation of everything they do so they look at the financial outlook. With CARES money, they help keep the roof over them first. Some people may only be in this situation because of the pandemic. Right now, we need to keep people in their shelter or get them to one. O'Neill said he was reassured after hearing about their programs. He asked about staff levels. Emerson said it ebbs and flows. Years ago, they got STEP Forward money to help with foreclosures. Over the years, they have lost some of their coaches. They now have 4 very versed coaches and 2 veterans on the team. There were probably 150 housing agencies several years ago and now there are about 50, and 75% of them have certified housing counselors.

O'Neill commented on a plan he is working on with some people he used to work with. They would work with people who are unable to work out modifications on their mortgage. They would work with homeowners that fall within a reasonable income bracket and have a fair amount of equity in their home so they are motivated to keep the home. This is a mission driven endeavor. We could also look at buying the home with money raised or borrowed. We could then sell back to the family on a land contract without asset stripping. The main purpose is to help them stay in the home. He is looking for a group of people to take this on as a mission driven effort or partner with an existing non-profit. Emerson asked if this was based on another model. O'Neill said they did it in Benzie with the Housing Council back in 2008. They did not want to see people losing their homes and the county and community losing neighbors. The program can work well if it has a solid foundation. Emerson thought it sounded like a familiar model. She would like to reach out to some of her partners to see if they have

done something like this. It is always interesting to look at other ways to help out. She commented on homes being purchased by people coming from other areas who can work virtually and how that leaves folks out of affordable housing options.

Galla offered to disburse information on the programs NMCAA has if Emerson can provide materials. Emerson gave the phone number for the homeless coalition or those at risk of becoming homeless: **1-844-900-0500**. It is for renters at risk, and people who are already homeless. People in this situation are really reaching out and using text and email. Technology has done a lot for our service delivery. Emerson said they also offer virtual home buyer classes, and money management classes. They will be offering tax preparation. Galla asked if they are seeing an increase in evictions and Emerson replied, yes. And homeless prevention has gone through quite a bit of money. We are seeing more evictions than foreclosures.

Wessell told O'Neill he had read his business plan and Q & A. He asked O'Neill how much money he really needed in order to make a difference and how would he get it. O'Neill replied that if we assume the model is used without too much change, and we raise a good deal of money, we could invest up to \$100,000 in a home. He also envisioned raising a more modest amount of money which would not be enough to address all the houses out there. We could borrow from a credit union or bank. If we have on average \$100,000 needed for each house and help 20 with approximately 3 of those failing in the short term, we would need an insurance fund for the lender to give a more favorable interest rate. We need to put in infrastructure or find a non-profit partner to help with this. Habitat for Humanity was building homes for about \$130,000 that were worth \$200,000 or more and there is mainly volunteer labor. We might spend \$200,000 on a new affordable home and a lot of that would need to be subsidy. Preserving our existing stock of homes is key to increasing all our affordable or work force homes. Without a pro-active approach, we can easily lose more existing affordable homes than we can possibly build over the next 10 years.

Clements asked Emerson if she was seeing any hot spots for evictions or foreclosures and were there any predictions for Leelanau County. Emerson said they are seeing some in Traverse City, Cadillac, and Wexford County. She could do some research and try to find out more and she could get numbers from homeless prevention. Clements asked if current programs were not extended with this be a bigger problem. Emerson said she was hopeful they could do a lot with coaching and helping people. They have trained people for rental assistance and foreclosure prevention. The deep dive coaching is important so people live within the means they have. Their philosophy is first – a roof over your head. Then, go through community resources. A lot of people being affected may have never experienced this before. They encourage people to come to them for their initial need and then they sit down and look at total finances. Clements mentioned the Leelanau Peninsula Economic Foundation and was hearted by all the things NMCAA is doing but wanted to know how we get these programs out to the citizens. We have done Forum pieces in the Leelanau Enterprise and there is a new group called the Leelanau Ticker. We could try to get something out in the media. Emerson felt that would be very helpful. She does not have a marketing budget and it costs \$150 for a 1-day ad in the ticker and \$250 for an article in Northern Express.

