

# Allegan County Board of Commissioners



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## **COUNTY SERVICES COMMITTEE MEETING – Minutes (Approved 4/28/11)**

Thursday, March 17, 2011 @ 1:30 P.M.

Nederveld Conference Room – County Services Building

### **CALL TO ORDER:**

County Services Committee Chairman Van Eck called the meeting to order. The following were in attendance:

### **ROLL CALL:**

Commissioner Paul Van Eck  
Commissioner Steve McNeal  
Commissioner Jon Campbell  
Commissioner Terry Burns  
Commissioner Bill Sage

### **OTHERS:**

Commissioner Mark DeYoung  
Commissioner Max Thiele  
Robert Sarro, County Administrator  
Valdis Kalnins, LIS Director  
Marv Voss, Planning Commission  
Fritz Spreitzer, Planning Commission  
Denise Stan, Executive Assistant - Administration

### **APPROVAL OF AGENDA:**

Motion by Commissioner McNeal, supported by Commissioner Sage to approve the agenda as presented. MC

### **APPROVAL OF MINUTES:**

Motion by Commissioner Sage, supported by Commissioner Campbell to approve the minutes of the March 3, 2011 meeting. Motion carried unanimously.

### **PUBLIC PARTICIPATION:** None

### **ITEMS:**

### **County Planning Commission – continued discussion.**

County Administrator Rob Sarro provided material that outlined decision points that would assist the Board of Commissioners with regard to how to proceed with their decision to go forward or not with a county planning commission (attached to minutes).

#### **Mission Statement**

“The Allegan County Board of Commissioners shall plan, develop, and evaluate the necessary policies and resources to ensure our county continues to progress and prosper”

The material outlined included:

- A flowchart that outlines those steps to be considered
- Decision 1 – County Projects that relates to the review of the county projects typically proposed and developed by a county department or the Board of Commissioners (BOC)
- Decision 2 – Master Plan that relates to developing, formally adopting and maintaining a County Master Plan as a legally recognized document
- Decision 3 – Local Review that relates to county review of local zoning changes and proposed master plans. Following a review of the request by the Local Planning Commission, local units of government are required to notice the county when they plan to rezone land, amend their zoning ordinances and prepare new Master Plans
- Budget Analysis Spreadsheet

In general, if a county has a planning commission (PC), they may do a master plan, however the new zoning act gives an option with or without a PC to waive their review process. Rob also explained the best way to come to a final decision would be to answer decision points in order; a decision on #1, then #2, and finally #3.

General Comments:

- County ***may*** have a PC
- County ***may*** have a master plan
- If county has a PC it ***must*** have a master plan
- A 5-year review scheduled only as a review; doesn't mandate amendments or a new plan
- Zoning act relative to data from townships comes to the county; zoning act mandates the transfer; the transfer only happens when a specific request by the county goes to the townships, they have to comply
- Zoning Act doesn't say all information has to be relayed to the PC, only results from the county saying to the township they want this review
- Only way to mandate information is to come from township, county has to ask them for it; but their review is still advisory
- If there is a PC, it is mandated that the information is from township to the County unless the County waives the right to receive the information; the opposite that he relayed is not true.

Commissioner McNeal offered - If the cost of a review is around \$175-\$200, what would be wrong saying that is what the charge is to review these things which could be passed on to the developer or at the township/city level? It is a real cost and it needs to get paid for.

There was a suggestion to develop a questionnaire to townships. If PC stays in existence, do they want to pay \$200 per review or opt out of the program?

Chairman Van Eck indicated he would like to ask townships how they feel about this planning commission. He likes the idea of the questionnaire. He also said it is good input from the PC when they have found some problems on zoning reviews; PC gave good input and took back to the township and they fixed it.

Commissioner Campbell asked if we do not enact the new ordinance by July, can we do one later. Since the townships appear to see value, he'd like a questionnaire go out to see if they would like to pay for it.

Commissioner Jessup thinks we can just go ahead and assign a cost to it. In the future, this is what it will be, and it would cover costs of the PC. The questions should be directed to the township boards. If we form the ordinance and do it and have all requirements and townships see value in it, they should share in the cost.

