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# COUNTY OF ALLEGAN

## PLANNING COMMISSION

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KELLE TOBOLIC, Chairperson  
3255 – 122<sup>nd</sup> Avenue, Ste 103  
County Services Building  
Allegan, Michigan 49010-1350  
email: kelle623@sbcglobal.net

## MINUTES

**Meeting Date:** August 10, 2009  
**Meeting Time:** 1:30 P.M.  
**Location:** County Services Complex at Dumont Lake  
Human Services Building, Karl Zimmerman Room

### 1. Call to Order.

The regular monthly meeting of the Allegan County Planning Commission was called to order by Chairman, Kelle Tobolic at 1:25 P.M.

### 2. Roll Call.

Members present: John Bouterse, Ken Pardee, Kelle Tobolic, Marv Voss, Tom Vogeler, Sam Dykstra, Dawn Buist, Fritz Spreitzer, Terry Burns, and Jackie DeZwaan

Also present were: Ronda Foreman, Recording Secretary; Bill Hinz, Environmental Health Director

### 3. Approval of Agenda.

A motion was made by Buist, seconded by Voss to approve the agenda as presented. The motion carried by everyone present.

### 4. Approval of Meeting Minutes from July 13, 2009.

Bouterse requested amendments to the July 13, 2009 meeting minutes under Item 28. Round Table, to correct a name misspelling and misinformation to now read: "Karen Slater, the Dorr Township Planning Commission Secretary, is resigning after being with the Township for a number of years; now there are three openings they are looking to fill." A motion was made by Bouterse, seconded by Pardee to approve the meeting minutes from July 13, 2009 as amended. The motion carried by everyone present.

### 5. Approval of Expenditures as of August 4, 2009.

Voss stated there are three expenditures showing on the report; one for \$1500 to LSL for the Master Plan Update project; the remaining reimbursements for 2nd quarter per diem and travel expenses; and lastly, Voss's registration and mileage reimbursement for the MSU Citizen Planner Advanced Academy workshop he attended in Lansing the end of June. A motion was made by Voss, seconded by Vogeler to approve the expenditure report printed on August 4, 2009 as presented. The motion carried unanimously.

A discussion ensued regarding the Expenditure Detail Report that is included in the monthly meeting agenda packets. Voss stated Foreman always runs two expenditure reports; the Expenditure Detail Report is a lengthier report detailing all expenditures under each item category; and the Expenditure Status Report shows the total expenditure and balance under each category but is not itemized. The Expenditure Status Report is emailed to Voss but is not included in the agenda packets. Voss was asked if he felt it necessary to include the Expenditure Detail Report in the agenda packets, or would the Expenditure Status Report be sufficient. As Treasurer, Voss stated he always reviews both reports and does not feel the Expenditure Detail Report is necessary in the agenda packets as long as the Planning Commission is okay with the shorter status report. With everyone in agreement, Foreman will include the Expenditure Status Report only in the monthly meeting agenda packets beginning with the September 14, 2009 meeting.

**6. Public Participation.**

None.

**7. Discussion and Presentation Items:**

Continue review and discussion of the Michigan Planning Enabling Act33 of 2008, the Michigan Zoning Enabling Act110 of 2006, and the Review of the Michigan Planning Enabling Act33 of 2008.