O'Neill commented that he was not wedded to running his idea as a business. His primary concern is to help people save homes. He is very willing to partner with Emerson's group or another group to take this model and help boost the number of homes that can be saved.

Galla thanked all the speakers for their time.

2. Consideration of 2021 Meeting Schedule

Lautner liked meeting every other month and felt if we don't, we could lose interest or attendance. She hated to see the group lose momentum of what is going on.

Bahle commented she had sent a video on tiny homes and it is an exciting prospect especially for workforce homes. She wondered if Solon Township could be home for a pilot program. She liked every other month meetings and then stay in touch with Housing North. There are enough programs coming from Housing North that we can stay connected on issues. And we can stay in touch with townships and village where we live, as well.

O'Neill agreed with Lautner's idea for monthly meetings. We are facing existential challenges with foreclosures and we should keep momentum going. On alternative months we could have work group meetings such as a foreclosure prevention group and a group for tiny homes. He was concerned there is a huge cloud on the horizon and didn't want to wait until March to respond to something that happens in January.

Wessell commented that many members are participating in the Housing North program this Thursday. If we meet every other month, we could commit to attending Housing North meetings to stay informed. Lentych noted there are activities scheduled throughout the year but it may not be consistent topics.

Wessell added we have a limited role. He would rather we become informed by participating in other meetings and coming back to this group. He didn't mind meeting every month if we have an agenda that shows we are doing meaningful and important work.

Lautner suggested bringing in speakers on alternate months. She would like to hear more about the missing middle. Cherryland Electric has made a commitment to work with Habitat for Humanity. We could have someone speak on that program, and home audits for energy losses.

It was moved by Bahle, seconded by Wessell to continue a meeting schedule each month. Motion carried.

3. Set agenda items for January meeting

Items for January meeting were identified as follows:

Debrief and discuss the program offered by Housing North on December 17, and how it can apply to Leelanau County

List of resources and links that people can obtain on our website

Update on outreach and website information

Foreclosure prevention – possible work group

2020 goals – mapping higher density areas

Member Comments

Lentych said there was no reason to expect things are going to change in the future because values of properties are so high. That's the fundamental difference between 2008 and now. We will see fewer foreclosures. If people have a financial interest in their property, they will try to work out a deal. It doesn't mean you are not losing affordable units but he did not feel we will see what we did in 2008 because the values are too high. There are buyers out there, even if they are speculative. We won't see Land Banks with a lot of properties. O'Neill added that we won't see short sales.

Public Comments - none

Closing Comments

Members thanked everyone for their work, and wished everyone Merry Christmas.

Adjourn

Meeting adjourned at 4:30 pm.

Leelanau County Government Role in Housing Affordability and Availability

Our county government can play a positive role to support housing affordability and availability. There is widespread recognition of the need for housing that local workers, families, and individuals can afford to purchase or rent with local wages. It is appropriate for county government to play an active role in encouraging the private sector, non-profits, and local governments to contribute to housing affordability and availability.

The Health Department, Building Safety Department, Planning & Community Development Department, County Road Commission, and Equalization Department each directly or indirectly affect the construction of housing and the utilization of existing housing stock. The Land Bank Authority and Brownfields Authority are two key participants. Additionally, the county may have broader access to financing and funding sources available from state entities such as MSHDA (Michigan State Housing and Development Agency) and MEDC (Michigan Economic Development Corporation).