Rob suggested we could do an online survey (best and quickest). What he hasn't seen from surveys is the correlation between the agency and the response – almost an anonymous. He'd have to check on that. His concern, there are cost breakouts. We haven't been able to get answers to what that is, and is there a cost benefit model. There aren't any new items that the enabling act did. What they did was pulled together three existing acts. Without identifying what is going to happen in the future, we don't know where the other resources will come from that we need.

Commissioner Thiele informed that the two new laws and the goal may have been admirable, but it is confusing. We've assumed that submission of information from townships to the county is referred to as development requests; land use. Zoning Act says the exchange of information is relevant to passing of a zoning ordinance in the township. If township is going to pass zoning, public hearing, before legislative body of township passes it has to come to the county. Those submissions are not necessarily zoning ordinances. Only thing that comes to the county is the zoning ordinance amendments that don't include variances (land specific). If it's parcel specific, doesn't need an amendment. If we pass an ordinance we are mandating that we have to pay for it. We can still waive our right to review.

Rob indicated that the material presented today was to help the Boards decision; if the committee could answer the first, then the second, and then the last it would easily come to a final conclusion, but the first decision point was not answered.

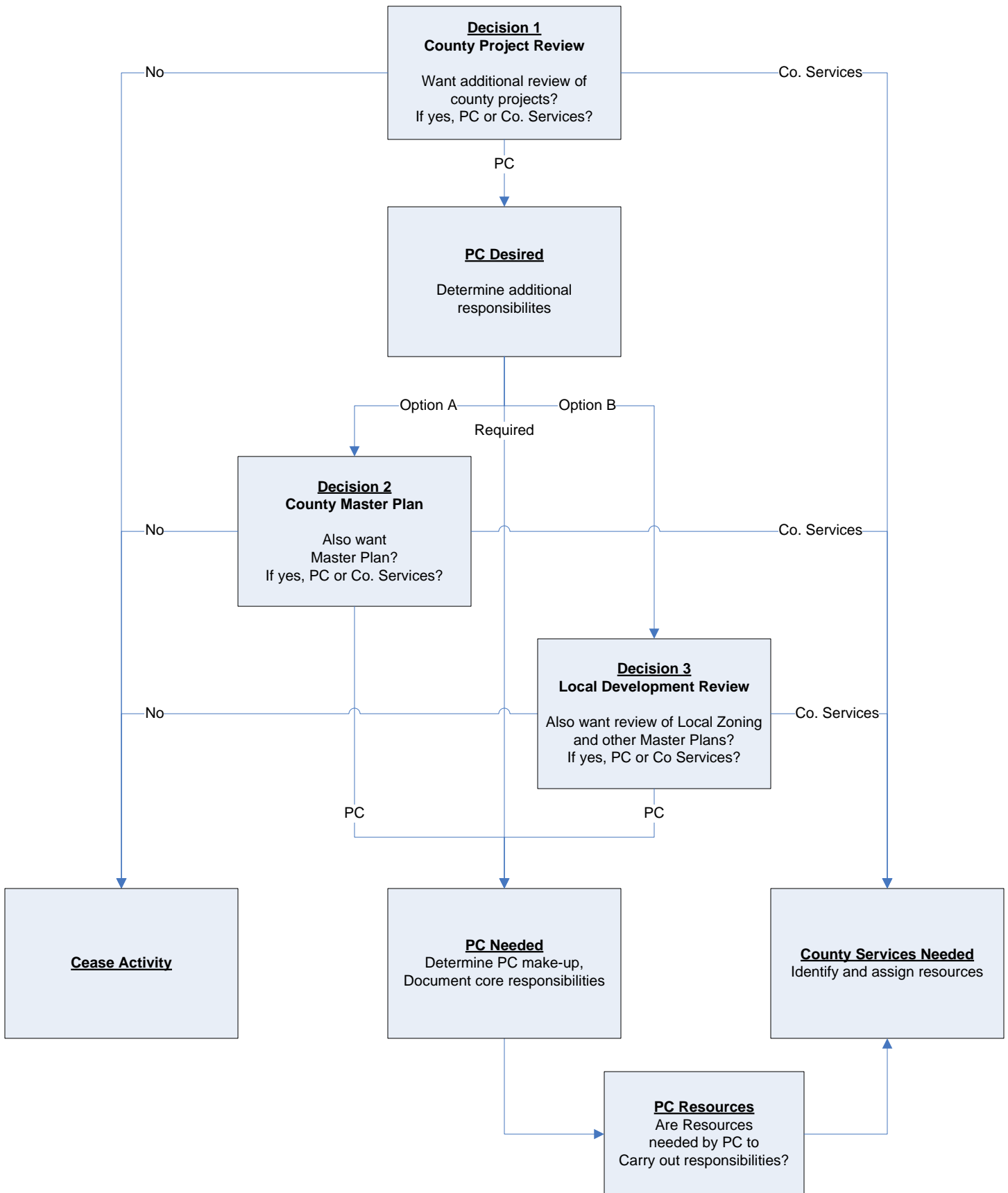
Motion by Commissioner Campbell, supported by Commissioner Jessup to authorize the County Administrator to draft a letter and questionnaire to go out to all townships (excluding Lee) to review with their boards, to include items discussed today including the anticipated service charge for reviews. Motion carried unanimously. Results would be brought back to the next scheduled County Services Meeting in April.

