

**Yates Township Planning Commission Regular Meeting  
Final– Minutes for August 13, 2020**

**Meeting called to order** at 6:12 by Chairperson Blair Evans

**The Pledge of Allegiance was recited**

**Roll Call:**

Chairperson Blair Evans-P; Yates Township Board Representative and Ex-officio Charles “Mite” Atkins P; Commissioner Evelyn Walker-p; Commissioner Iris Hill-P; Commissioner Janie Durban-A; Commissioner Julia Carr-P; Quorum Established  
Chair Evans reminded the constituents about electronic meeting protocols.

**Reading and Approval of the Minutes:**

Commissioner and Secretary Iris Hill read July 9, 2020 minutes.

A motion was made by Commissioner Julia Carr & seconded by Commissioner Evelyn Walker that July 9, 2020 draft minutes be received with noted corrections but the draft was not approved. Motion passed unanimously.

Regarding corrected minutes, there was much discussion about the October 2019 & November 2019 minutes. These minutes were not read to the commission and therefore not approved. There was also a question about the March 2020 meeting and a subcommittee, which did not meet. Secretary Hill responded that her personal computer was insufficient to do the work necessary. Chairperson Evans responded with an invitation to meet with the Secretary after the meeting.

**Old Business:**

A new form was created, outside of the Land Use Permit form, to make it easier for people to bring things to the Planning Commission & the Zoning Board of Appeals. It has been agreed to by the Zoning Administrator, The Chair of the Planning & Zoning Commission as well as the Township Clerk (the latter two sit on the ZBA) for provisional use.

Regarding the Planning Commission (PC) files, we are in the process of organizing the physical files and also digitizing them into a digital repository. The Commissioners have access to the electronic archive also known as the digital repository. Included in this list is the following: PC Minutes, Agenda's and records of meeting background files; a set of complete active ordinances of Yates Township (YT); the definitive copy of Yates Township master plan 2010-2020; resolution establishing the PC; the enabling legislation for the PC (Michigan Zoning Enabling Act and Michigan Planning Enabling Act); job description for the zoning administrator; Lake County master plan; PC by-laws; YT recreational plan; YT policies and procedures; PC meeting schedule; and the National Register of Historic Places identifying Idlewild as one such place.

There was no additional discussion for issues not on the Agenda.

Report of the Township Representative: There was nothing reported.

Report of the Zoning Board of Appeals: There may be two items coming to the ZBA. 1) variance on the width of a house brought to a previous meeting. 2) a request to build a building across the street from their main house.

Commissioner Carr responded "Any one who wants a variance comes to the PC first, we then decide whether or not to give them a variance. This should come in writing to us." Chairperson Evans responded, "PC was the first step in most cases, however there are instances, based on our ordinances, that allow for a person to go directly to the ZBA."

### **New business**

There was much discussion about the Yates Township master plan and its mandatory 5 year review that has yet to be initiated or completed. Commissioners were encouraged to read through & study the 5 year review and the entire master plan to be well informed to engage in a discussion & implement it during the next meeting.

A motion was made by Commissioner Hill and seconded by Commissioner Atkins that the PC utilize the Michigan State University Land Use Series 5 year plan review document to facilitate our mandatory 5 year review of the Yates Township 2010-2020 Master Plan.

A verbal vote followed-Motion passed unopposed.

Chair Evans introduced an Annual work plan. Annually, the PC is required to submit a report and a budget. They added the master plan review, and Chair Evans asked commissioners to bring other needs to be included on the list. A copy of the work plan (a simple table) is in the digital repository.

A motion was made by Commissioner Hill and seconded by YTBRE&EO Atkins to use the table presented to develop our annual work plan, to fill it out with items from the remainder of this meeting, and for everyone to bring back items they believe are relevant for the planning commission to work on over the next year. That we prioritize these items and make a decision relative to our (PC) priorities. A verbal vote followed 3 Y-Motion passed.

Concerning Administrative effectiveness. Chair Evans included a document from Michigan State University "[public comment made simple](#)". He encouraged the commissioners to read through it to take action next meeting. This is in response to letting the public know what their expectation is during these meetings.