The County can help foster and promote housing in four significant ways:

1. **Community Relations and Planning:** Community relations and planning encompasses how the county, working with townships and villages, promotes the construction of all appropriate housing types in their communities.
 - A. Utilize the Leelanau County General Plan which encourages housing that responds to the needs of all residents.
 - B. Work with community stakeholders to advocate for workforce housing at the local level.
 - C. Partner with local and regional agencies to promote the need for a variety of housing types.
 - D. Advocate in partnership with Housing North at the state level for changes to Brownfield and TIF scoring mechanisms in rural areas.
 - E. Work with local jurisdictions to help them comply with the Housing Action Committee's Housing Ready Communities (HRC) Checklist.
 - F. Promote township and village consideration of density requirements, Short Term Rental (STR) limits, housing size requirements and available development incentives to reduce the costs of home ownership for young families and first-time home owners.
 - G. Continue to promote consideration of possibilities for local governments and home owner associations to limit STRs that deplete inventories for affordable work force and young family housing.
 - H. Promote consideration for increasing the availability of seasonal housing by creative options for summer housing of service and tourism-related workers.
 - I. Publish and make available HUD housing affordability indices to benchmark Leelanau County compared to regional, state and national performance.
 - J. Maintain and publish the HRC Checklist on the county government website.
2. **Support Development:** Developers and not for profit housing providers would be encouraged to build appropriate or affordable workforce housing in the County by educating them about opportunities to do so, and offering support to efficiently work through township and village regulatory processes.
 - A. Work with homebuilding associations, construction trade associations and others to help identify and mitigate constraints on their member's ability to construct affordable workforce housing.

- B. Encourage Benzie/Leelanau Health Department to work with the Department of Environment, Great Lakes, and Energy (EGLE) to maintain a preapproved list of Alternative Treatment Systems (ATS's) which will allow workforce housing to attain higher densities.
 - C. Work with EGLE to streamline the Part 41 multi-family well and septic permit process and approvals.
 - D. Make communities aware of grants and how to utilize them to rehabilitate deteriorated, abandoned, or unused buildings or properties.
 - E. Review Building Safety Department forms and permits to ensure they are simple, easy to access, and make the process as transparent and efficient as possible.
 - F. Encourage energy efficiency through building codes for long term affordability.
 - G. Encourage new construction and remodeling projects which support accessibility for all citizens.
 - H. Arrange for prospective developers to meet with key County, township and village officials in one meeting.
3. **Financing/Funding:** Provide assistance to housing developers and potential homeowners by making them aware of available programs and financing to assist them in funding their housing projects.
- A. Utilize Land Bank and Brownfield tools to acquire land for workforce housing.
 - B. Identify sources to make financing readily available for existing and new affordable housing.
 - C. Apply and be the recipient of funding sources for existing and new affordable housing.
 - D. Advocate with state agencies such as MSHDA, MEDC and others to make their programs and funding devices available to rural developers, builders, government, and nonprofit housing providers.
 - E. Work with Housing North and local jurisdictions to identify opportunities to access funds from community development finance institutions (CDFIs) and other sources for developers and buyers when banks won't lend or gap financing is needed.
 - F. Develop a model Payment in Lieu of Taxes (PILOT) policy and model ordinance allowing PILOT's, and encourage local jurisdictions throughout the county to adopt this model language.
 - G. Be knowledgeable about public funds available to the county for communities in need of public infrastructure improvements for housing projects.
4. **Marketing and Promotion:** A marketing and communications plan would be established allowing the County to promote to all interested parties, opportunities to construct housing throughout the County.
- A. Create a marketing plan for the County and local jurisdictions to promote to investors, real estate developers, non-profits, etc. the opportunities for workforce housing.
 - B. Work with local governments and Housing North to promote Housing Ready Communities/Sites that are available in townships and villages to developers, builders, investors and housing providers.
 - C. Post on the County website information to investors and real estate developers informing them of current housing policies, county owned housing sites, and links to planning, zoning and development information.
 - D. Post on the County website the latest marketing needs analysis and other pertinent housing information available from regional and state planning agencies.
 - E. Utilize grants and creative staffing opportunities such as interns to implement the above recommendations, and/or consider partnerships with local governments and other local stakeholders for shared housing staff.