**ADJOURNMENT:**

Motion by Commission Campbell, supported by Commissioner McNeal to adjourn the meeting at 3:20 PM. Motion carried unanimously.

Next Meeting – April 28, 2011 @ 4:00 PM – Nederveld Conference Room, County Services Building – *(UNLESS NOTIFIED OTHERWISE)*

*Draft Minutes submitted by Denise Stan, Executive Assistant – Administration*



**Decision 1**  
**County Project Review**

Want additional review of county projects?  
If yes, PC or Co. Services?

PC

**PC Desired**

Determine additional responsibilities

Option A

Option B

Required

**Decision 2**  
**County Master Plan**

Also want Master Plan?  
If yes, PC or Co. Services?

Co. Services

**Decision 3**  
**Local Development Review**

Also want review of Local Zoning and other Master Plans?  
If yes, PC or Co Services?

Co. Services

**Cease Activity**

**PC Needed**

Determine PC make-up,  
Document core responsibilities

**PC Resources**

Are Resources needed by PC to  
Carry out responsibilities?

**County Services Needed**

Identify and assign resources

## ***Decision #1 – County Projects***

**Overview:** This decision relates to the review of the county projects typically proposed and developed by a county department or the Board of Commissioners (BOC). This would be an additional review since these projects are typically included in either the county's Capital Improvement Plan (CIP) developed annually as part of the budget or in some other department-level plan that is reviewed by County Administration and the BOC. Relevant projects for the purpose of this discussion are defined in the CIP as:

- a. Any acquisition of land (transfer of land out of public ownership);
- b. Any construction of a new facility (e.g., a public building, or water lines, playfield, or the like) or an addition to, or extension of, such a facility that modifies the external appearance;
- c. New or expanded public roads and other transit systems, including private roads or new roads;
- d. Utilities (public); or
- e. Any other improvement that is normally subject to a zoning permit, but because it is county-owned is not subject to zoning and the project should be reviewed by the County Planning Commission for planning and zoning compatibility.

**Current Cost:** Both the old and new Planning Acts specify that county projects must be reviewed by a PC if a PC has been established. The current cost of the PC without any support services is \$4,160 in per diem for 11 members who meet monthly. There are probably about 5 projects that would come before the Planning Commission on an annual basis (mainly from Facilities, Parks and Transportation) at a cost of \$100 a piece (presenters prep and attendance time, materials distribution, comment processing) for a total annual cost of \$500 in addition to PC assuming PC members conduct entire review.

**Key Considerations:** Philosophically, the intent of having county projects reviewed by a PC is to provide value-added comment from an independent citizen body knowledgeable in planning and to coordinate the physical (land use) development of the county. As such, what does the county want to achieve through these reviews (if anything) and are the organizational structures, responsibilities and resources currently in place to support this activity and achieve these goals?

