

YATES TOWNSHIP PLANNING COMMISSION
REGULAR MEETING APPROVED MINUTES
May 11, 2023 5 p.m. EST

1) The meeting was called to order by Chair Chris Grier at 5:01 pm.

2) Roll Call attendance vote was as follows:

Present: Secretary Blair Evans, Chair Chris Grier, YTB Rep. & Ex-officio Shawn Coffey,
Commissioner Amy Ellis, and Commissioner Kurt Johnson
Absent: Commissioner Julia Carr, and Commissioner Lester Walker

A quorum was established.

3) The Pledge of Allegiance was recited.

4) Agenda additions/deletions:

Motion by Secretary Evans to approve the agenda as written, seconded by Commissioner Kurt Johnson.

Suggestion by Secretary Evans to add an item 8.d. "Statement on Zoning".

Suggestion by Ex-officio Shawn Coffey to also add the reading of a letter as item 9.d.

Motion by Secretary Evans to approve agenda with the addition of the 2 items, seconded by Commissioner Kurt Johnson.

Motion carried by unanimous voice vote.

5) Information from the public for items on the agenda:

No comments offered.

6) Approval of Minutes:

Motion by Secretary Evans, second by Commissioner Kurt Johnson, to approve the minutes of April 13, 2023.

Discussion by Commissioner Ellis for clarification of comments in the minutes. Proposed language was suggested and a commitment to include a transcript of the section being discussed for clarity.

Commissioner Kurt Johnson pointed out an error in an organization name to be corrected.

Motion by Chair Grier to approve the minutes with corrections and review of added transcript for accuracy by Commissioner Ellis.

Motion carried by unanimous voice vote.

7) Approval of Department's expense report. (none this month)

8) Unfinished business and reports:

- a. Report from each member of the Commission on the segment of the Township they represent for the past month.

Commissioner Ellis reported no update.

Commissioner Johnson reported that he is reaching out to Tobi Lake at Lake County to find out about changes in recycling options.

Chair Grier reported no update at this time.

Ex-officio Coffey reported that the road commission is preparing for brining of the roads and getting the intersections and roads clear for Blessing of the Bikes.

Secretary Evans reported that he attended the MTA (Michigan Township Association) annual education conference. The session on building Michigan's rural economy should be useful for the planning process. Participated in the Lake County Strategic Plan development session with the Lake County Economic Development Alliance which also reviewed a regional development plan. Attended the Michigan Lake and Stream Association 2023 annual conference which covered many topics around lake and river protection and stewardship. There was a particularly good session on "Why zoning matters and innovative waterfront zoning" and a tour and details of a permanent boat wash station on an inland lake. Attended the Lake County Planning Commission meeting and Master Plan hearing. Attended the Lake County Township officials meeting on April 27.

Chair Grier acknowledged and welcomed the Western Michigan University Students attending by Zoom. They are from the Lewis Walker Institute and he thanked them for getting involved.

b. Work plan review and determination of action items

Chair Grier summarized that work is progressing on all of the work plan items.

c. Training updates:

Commissioner Ellis reported that she completed the required Citizen Planner training on April 16. She also registered for the MTA training on Zoom for April 18.

Chair Grier acknowledged the Lake County Star article on Secretary Evans completing the Township Governance Academy (TGA). Secretary Evans gave some background on the TGA.

Commissioner Ellis stated "I think that everyone should read the article, it is really enlightening. The hot-button topic that Mr. Evans was talking about in the news 'It allows everybody in the community to do what they want to do. That aspect of land use and economic development is crucial. It's important to shift from this zero-sum game perspective, he said'. That's like, that's kind of scary, if I want to build a hog pen next to you then I can."

Secretary Evans responded "It didn't say wherever they want to do it."

Commissioner Ellis responded "what they want to do"

Secretary Evans responded "Yes, what they want to do, it doesn't say wherever they want to do it. There is a legal requirement that if something is legal in the state of Michigan the Township has to provide someplace where the things can be done. The statement wasn't that anyone can do whatever they want wherever they want to do it."

Secretary Evans also commented "The point was that people ought to have the opportunity to do what they try to do – zoning controls where they can do it and under what circumstances they can do it."

Commissioner Grier gave thanks for the clarification and offered congratulations for completing the program.

d. Statement on zoning

Secretary Evans reported that he wants to give everybody some understanding of what is going on with zoning in the Township. He then presented a report which is attached to these minutes.