**2021 ADOPTED MEETING SCHEDULE
FOR
LEELANAU COUNTY HOUSING ACTION COMMITTEE
(HAC)**

2nd Monday of each month at 3:00 PM

Day	Time
January 11	3:00 pm
February 8	3:00 pm
March 8	3:00 pm
April 12	3:00 pm
May 10	3:00 pm
June 14	3:00 pm
July 12	3:00 pm
August 9	3:00 pm
September 13	3:00 pm
October 11	3:00 pm
November 8	3:00 pm
December 13	3:00 pm
January 10, 2022	3:00 pm

Contact the Planning and Community Development office at 256-9812 for more information.

Meeting Location:

Leelanau County Government Center
8527 E. Government Center Dr.
Suttons Bay MI 49682

LEELANAU COUNTY PLANNING COMMISSION APPROVED BYLAWS

Adopted by the Leelanau County Planning Commission, pursuant to the Michigan Planning Enabling Act, P.A.33 of 2008, as amended, and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, as follows:

ARTICLE I: AREA

The area served by the County Planning Commission shall include all lands legally included within the present or future boundaries of the unincorporated portions of the County of Leelanau, State of Michigan.

ARTICLE II: PURPOSE AND DUTIES

Section 2.1 - Purpose

As stipulated in the Michigan Zoning Enabling Act, and in accordance with present and future needs for best promoting the health, safety and general welfare of the inhabitants of the County, this Commission shall participate in drafting plans for the County and use them to encourage a coordinated and harmonious development of the County. The Commission shall take overall responsibility for advising the County Board of Commissioners in all zoning matters.

Section 2.2 – Duties

The County Planning Commission is responsible for:

- a. Preparing and maintaining a plan for the development and/or protection of the peninsula. It will be responsible for adopting the **Leelanau General Plan**. Review of the Plan should be performed at least once every 5 years.
- b. Preparing and updating a Capital Improvements Plan, and submitting it to the County Board of Commissioners on a regular basis for use during the budgeting process.
- c. Preparing special studies and plans, as deemed necessary by the County Board of Commissioners.
- d. Preparing an Annual Report and submitting to the County Board of Commissioners, and all local units of government in the county.
- e. Reviewing and commenting on proposed new public facilities or improvements.
- f. Making recommendations on proposed township plans and/or rezoning or text amendments.
- g. Assisting in the development of model regulations for use by the county or local governments.
- h. Educating the general public about the values and benefits of planning.
- i. Welcoming citizen comments on local planning and zoning issues and acting upon or referring those comments as appropriate.
- j. Learning about and staying up to date on the responsibilities of the Planning Commissioners and on various tools available in implementing local plans.
- k. Coordinating planning and associated development regulations with other governmental units and public agencies.
- l. Attempting to prevent incompatible planning and zoning.

ARTICLE III: MEMBERSHIP AND REPRESENTATION

Section 3.1 - Membership and Appointment

The Planning Commission shall consist of eleven (11) members. All members of the Planning Commission shall be appointed by the County Board of Commissioners, in accordance with the Michigan Planning Enabling Act, and the Leelanau County Planning Commission Ordinance of May 17, 2011, and preferably based on recommendations from the County Planning Commission. Appointments shall be done according to Section 102, C of the Leelanau County Planning Commission Ordinance, adopted by the Board of Commissioners on May 17, 2011 as follows:

1. One seat to represent the interests of Transportation
2. One seat to represent the interest of Business
3. One seat to represent the interests of Economic Development
4. One seat to represent the interests of Education
5. One seat to represent the interests of Finance
6. One seat to represent the interests of Recreation
7. One seat to represent the interests of Legal and Real Estate
8. One seat to represent the interests of Agriculture
9. One seat to represent the interests of Tourism
10. One seat to represent the interests of Municipal Government
11. One seat to represent the interests of a member of the Leelanau County Board of Commissioners

Section 3.2 - Removal

The county board of commissioners may remove a member for nonperformance of duty or misconduct.