**Options:** The following three options are possible:

1. **No review** – assumes PC is discontinued (otherwise this isn't an option):
  - a. Results in a cost savings (at a minimum, the cost of PC per diem and project presentations).
  - b. Eliminates a step and time from the project approval process.
  - c. Risk of unknowingly going against local zoning ordinances and local master plans if local unit is not involved in project review.
  - d. Project may conflict with County Master Plan to the extent that the Plan outlines clear land use goals for the County.
  - e. Projects may lack coordination if they are not considered in the context of a broader land use plan.
  - f. Project would not be considered from a land use planning perspective.

2. **Discretionary review by County Services** – assumes projects would be likely reviewed by LIS, County Development or Contracted Planner (as they are already reviewed by admin, finance and BOC as part of approval process):
  - a. LIS or County Development could review county projects using the same criteria outlined in the proposed Master Plan.
  - b. This review would come at the cost of other departmental activity.
  - c. Quality and value of review will vary with the knowledge and effort of internal staff assigned or contracted Planner. The county doesn't have a certified planner on staff.
  - d. This review would be objective but not necessarily viewed as independent by the public. Review may or may not form part of the official record.
3. **Statutory review by Planning Commission** – assumes PC is re-established under new law and evaluates projects without the support of county services. The proposed Master Plan outlines the following criteria for PC review:
  - a. Consider the local zoning ordinances and master plan in effect for the jurisdiction in which the project is to be carried out, acknowledging and explaining any compliance issues in the review.
  - b. Consider the project in the context of all applicable recommendations made in the Master Plan. Any exceptions or deviances will be acknowledged and explained in the review.
  - c. Under the premise that the PC represents a citizen body (though members are appointed by the BOC), this could be considered an independent citizens review.
  - d. Quality and value of review will vary with the knowledge, engagement and effort of PC members.
  - e. Review by PC is officially recognized which may be a positive or negative depending on the outcome of the PC review.
  - f. PC can be an advocate of project to the extent that PC members are active in their communities and support it.

## ***Decision #2 – Master Plan***

**Overview:** This decision relates to developing, formally adopting and maintaining a County Master Plan as a legally recognized document. A Master Plan typically contains the following four elements:

*County Report* contains information about the county (demographics, economy, natural resources, tax base, transportation, facilities, etc.) with some analysis and trending.

*Land Use Issues and Recommendations* identifies major land use issues faced by the county and makes land use recommendations for the county as a whole.

A *Future Land Use Map* outlines how the county is to be developed in terms of land use. Other maps are also included.

A *Strategic Plan* with goals and objectives for tackling selected land use issues.

When these four elements are assembled in a single plan and adopted by the PC and BOC through the process outlined in the Planning Act, it becomes a legally recognized document called a County Master Plan that must be reviewed and updated every 5 years.

**Current Cost:** The current Master Plan will cost \$22,000 by the time it is adopted. The same content could be maintained for about \$15,000 every 5 years or \$3,000 annually given the high quality of the current template. The following outlines anticipated future costs for each section:

\$2,000 annually (50 hours of internal/contracted labor) to maintain the County Report portion of the Master Plan up-to-date (or \$10,000 every five years).

Major issues may change gradually over time and some of the land use recommendations could be enhanced, but annual review/revisions not needed. \$2,000 every 5 years (50 hours of internal /contracted labor) to maintain this portion of the Master Plan.

Through automated routines, producing the maps is no longer a significant undertaking. However, there is still a cost to maintaining the GIS layers used in those maps especially the current local zoning and future land use layers which are constantly changing. While a portion of this maintenance cost is covered by local units in updating their official maps through LIS, about half still use private sector service providers. To maintain an accurate county-wide zoning and future land use layer requires about \$600 annually (20 hours) or \$3,000 every five years in LIS labor cost. This assumes the future land use map of the county continues to be an aggregate of local future land use maps.

While the proposed Master Plan has a general strategic outline identifying three priority areas (utility mapping, farmland preservation and zoning uniformity) no funding or resources have been requested by or allocated to the PC for pursuing these initiatives. A minimum of 250 hours annual internal or contracted labor would be needed to make tangible progress on any of these initiatives at a cost of \$10,000.

Finally, formally adopting and maintaining a County Master Plan as a legally recognized document entails the cost of the PC (currently \$4,160 in per diem with 11 members) + cost of formal adoption process (internal, admin and BOC resources).