The YTPC by-laws are from 2003. The MPEA 2008 and MZEA 2006 came after our by-laws so Chair Evans suggests a by-law review against the two acts. Commissioners Walker, who had started this process through 2012, will lead a subcommittee with Chair Evans and Commissioner Carr to finish this work. Commissioner Walker requests 30 days to finish the task.

Concerning standards for minutes and records, the requirement is for minutes to be available 7 days after a meeting. MSU has a [How to take minutes for administrative decisions](#) document which is in the digital repository. Minutes must be documented extremely well. Chair Evans encouraged commissioners to look at this document toward taking action at the next meeting. No commissioner voiced any objection to going toward this action.

Physical organization of the PC records are kept in two file cabinets next to the clerks office. Chair Evans suggests a reorganization of the items in these file cabinets as well as properly storing them in the places they belong. Chair Evans and Commissioner Hill will be a subcommittee to handle this task.

9 years ago the YTB, through a resolution on 6/28/2011, instructed the PC to amend the zoning ordinance so that it will comply with the MPEA and MZEA acts. In the digital repository, there is a model [ordinance set from Merrill Township](#)'s attorney. Our current YT zoning ordinances are a mixture of zoning and police power, and administrative and budget ordinances. Currently the township is having the zoning administrator do zoning ordinances enforcement and the Code enforcement officer (CEO) do enforcement on the police ordinances. However, neither one of them have a definitive dividing line as to what's police power and what's zoning, they were asked!

Chair Evans suggests the following:

Separate the zoning and policing ordinances

Compare the above YT ordinances to the sample ordinance set by Merrill Township Make a determination as to whether we want to update our existing ordinances, adopt the ordinance pattern the MT attorney presented and change our details, or another option. Discussion ensued.

YTBR&EO Atkins asked a question as to which ordinances are codified.

Chair Evans responded he did get a definitive answer from the Township clerk and she presented the minutes, resolutions for a specific set of compiled ordinances (located in the digital repository). Three additional ordinances concerning property maintenance, fire prevention code, and rental property regulations were adopted in 2011. There were seven more ordinances for which the clerk had full documentation for since then:

- one dwelling size (2020)
- one dealing with noxious weeds
- five ordinances (including amendments) dealing with marijuana regulations

YTBR&EC Atkins volunteered to serve on this subcommittee. Chair Evens will also join the subcommittee and will also separate the zoning and policing.

Zoning Administrator report from last month.

Chair Evans gave a brief update on what the Zoning Administrator should be doing, as well as put resources to share further information in the digital repository.

Zoning Administrator Herington, in her report, said she was lacking the tools necessary to do her work. She requested a face to face meeting with Chair Evans and Commissioner Walker to help pull together some of the vital records and documentation that is needed in her office. ZA Herington gave out eight land use permits in July and three in August thus far. One applicant has yet to get back to her regarding a single-wide/double-wide variance. Chair Evans, vice-chairperson Walker and ZA Herington have been meeting on a weekly basis. Commissioner Carr asked does the Zoning enforcer report to ZA Herington?

Chair Evans responded. The code enforcement officer is supposed to be enforcing police power ordinances and the zoning administrator is supposed to be enforcing zoning ordinances. Neither one is supposed to be reporting to the other. The Code Enforcer reports to the township board and the ZA reports to the PC, specifically the Chairperson. The job

description says something different than our current practices and the best practices say something else.

ZA Herington requested better communication between ZA and CEO.

Correspondence from Lake County Building Department. Baldwin has been issuing camping permits based upon peoples request for an electrical pole. They should not be, however, issuing land use permits in a zoned township. Lake County researched the issue and determined they were merely renewing camping permits that YT had issued. The Yates Township Board will need to determine if they want to take the issue up with the Lake County Building department.

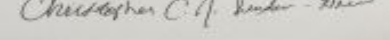
**Public Comments (3 minute maximum):**

No public Comments.

**Adjournment**

Moved by Commissioner Walker ; seconded by Commissioner Carr  
A verbal vote followed. Motion passed.

Meeting adjourned at 8:04pm

Approved January 14, 2021  , Planning Commission secretary.

6437 S. Nelson Road, Idlewild, MI 49642

[planning@idlewild-mi.org](mailto:planning@idlewild-mi.org)