

A REGULAR MEETING OF THE LEELANAU COUNTY PLANNING COMMISSION WAS HELD ON TUESDAY, JULY 28, 2020, AT THE LEELANAU COUNTY GOVERNMENT CENTER.

Proceedings of the meeting were recorded and are not the official record of the meeting. The formally approved written copy of the minutes will be the official record of the meeting.

CALL TO ORDER

Meeting was called to order at 5:30 p.m. by Chairman Goldschmidt who led the Pledge of Allegiance.

The meeting was held at the Leelanau County Government Center, 8527 E. Government Center Dr., Suttons Bay, MI and via ZOOM.

ROLL CALL

Members Present: D. Hubbell (5:36), R. Miller, T. Nixon, S. Yoder, C. Noonan
(via ZOOM)

Members Present: V. Goldschmidt, E. Winkelman, D. McCulloch,
(At Government Center) G. Carlson, M. Black, M. Lautner

Members Absent: None

Staff Present: T. Galla, Director, G. Myer, Senior Planner
(At Government Center)

Public Present: None

CONSIDERATION OF AGENDA

Motion by McCulloch, seconded by Winkelman, to accept the agenda as presented. Motion carried 10-0.

CONFLICT OF INTEREST – None.

PUBLIC COMMENT – None.

STAFF COMMENTS

Galla said the 2021 budget has been submitted to the County Board and they were able to hold the numbers steady. The next Household Hazardous Waste & Electronics Collection on September 12th in Peshawbestown, will include document shredding and the September 19th Tire Collection, will be held at the Government Center. Galla concluded, saying the Housing Action Committee’s presentation to the County Board will be in August.

(Hubbell present)

CONSIDERATION OF JUNE 23, 2020 MEETING MINUTES

Motion by McCulloch, seconded by Carlson, to accept the minutes as presented. Motion carried 11-0.

NEW BUSINESS

Capital Improvement Program (CIP)

Goldschmidt mentioned two items for review, a PolyCom and new server. Galla stated the current PolyCom System belonged to the courts and the county would like to purchase their own at a cost up to \$9,000.00. The new server cost is \$20,000.00. The PolyCom ranked a Priority 1 and the server ranked a Priority 2.

Motion by Winkelman, seconded by Black, to accept the CIP as amended, including page numbers on the table of contents.

Discussion ensued.

Winkelman suggested the table of contents page include the page numbers associated with each part. Lautner supported his suggestion and pointed out a typo on page 25.

Motion on the table carried 11-0.

Poster Plan for General Plan

Winkelman questioned where and how this document would be used. Galla stated it was a quick summary of the Leelanau General Plan and the idea is to have it available as a hand out, distribute them to municipalities and the Chamber of Commerce. Winkelman asked if it could be used as an introductory document on the county website to precede the Leelanau General Plan.

Nixon stated it was reader friendly. Yoder commented that it was a very attractive document. Miller questioned how the Map 5-2d looked on the printed copy because the contours seemed distorted to him. Hubbell praised staff for doing a good job.

Winkelman said it was a good beginning, staff should update it and bring it back for approval.

Motion by McCulloch, seconded by Winkelman, to accept the Poster Plan as presented, without modification. Motion carried 11-0.

Winkelman suggested sending a copy to Tom Nelson at the Leelanau Conservancy.

Proposed changes to Bylaws

Galla explained this was taken directly from the County Board of Commissioners Rules of Order and Procedures. Slight modifications were made to reflect the County Planning Commission members, instead of the Board.

Goldschmidt requested the proposed amendment be read. Galla read the amendment which was included in the meeting agenda packet.

Motion by McCulloch, seconded by Winkelman, to accept the proposed amendment to the Bylaws as read.

Discussion continued.

Nixon said #2 is troubling, we can only attend via ZOOM twice a year? Galla said this rule did not apply during COVID 19. Lautner said the two-meeting rule was put into place by the County Board in the beginning. It was for “dipping their toe” into the idea of attending via ZOOM. If the county is successful at getting the technology needed, she wouldn’t be surprised if the Board of Commissioner increased that number. Nixon said given that

explanation, do we even need #2 right now? Maybe we should wait until the pandemic is over to discuss amending the bylaws.

Hubbell agreed, he doesn't know if #2 is needed right now. Attending remotely removes the comradery, but until they figure out what is acceptable, they should just leave the bylaws alone. Miller agreed, item #2 should be deleted and revisited after COVID 19. He questions if Section 4.2 is saying individuals participating via ZOOM are not part of the quorum, do their votes count? McCulloch stated the quorum consists of those people on site, but the votes via ZOOM do count. Miller asked how that would stand up in court. Carlson questioned what the definition of "present" was. You are counted as present at the beginning of the meeting, and she feels that counts as part of the quorum.

Miller asked if those attending via ZOOM are not counted as part of the quorum in attendance, what is the majority vote is based on? Galla thought the reason for the onsite quorum is because if technical problems arise and those on ZOOM are lost, the meeting could continue if a quorum was on site. Lautner suggested staff take this amendment back to the County Administrator, through their attorney who helped draft the language, if members are not comfortable with the document. She does not want to stray too far away from the rules that the Board of Commissioners has set, because they were based on some logic. She is comfortable with #2, because once COVID 19 is over, it will already be in place.