Tobolic stated the last discussion ended with us questioning what the County’s position is in regards to the Planning Commission’s involvement in decisions and what must be presented to them. Spreitzer stated the question is not what the County wants but what Michigan State mandates for county planning commissions. As Spreitzer perused the Michigan Planning Enabling Act33 of 2008, he remarked one change for the bylaws is under Sec. 15(9): “The (Board of Commissioners) may remove a member of the PC for misfeasance, malfeasance, and nonfeasance in office upon written charges and after a public hearing.” Concerning capital improvements, Sec. 61(2) states “Following the adoption of the county plan...work shall not be initiated on any project involving the expenditure of money by a county board...for the *acquisition on land, the erection of structures, or the extension, construction, or improvement of any physical facility*...unless a full description of the project has been submitted to the PC and the report and advice of the PC on the proposal has been received by the BOC...” Spreitzer stated there are a number of items coming up in the County. For instance the jail and Sheriff’s office, though there are no drawings or funding yet, and there has been a lot of discussion about moving Administration back downtown; these issues will have to come before the PC for review. Voss asked about the animal shelter; Spreitzer stated they gave a presentation to the BOC a while back. Tobolic stated shouldn’t the animal shelter be mentioned in the master plan; all capital improvements must be in the master plan. Spreitzer stated the MP was approved by the BOC about a year and a half ago, although it excluded some purchasing of property. Tobolic reiterated that anything the County or BOC does, MI law states the PC should know about it. Spreitzer will stop by Administration after the meeting and speak to them about the PC not being included in these issues and about how the law reads; we need to make sure we are being informed. It was suggested that it would be helpful if Rob Sarro attend a meeting to let the Planning Commission know what is going on and Spreitzer stated he will mention that when he goes to Administration.

**8. Commission Business:**

a. The election of Jackie DeZwaan for a three-year term was approved by the Board of Commissioners on July 30, 2009; term to expire on June 9, 2012.

As an elected official on the Allegan County Board of Commissioners, Spreitzer swore in Jackie DeZwaan to qualify her as a member of the Allegan County Planning Commission representing Lee, Casco, and Ganges Townships as recommended and approved by the Board of Commissioners.

b. Vacant seat: City of Otsego and Otsego Township representative, Allegan County Planning Commission. Tobolic asked if anyone knows of a candidate in the Otsego area who would be interested in serving on the County Planning Commission. Spreitzer stated Board of Commissioner, Jon Campbell, is speaking with the City of Otsego Supervisor to see if he knows of anyone who may be interested. In the interim, Ken Pardee will represent the City of Otsego and Otsego Township for any upcoming rezoning requests and zoning ordinance amendments.

**9. Continuing Education:**

None.

**10. Communications:**

None.

**11. Final Actions Received:**

None.

**12. Received for Notice:**

None.

**13. Received for Information:**

**State of Michigan – Department of Agriculture**

Annual packet of new / modified / terminated Landowner Farmland and Open Space Preservation Act of 1974 contracts from the State of Michigan.

**14. Received for Review:**

None.

**15. Monterey Township PA116 – Spreitzer, Pardee**

Acreage in cultivation is 75 for Parcel Number 16-027-006-10.

Spreitzer and Pardee reviewed the Monterey Township PA116 for Parcel Number 16-027-006-10, along with Rich Haugh, and recommend approval by the Allegan County Planning Commission. Foreman stated she was informed by Monterey Township the application was approved at their July 2009 meeting. A motion was made by Spreitzer, seconded by Pardee to approve the Monterey Township PA116 application as recommended by the Township. The motion passed unanimously.

**16. Dorr Township Ordinance Amendment - Bouterse**

The proposed text amendment would add a new section to the general provisions of the Dorr Township Zoning Ordinance which addresses the composting of yard waste in the Township including the establishment of composting facilities which are regulated by the Michigan Department of Environmental Quality. The text amendment was approved by the Local Planning Commission on July 21, 2009.

Ayes 4; Nays 0; Absent 1; Abstaining 0

Bouterse stated this proposed text amendment has been going on for some time; the Township discovered they were on the wrong side of Michigan State Law regarding yard waste and recycling compost including the establishment of composting facilities. The issue was not addressed in the zoning ordinance and the capacity for yard clippings and waste was questioned by the planner and attorney representing the township. Once a property owner meets a certain threshold, they are considered either a farm or business. The township had to make sure the amendment was legal on the ordinance front. A motion was made by Bouterse, seconded by Pardee to approve the text amendment as recommended by the Township. The motion passed unanimously.

Ayes 10; Nays 0; Absent 0; Abstaining 0

**Standing Committee Reports:**

**17. L.I.S. – Valdis Kalnins, Director**

None.

**18. County Master Plan Committee – Vogeler**

Vogeler stated the County Master Plan Committee meeting was canceled this morning due to Kalnins being on vacation. Next month he should have the six completed chapters of the Master Plan Update for the Commission to review.