Section 3.3 - Term

The term of each member shall be for three (3) years, except for any member appointed as the County Board of Commissioners representative, whose term shall be for one (1) year. All vacancies for unexpired terms shall be filled for the remainder of such term. In the absence of that member appointed as the County Board of Commissioners representative, his/her alternate, as duly designated by the County Board of Commissioners, shall be entitled to sit in his/her place and stead and shall qualify as a member in all respects for as long as that member appointed as a County Board of Commissioners representative shall remain absent.

Section 3.4 - Attendance

Should any member of the Planning Commission miss three (3) consecutive regularly scheduled meetings, notice of the three (3) missed meetings will be provided to the County Board of Commissioners. Members shall notify staff at the earliest available opportunity of any absences prior to a meeting. Notification of said absences will be documented in the meeting minutes.

Section 3.5 - Training

Members of the Planning Commission shall attend at least one training workshop within one year of their Planning Commission appointment, as long as such workshops are offered. Members are encouraged to attend training workshops every year thereafter. Failure to comply with this section may be considered non-performance of duty or misconduct, and subject to removal as per section 3.2.

Section 3.6 - Voting

An affirmative vote of the majority of a quorum of the Commission present for the conduct of business shall be required for the approval of any requested action or motion placed before the Commission except for procedural motions as prescribed in Roberts Rules of Order. Voting shall ordinarily be voice vote; provided however that a roll call vote shall be required if requested by any Commission member or directed by the Chairperson. All members of the Commission including the Chairperson shall vote on all matters, but the Chairperson shall vote last. Any member may be excused from voting only if that person has a bonafide conflict of interest as recognized by the majority of the remaining members of the Commission, as outlined in Section 3.7. A member may not abstain from voting unless there is a recognized conflict of interest.

Section 3.7 - Conflict of Interest

A. All members of the commission and all members of staff shall avoid situations which are conflicts of interest, and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:

1. Issuing, deliberating, voting or reviewing a case concerning himself/herself.
2. Issuing, deliberating, voting or reviewing a case involving a corporation, company, partnership, or any other entity in which he/she is an owner or part owner, or any other relationship where he/she may stand to have a financial gain.
3. Issuing, deliberating, voting or reviewing a case which may result in a direct financial benefit to himself/herself.
4. Issuing, deliberating, voting or reviewing a case concerning members of his/her household, or relatives, including, but not limited to children, grandchildren, spouse, parents, grandparents, in-laws, etc.
5. Issuing, deliberating, voting or reviewing a case where an employee or employer is:
 - a. an applicant or agent for an applicant, or
 - b. has a direct financial benefit in the outcome.
6. Issuing, deliberating, voting, or reviewing a case where the commissioner was a paid consultant or attorney related to the case being deliberated by the commission. *
7. Issuing, deliberating, voting, or reviewing a case where the commissioner has previously voted on the issue/case in the jurisdiction presenting the case to the commission. E.g. Village or Township Planning Commission. *
8. Issuing, deliberating, voting, or reviewing a case where the commissioner will be expected to vote on the case when reported back to the village council or township board.

* Commissioners recusing themselves for these reasons may function as the representative of the jurisdiction bringing the case by answering specific questions presented by other commissioners.

B. Members of the commission and members of staff shall declare a possible conflict of interest immediately following the agenda approval during the meeting of the commission. If it is recognized by the remaining majority of those commission members present for the conduct of business that a conflict of interest exists, the member of the commission or staff will cease to participate in the issuing, deliberation, voting or review or any attempt to influence same, and they should remove themselves from the deliberating table.

C. Members of the commission shall comply with the Leelanau County Conflict of Interest Policy, as adopted by the Leelanau County Board of Commissioners on September 17, 2013 in addition to the policies outlined above.

ARTICLE IV: COMMISSION MEETINGS

Section 4.1 Meetings

A. Regular meetings of the Commission shall be held generally once each month at a time and place to be designated by the Commission at the first meeting in January. All Commission and committee meetings shall be open to the public as required by the "Open Meetings Act", Act 267, P.A. 1976, as amended, and the Commission members shall comply with all OMA requirements.