Hubbell didn't see any language implementing procedures after the pandemic. The language as drafted, doesn't fix the quorum issue if the pandemic gets worse and it's not possible to attend in person. We need something to allow us to move forward via ZOOM. Yoder said the executive order allows them to move forward while attending via ZOOM. Once that lifts, then the amendments to the bylaws would take effect. The amendment doesn't affect what is happening right now. Nixon felt those present via ZOOM should be just as much a part of the quorum as those present in person.

Winkelman suggested approving the amendment, and passing their comments and concerns along to the County Administrator and the County Board, to see if they share in those concerns. Lautner supported this idea.

Ayes – 67 (Noonan, Yoder, Black, Carlson, Hubbell, Lautner, McCulloch, Winkelman)

No – 3 (Goldschmidt, Miller, Nixon)

Motion passed.

Galla stated if you pass this, it is going into your bylaws. Then you want to send your concerns to the County Board? Shouldn't the questions be raised first so that the county's attorney can respond before it goes into the bylaws? Goldschmidt stated if they are not satisfied with it, they should get their act together before they put it into the bylaws. The only motion to go ahead with now is to postpone the vote or make a motion to suspend or table the motion. Lautner stated that the motion had already passed by a majority vote.

Motion by Winkelman to put the "passed motion" in a state of suspended animation until they hear from the County Administrator and the County Board. Motion failed for lack of second.

Goldschmidt said staff could simply take this as an "action item" to go along with the previous motion passed.

Galla said she interrupted earlier because she felt the members attending via ZOOM didn't hear the motion and were not sure which way they were voting. However, commissioner Lautner is correct, you did already have a majority vote to pass the motion.

Lautner stated the number of meetings allowed via ZOOM will be addressed once the pandemic is over. Meeting via ZOOM is confusing, disruptive, and you clearly can't hear what is going on. Nixon asked for clarification on what the approved motion included because he wanted to be sure that they approved the proposed changes as

presented. Lautner assured members that as the County Board representative, she will take all the comments and concerns to the County Board.

Elmwood Township – Uses & Procedures for Approval in Neighborhood Commercial (NC)

Galla briefly reviewed the staff report, stating this amendment is changing some of the uses and procedures in Neighborhood Commercial (NC). The intent of the townships NC District is to develop it as a seamless blend of commercial, public, and residential uses. NC zoning district uses shall be designed with pedestrian accessibility in mind to minimize auto dependency. Galla continued, stating staff didn't find any concerns with the language. This amendment changes #56 Kennels from site plan review with planning commission approval (Psp) to Special Use Permit (SUP). The proposed text also removes #68, seasonal indoor vehicle storage including boats, and removes #75, Vehicle Service, from Section 5.4. The online edition of the township zoning ordinance shows #74 as Vehicle Service, not #75. Galla concluded, saying the proposed text also amends #83, Mini Warehouse, but the online edition shows Mini Warehousing as #82 in Section 5.4, not #83.

Goldschmidt noted in the motion made at the township, the transfer for public hearing does not go to the township board, it comes to the county Planning Commission. Also, no one was present at the public hearing for this hot topic, were proper procedures followed with regard to publishing the notice?

Motion by Winkelman, seconded by McCulloch, to forward staff report, minutes and all comments to Elmwood Township Planning Commission. Motion carried 11-0

ZBA Training Session – September 23 (webinar)

Galla stated this session will now be a webinar and they need to decide on a time and if they will charge participants to attend. In the past, they have charged \$20.00 - \$40.00, which included food and handouts. Mary Reilley's charge for this webinar is \$300.00. Do members want to take this out of their Training budget? Galla explained that if they use money from their budget to cover the cost, then only residents of Leelanau County will be invited.

Discussion ensued.

Galla asked if members wanted to open enrollment up to people outside Leelanau County. Nixon asked about pre-enrollment to get an idea of how many people might participate.

Members agreed to the 5:30 – 7:30 p.m. time for the webinar.

Motion by Nixon, seconded by Yoder, to use funds currently in the training budget to host this webinar, to begin at 5:30 p.m. Motion carried 10-0. Winkelman opposed.

Outreach to Townships/Villages

Noonan said Empire Township passed a motion to put a mileage increase for the fire department on the ballot.

Hubbell mentioned the sewer point of sale inspection ordinance Centerville Township is working on. Goldschmidt said he wants to get in touch with the townships to find out what they want from the Planning Commission. How can they have a better relationship? He would like to revisit this again next month.

REPORTS

Education Committee

Winkelman suggested discussing tourism in the future because the county is doing very well right now with everyone coming up here instead of flying somewhere else. Leelanau County is enjoying a hidden benefit of COVID 19, but in the future this benefit could go by the wayside.

Housing Action Committee – Nothing to report.

Parks & Recreation Committee

Noonan said remodeling of the grub shack is taking place soon and they are still working on Veronica Valley grant.

Reports from LCPC members of attendance at township/village meetings, or other meetings/training

Nothing to report.

COMMUNICATIONS – Planning & Zoning News was available.

PUBLIC COMMENTS – None.

STAFF COMMENTS – None.

COMMISSIONER & CHAIRPERSON COMMENTS

Winkelman stated work on Bohemian Rd. will be done the end of August. He also mentioned the article in the *Leelanau Enterprise* about the county road commission and said the election may solve some of their issues.

Goldschmidt said “thank you, we have a great gang!”

Meeting adjourned at 6:51p.m.