**Key Considerations:** Philosophically, the intent of creating a Master Plan is to have an enforceable document to control the physical development (land use) of a jurisdiction balancing the wishes of residents with desired development outcomes. While a Master Plan is extremely useful in jurisdictions that exercise zoning authority, many counties are challenged to make full

use of a Master Plan as neither the recommendations nor future land use plans are enforceable unless zoning authority has been transferred to the county and it has the resources to carry out this responsibility. As such, what does the county want to achieve through its Master Plan and are the organizational structures, responsibilities and resources currently in place to support this activity and achieve these goals?

**Options:** The following three options are possible:

1. **No Master Plan**
  - a. Results in cost savings (PC may be discontinued, Master Plan maintenance cost reduced, no adoption cost).
  - b. Results in cost savings/avoidance (internal department or contracted services) if no planning projects are pursued.
  - c. The county no longer has legally recognized criteria by which to evaluate county projects and comment on local zoning changes and plans.
  - d. County leaders lose a tool for guiding policy and budget decisions.
  - e. Public, private sector and grant writers lose a single-source reference for summary information about the county.
2. **Discretionary Plan by County Services** – Such a plan could contain any of the elements outlined in the overview, but would not be called a Master Plan and would not be a legally recognized document insofar as allowing the county to provide comment on local land use decisions and plans.
  - a. May result in cost savings (PC may be discontinued, selected portions of Master Plan may be omitted, no adoption cost) depending on extent to which resources are allocated to working on planning projects and initiatives.
  - b. Maintaining a portion of the Master Plan will come at the cost of other departmental activity as support for this activity has not clearly assigned or budgeted at the department level. LIS has provided support to the Planning Commission for the 1999 and 2010 Master Plans.
3. **Legal Master Plan by Planning Commission:**
  - a. Allows the County, through the Planning Commission, to comment in an advisory capacity on physical (land use) development activities within the county. While comments are advisory in nature, there is some power in a County Planning Commission being on record for approving or disapproving of a proposed development activity or land use change at the municipal level.
  - b. Can be an instrument for guiding development and land use through a Future Land Use Map developed with broad stakeholder input and the overall needs of the county in mind. However, this is generally more useful in areas where planning and zoning authority exists at the county level with direct control over activities at the municipal level. Since this is not the case in Allegan, the draft Future Land Use map of the county is simply an aggregation of local Future Land Use maps and therefore, does not conflict with them.
  - c. Can identify major issues faced by the county and formulate strategies for dealing with them. However, additional internal or contracted resources are typically needed to carry out these strategies.



- d. To keep the Master Plan current, annual updates to selected portions would be required (or a major revision needed every 5 years). To keep it legally recognized these amendments would need to go through a formal adoption process on an annual (or five-year) basis.

## ***Decision #3 – Local Review***

**Overview:** This decision relates to county review of local zoning changes and proposed master plans. Following a review of the request by the Local Planning Commission, local units of government are required to notice the county when they plan to rezone land, amend their zoning ordinances and prepare new Master Plans. The county has the option of commenting on these proposed changes and plans through the BOC or PC if desired. Following a comment period, the Local Board reviews and takes action on the change.

For example, the PC sent out 65 copies of the proposed County Master Plan for review and received comments from 2 townships, 2 cities and 1 county. Receipt was acknowledged by several others.

The PC fairly consistently reviews about 40 items from local government (rezoning requests, zoning amendments and master plans). Current practice calls for the PC member assigned to the originating township to review the item prior to the PC meeting and present to the rest of the PC at the meeting. With few exceptions, following some discussion, the action taken by the local Planning Commission is approved and the local unit is notified.

**Current Cost:** Minimum \$175 per review if done by PC, at least \$200 if cost to local government is factored in. Formula: Cost of PC (currently \$4,160 in per diem) + Recording Secretary (\$9,955) spending 50% of all activity on review processing / 40 average review items per year + LIS mapping and presentation (\$150 for 10 rezonings).

**Key Considerations:** Philosophically, the intent of reviewing local zoning ordinances and master plans is to ensure that they are consistent with broader county-level land use goals as typically outlined in a County Master Plan. The need for review is tied to the extent that the County takes a strong stance on, has authority over, wants to keep track of, or has a desire to influence local land use. As such, what does the county want to achieve through the review of local zoning ordinances and master plans and are the organizational structures, responsibilities and resources currently in place to support this activity and achieve these goals?