No individual Planning Commission member shall represent that he or she is speaking on behalf of the Commission unless authorized to do so.

B. Special Meetings

The Commission shall convene for the purpose of holding Special meetings only upon the written request to staff, from the Chairperson or by two (2) members, specifying the time, date, place and the purpose of such meeting. The fee for a special meeting is \$350. When a special meeting is called by written request, staff shall immediately communicate the meeting information to each member within 24 hours in one or more of the following ways:

- Via text and/or call;
- Via confirmed telephone call; or
- Via confirmed email.

Staff shall post a public notice at least eighteen (18) hours before the Special meeting, as required by the Open Meetings Act, 1976 PA 267, as amended. Public notice shall be posted in the Government Center, and on www.leelanau.cc.

C. Modifications to a Regular Scheduled Meeting

Any proposed change to a Regular scheduled meeting date, such as time, day, or location, shall be made only upon the written request to staff, from the Chairperson or by two (2) members. The written request will propose a new time, day, and/or location and the reason. Staff shall immediately communicate the proposed change to all members. Upon confirmation of a quorum of members agreeing to the change, staff shall immediately communicate the new meeting information to each member within 24 hours in one or more of the following ways:

- Via text and/or call;
- Via confirmed telephone call; or
- Via confirmed email.

Staff shall immediately post a public notice of the change, in the Government Center, and on www.leelanau.cc.

In the event of cancellation due to inclement weather, unforeseen emergency, lack of Business items, or lack of quorum, staff shall immediately contact each member to notify of the cancelled meeting, send appropriate notice to the media and the mail list through use of email, ~~fax~~, and/or phone call, and post the cancellation at the Government Center.

Section 4.2 - Public Notice

Within ten (10) days after the first meeting, the Annual Schedule of Regular Meetings shall be prominently displayed in the principal office and in the public building where the meetings are held and shall be posted on www.leelanau.cc. The Annual Schedule of Regular Meetings shall include the dates, times and places of the meetings and the name, address and telephone number of the Commission. Within three (3) days after any change is made in the Annual Schedule of Regular Meetings, such changes shall be prominently displayed in the principal office and in the public building where the meetings are held and within ten (10) days shall be posted on www.leelanau.cc. Notice of Special or Rescheduled meetings shall be prominently displayed in the principal office and in the public building where the meetings are held at least eighteen (18) hours prior to the time the Special or Rescheduled meeting is to be held and posted on www.leelanau.cc.

Section 4.3 – Meeting Procedure

For purposes of discussion and action for each item on the agenda and each motion introduced during the planning commission meeting, the following procedure should be followed:

1. The staff report is reviewed.
2. Discussion, questions and answers between members of the commission and staff or consultants.
3. The applicant is allowed to comment.
4. Discussion, questions and answers with the applicant.
5. Others in attendance are allowed to comment. At the Chairperson’s discretion, a time limit may be imposed for every individual.

6. Reading of correspondence received on the issue.
7. A motion is introduced.
8. Call the question and vote on the motion.

Section 4.4 - Public Hearing Procedure

Any person shall be permitted to address any meeting of the Commission during the time specifically provided on the agenda. In addition, anyone may speak at the time a subject is under discussion and must direct their remarks to the Chairperson, and shall speak only to the subject.