**19. Work Program Committee – Pardee**

Pardee stated the Work Program Committee is meeting today following the Planning Commission meeting and has nothing to report at this time.

**20. Dept. of Public Works – Rininger**

None.

**21. Parks Commission / Recreation & Tourism – Spreitzer, Tobolic**

Tobolic reports the Board of Commissioners approved the \$32,000 change order to the boat launch ramp project at New Richmond Bridge Park. The funds were available and did not require any additional appropriation but because of a change order of that size in the contract, Kevin Ricco had to present it to the BOC for their approval. Construction can begin once the steel is delivered in the next couple of weeks and once the ramp is done, they can put in the parking lot. Due to the lousy weather and issue with the boat launch, the September 30 completion date may not happen and Ricco may have to ask the DNR for an extension of the grant funding. The equestrian trails are getting marked although there are still areas in Silver Creek Park that are flooded. Regarding park revenue for the year, season pass sales are doing well although the parks are down, again due to the bad weather. Burns stated he does a local radio talk show with fellow Board of Commissioner, Steve McNeal, on Friday mornings and they have received calls regarding the construction at New Richmond Bridge Park boat launch; this coming Friday, Ricco will be joining them on-air to answer call-ins.

**22. Region 8 – Burns**

Burns stated the next meeting will be held in September and has nothing to report at this time.

**23. Resource Recovery – Hinz**

None.

**24. Board of Commissioners – Burns, Spreitzer**

Spreitzer stated last month the Board of Commissioners received yearly reports from the Sheriff Office, Health Department, and Coroner Office. Also received was an in depth report for an economic development proposal for getting a committee setup in the County. The proposal was presented to the BOC to give them information so they have something to act on in the future. It's an item that some localities are already doing by themselves and the consensus is the County needs a committee to get more people involved.

Last Thursday, Burns attended a meeting with the emergency management teams from Allegan and Ottawa Counties, fellow Commissioners Casey Jones, Jon Campbell, and Mark DeYoung, plus Ottawa County Commissioners and State Representatives, at Holland City Hall. The discussion was regarding the severe flooding and damage in Allegan and Ottawa Counties after the storms in June and found we did not meet the criteria for Federal Aid. The criterion is about 13 million dollars total damage and we had 9 million dollars in total damage, although individually the combined total was over 30 million. There is nothing there for the individual except Public Act 319 which allocates each county 30 million dollars, but that has already been used. The Road Commission is almost \$900,000 in debt and unable to fix a lot of the damage; now they are faced with a bad situation for safety purposes. Burns stated he is very disappointed with the State from the top down. The County is now looking at how to get some of the stimulus funds.

**25. Education – Buist**

Buist stated that most schools are scrambling for the stimulus money by developing new programs for their students. In two to three years time, the schools don't know how they will continue to fund them because they already have a hard time funding what they have now.

**26. Discussion and Presentation Items:**

M-40/M-89 Corridor Committee Meeting – Voss

Voss updated the Commission on the bridge projects along the M-40/M-89 corridor; the two that were in Allegan on M-222 and M-89 are finished, and the bridgework in Hamilton is still in progress and expected to be completed by the time school starts. Voss also reported the State is doing a study on two intersections located in Allegan; they are trying to decide whether to change them, possibly making the turns wider for trucks but must also consider the pedestrians at the two crossings.

**27. Public Participation:**

None.

**28. Round Table:**

Tobolic thanked DeZwaan for serving on the Allegan County Planning Commission.

**29. Adjournment:**

A motion was made by Dykstra, seconded by Bouterse to adjourn the meeting at 2:25P.M. The motion passed with a unanimous vote.

The next regular meeting of the Allegan County Planning Commission will be held on Monday, September 14, 2009 at 1:30 P.M., in the Human Services Building, County Services Complex, 3255 – 122<sup>nd</sup> Avenue, Allegan, Michigan.

Minutes respectfully submitted by Ronda Foreman, Recording Secretary for the Allegan County Planning Commission.