**Options:** The following three options are possible:

1. **No Review**
  - a. Results in cost savings (PC may be discontinued, legal Master Plan may not be required, Recording Secretary not needed).
  - b. Information about zoning ordinances and master plans is less likely to be shared across the county to the extent that PC minutes are read and reviewed at the local level.
  - c. County may lose sense of local land use issues to the extent that this information is captured, communicated to county leaders and utilized by the county.
2. **Review by County Services** – The county can continue to receive information and may opt to review proposed land use changes if desired.
  - a. Some cost savings (PC may be discontinued, legal Master Plan may not be required, Recording Secretary not needed).
  - b. Some cost increases as county staff are not currently assigned any review responsibilities.
3. **Review by Planning Commission:**

- a. Allows the County, through the Planning Commission, to comment on physical (land use) development activities within the county. While comments are advisory in nature, there is some power in a County Planning Commission being on record for approving or disapproving of a proposed development activity or land use change at the municipal level.
- b. Reviews may add value to local government land use decisions and may help align them to county goals. This is contingent on the extent to which PC members are knowledgeable in planning, the review is thorough and useful, the county has a clear land use vision and goals that can be communicated through the review, and local governments are willing to incorporate suggestions.

## Planning Commission Budget Impact Analysis - 3/15/2011

**Table 1. Planning Commission Expenditures**

	Budgeted	Actual	Actual	Actual	
Grouped Activity	2011	2010	2009	2008	
Per Diem	5,391	4,158	3,850	4,767	
Prof Dev	4,360	2,481	2,582	3,593	Travel, education, memberships and subscriptions
Rec Sec	10,500	9,955	9,046	15,188	All salaries and benefits except per diem
Miscellaneous	150	-	240	282	Office Supplies
Special Projects	2,000	-	9,758	-	Master Plan
<b>Total Actual</b>		<b>16,594</b>	<b>25,477</b>	<b>23,830</b>	
<b>Total Budgeted</b>	<b>24,412</b>	<b>26,592</b>	<b>36,507</b>	<b>35,998</b>	

**Table 2. Routine Costs (excluding Master Plan)**

Planning Commission	20,401	16,594	15,719	23,830	Per Diem, Recording Secretary, Prof Dev, Misc	2010	2009		Rate
LIS		1,451	1,395		Mapping, Meetings, Communications and Support	32.25	31	hours at	\$45
County Dev		405	-		Attendance and report (.75 hours * 12 mtgs)	9	0	hours at	\$45
Administration		900	-		Attendance and report (.75 hours * 12 mtgs) + budget	12	0	hours at	\$75
Env. Health		630	630		Attendance and report (1.5 hours * 12 mtgs)	18	18	hours at	\$35
Public Works		-	630		Attendance and report (1.5 hours * 12 mtgs)	0	18	hours at	\$35
County Projects		500	-		5 presentations per year at \$100 a piece				
Annual Report		-	-		Not done but required under new Planning Act				
<b>Total Routine Costs</b>		<b>20,480</b>	<b>17,744</b>						

**Table 3. Routine Costs broken down by PC activity**

Routine Activities	Estimated %	Estimated Cost based on 2010
County Project Review	5%	1,024
Local Review	50%	10,240
Information Sharing	27%	5,530
PC Prof Dev	13%	2,662
Administrative	5%	1,024
<b>TOTAL</b>	<b>100%</b>	<b>20,480</b>

Includes average 40 items plus 15 PA116 applications for a total of 55 items

**Table 4. Master Plan 2010 Costs**

Contracted Services		9,758
LIS (300 hrs)		12,000
Adoption		1,000
<b>TOTAL (5 year)</b>		<b>22,758</b>
<b>Spread across 5 years</b>		<b>4,552</b>

**Additional Notes:**

No budget or resources for planning projects

Does not include costs associated with bylaw revisions

Based on actual cost, however budgeted is typically higher and reserves resources that could alloc.

These actual cost estimates represent the current level of service which if continued would need to

These actual costs represent what should be considered direct costs. There are a small amount of