When a public hearing is scheduled on an agenda, the procedure for conducting the public hearing shall be as follows:

- A. Public Hearing (on case number _____)
 1. The Chairperson declares the hearing open, and states its purpose. He/She summarizes the rules of procedure, or provides copies of the rules.
 2. The Planning Director or a designee presents the petitioner's request, the Planning Department's staff report on the matter (including reasons for any recommendation), plus a copy of the petitioner's request.
 3. The petitioner - in person, by agent or by attorney, as stated on the submitted application - may present his/her case, including presenting witnesses on his/her behalf. The petitioner shall be given a reasonable time to present the case.
 4. Members of the public who support the petitioner may speak and correspondence may be read.
 - a. The Chairperson may recess the meeting for a short time to allow those in support to caucus in order to choose a spokesperson to speak on their behalf for fifteen (15) minutes, if there are a large number of people present.
 - b. The Chairperson may allow anyone to speak in favor of the petitioner and may impose a time limit of three (3) minutes or less per speaker.
 5. Members of the public who oppose the petitioner may speak and correspondence may be read.
 - a. The Chairperson may recess the meeting for a short time to allow those in opposition to caucus in order to choose a spokesperson to speak on their behalf for fifteen (15) minutes, if there are a large number of people present, or
 - b. The Chairperson may allow anyone to speak in opposition to the petitioner and may impose a time limit of three (3) minutes or less per speaker.
 6. Rebuttal. Anyone may ask the Chairperson questions on presentations or statements given at this hearing. The Chairperson will seek an answer to the question. Responses shall be made to the Chairperson. No discussion, questioning or answering shall take place between any two or more people except between the Chairperson and the individual who has the floor.
 7. Close the Public Hearing (At which point all public participation on the issue ends).
- B. Business Session (may immediately follow public hearing or be held later in the meeting). (Action on pending case number _____)
 1. Discussion: Review of facts based on all information presented (from the application, zoning ordinance, physical characteristics of the parcels, staff reports, hearing testimony, etc.). Discussion continues until a member is confident enough to propose a motion that includes a conclusion and rationale explaining why conclusions are reached.

2. Discussion on the motion.
3. Action on the motion. Action may include approval, denial or postponing.

Section 4.5 - Minutes

The Commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations which record shall be a public record. Minutes shall be kept of each meeting, including hearings and site inspections, showing the date, time, place, members present, and members absent. All motions, who moved and who seconded, the reasons given, and the outcome, must be complete and precise, with roll call votes recorded. Less formal decisions should also be noted, with the gist of the discussion. The purpose for which any closed session is held shall be recorded, but not its discussion. Proposed minutes shall be available for public inspection not more than eight (8) days after the meeting to which they refer. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting at which they are approved.

ARTICLE V: OFFICERS OF THE COMMISSION

Section 5.1 - Officers of the Commission

The officers of the Commission shall consist of a Chairperson and Vice-Chairperson from its members, to serve for a period of one (1) year, or until successors are elected. Such officers shall be elected by a majority vote of a quorum of the Commission present at the time of election. The Commission may create and fill such other offices or committees as it may deem advisable.

Section 5.2 - Temporary Chair

At the annual organizational meeting, the Planning Commission will name a member as Pro-Tem of the Commission, to perform the duties of temporary chair in the absence of both the Chair and Vice-Chair. Likewise, when the Chair or Vice-Chair are presiding, they shall have the right to turn the duties of the chair over to the Pro-Tem, should the situation warrant.

ARTICLE VI: QUORUM

Section 6.1 - Quorum

A majority of the appointed members of the Commission present at a regular or special meeting shall constitute a quorum to take action at any meeting.

ARTICLE VII: DUTIES OF THE OFFICERS

Section 7.1 - The Chairperson

The Chairperson shall be the chief executive officer of the Commission and shall preside at all meetings of the Commission. He/She shall appoint all members to committees or advisory committees, subject to the approval of the Commission, established and provided by the Commission, and shall be an ex-officio member of all committees. He/She shall vote on all motions as a Commissioner. He/She shall sign all documents authorized by the Commission.

The Planning Director shall confer with the Chairperson of the Planning Commission in the preparation of meeting agendas. Action items to be placed before the Commission shall be submitted in accordance with the Commission's adopted Meeting Schedule & Mailing Dates. In the event an action item in need of immediate attention is presented after an established deadline date, the Planning Director shall confer with the Chairperson of the Planning Commission to determine if the item is to be included on the regular meeting agenda. The Planning Commission Chairperson shall decide the fate of the request, and that decision shall be final.

Section 7.2 - The Vice-Chairperson

- A. In the event that the office of the Chairperson becomes vacant by death, resignation, or otherwise, the Vice-Chairperson shall serve as Chairperson until a new Chairperson is elected.
- B. In the event of the absence of the Chairperson or his/her inability to discharge the duties of his/her office, such duties shall, for the time being, devolve upon the Vice-Chairperson.

Section 7.3 – Secretary and Recording Secretary

The Commission may appoint a Secretary or combine this position with the Chair Pro-Tem position. Duties typically assigned to a Recording Secretary shall be provided by the Leelanau County Planning Director or his/her designee. In this capacity, he/she shall record and transmit all minutes of all Planning Commission meetings in accordance with these bylaws. He/She shall be responsible for all correspondence and notices pertaining to meetings or other business of the Planning Commission. (See Section 4.6: Minutes)

ARTICLE VIII: ADVISORY COMMITTEES

Section 8.1 - Advisory Committees

The Commission may appoint and authorize ad-hoc advisory committees to advise the County Planning Commission on how to deal with issues of greater than local concern or on other matters that may arise. Members may consist of governmental officials and individuals whose experience, training and interest in the Commission's work qualifies them to lend valuable assistance to the Commission. The Commission may also appoint various committees of competent citizens to collect information and prepare reports to the Commission on those phases of the comprehensive planning program for which the Commission is primarily responsible.

Advisory committees shall conduct their meetings at a time and place set in accordance with the Open Meetings Act (Act 267, P.A. 1976, as amended). Written notice of meetings shall specify, by agenda, business to be transacted. Each advisory committee shall post a public notice stating the time, date and place of the meeting at least 18 hours before the meeting. The notice shall be posted at or near the County Planning Department and at the County Clerk's Office. Advisory committees without sufficient commissioners to consist of a quorum, and with business limited to providing recommendations to the commission are exempt of the preceding requirements.

ARTICLE IX: COMPENSATION

Section 9.1 - Compensation

Members of the Planning Commission may be compensated for their services as provided by the County Board, including reimbursement of mileage, and per diem. The Planning Commission may make and administer regulations relative to compensation for the travel of its members and employees when engaged in the performance of activities authorized by the County Planning Commission, including attendance at conferences and meetings.

ARTICLE X: COMMISSION BUDGET AND APPROPRIATIONS

Section 10.1 - Commission Budget and Appropriation

The Planning Commission shall review an annual budget prepared by the Planning Department. The County Board annually appropriates and makes available funds for carrying out the purposes and functions permitted under Act 33 of 2008, and Act 110 of 2006, as amended and may match County funds with federal, state, or other local government or private grants. The County Planning Commission may accept and use gifts and grants for Planning Commission purposes. Money so accepted shall be deposited with the County for expenditure by the Planning Commission for the purpose designated by the donor or Commission.

ARTICLE XI: ANNUAL REPORT

Section 11.1 - Annual Report

The Commission shall review an annual written report by the Planning Department to the County Board concerning its operations and the status of planning activities, including recommendations regarding actions by the County Board related to planning and development.

ARTICLE XII: AMENDMENT OF BYLAWS

Section 12.1 - Amendment of Bylaws

These by-laws, in whole or in part, may be altered, amended, added to or repealed by a majority vote of the total Commission membership at any regular or special meeting.

ARTICLE XIII: PARLIAMENTARY PRACTICE

Section 13.1 - Parliamentary Practice

For meetings of the Commission and those ad-hoc advisory committees, the rules of parliamentary practice as set forth in "Robert's Rules of Order" shall govern in all cases in which they are not inconsistent with the standing rules and orders of the Commission and not contrary to any existing laws of the State of Michigan.

Adopted by the Leelanau County Planning Commission, Thursday, July 24, 1975, at the Regular Meeting, with amendments through January 28, 2020.