Secretary Evans clarified that we are not continuing with a zoning process that was already functioning properly. The Zoning Board of Appeals was dysfunctional, the Planning Commission was dysfunctional, Zoning Administrator was dysfunctional, and the supervision of the Zoning Administrator was dysfunctional. We are rebuilding all these process with the correct documentation and procedures.

Secretary Evans indicated that there are several "bombs going off" due to things that were done improperly in the past that are causing major problems and expense for people in the community and major headaches for the township.

9) New Business

a. Introduction of Zoning Administrator and report on Zoning Administration

Chair Grier called on Zoning Administrator Chris Jacobs who introduced himself and then submitted and presented a report which included his decision-making process and is attached to these minutes.

Secretary Evans and ZA Jacobs discussed the case represented in the sample Findings of Fact in the ZA report and used it to walk through the options, roles and responsibilities across the ZA, ZBA and PC who have roles in the process.

b. Master Plan

i. Background information

Secretary Evans listed some of the information that is being assembled which include:

Maps

- 1973 Master Plan maps
- 2010 Master Plan maps
- Current (1975) Zoning Map
- Road Map from County Road commission
- Map of ghost roads and easements in platted areas.

Lake County Master Plan data

Regional planning data and projections

Census data

Survey that is being posted by Chair Grier to receive additional information on what types of businesses, facilities or uses of land are needed.

ii. Strategic Plan review and analysis

Chair Grier reviewed the role of the Yates Township Strategic Plan and presented the executive summary. He then indicated the role that the Planning Commission must play to implement land use that supports that Strategic Plan based on continued input gathered from the community.

He noted the good content in the 2010 Master Plan and requests current participation to take this amendment to the next level. He noted the working groups defined in the Strategic Plan to provide some of that input and requested that interest be expressed to the township clerk.

- iii. Establish survey to receive additional information on types of land uses needed.

Chair Grier indicated that there will be a way to give input on types of uses that need to be positioned within the Township. The survey will be available on the Township website and a paper copy available in the Township Clerk's office.

- iv. Schedule review of land use options.

Tabled until after survey results are received. Should be held on a Saturday, probably in the morning. June 3rd suggested as a possibility to be verified with other commissioner's. A possible time range would be 10am to noon.

- c. Camping ordinance – schedule information session

Chair Grier stated that there is an updated Camping Ordinance Information Packet (COIP) that he will provide to the Clerk to post on the website.

Clerk McGregory and Secretary Evans clarified the relationship between the police power camping ordinance and the zoning camping ordinance being developed.

Discussion led to having the camping ordinance session on Saturday June 3rd and moving the Master Plan review of land use options later, after the camping land use is resolved.

- d. Comments from Ex-officio Shawn Coffey.

Ex-officio Coffey read an email from Deborah Haugabook to the Supervisor Marilyn Burns and Planning Commission dated January 14, 2022. The email is attached to these minutes.

Ex-officio Coffey then commented on the fact that the planning commission has been dealing with a mess from this project. It was claimed that Commissioner Evans was working with Haugabook, but this email indicates that the Supervisor was working with Haugabook. He indicated concern that Haugabook objected to two zoning challenges or violations with projects near her residence. He indicated that he takes offense at the accusation that he or any of the Planning Commissioners have been giving support to the project.

He pointed out that Supervisor Burns had not been attending any of the other planning commission meetings, but now is attending and sitting with the people opposing the Haugabook project and representing that people on the PC are the enemy.

He expressed concern that the recent failed recall attempt against him was intended to allow remaining board members to get rid of Planning Commissioners that are knowledgeable and doing their job properly. He indicated that he had the options to vote against Burn's appointees on other zoning boards but didn't do so because he feels that we need representation from the "acreage".

He indicated that Supervisor Burns and Treasurer Patterson were supposed to reach out to people in the "acreage" (the areas of Yates Township outside of Idlewild which is primarily platted). He recalled that the term "acreage" has been used to define that area for the more than 25 years that he has been here and that Secretary Evans suggested using another name in the Strategic Plan because "acreage" didn't sound right. It was decided to stay with it because that is what the area calls itself.

He pointed out the history of racism and indicated that Idlewild rightly takes pride in its black history but that doesn't mean that we don't want white people here. He spoke of a website that indicates that she (Haugabook) just wants black people. He stated that he "doesn't deal with any of this racism, period." Whether you are black or white. He directed people to not speak about him in general terms about board members.

He pointed out that the claims on social media that the acreage is not include in anything is not the truth. Our Supervisor was supposed to let them know along with the Treasurer.

He cautioned people to not believe the "crap" about working against the acreage.

He further pointed out troubling misuse of personal information by the Supervisor for political purposes acting to interfere with the planning commission.

Chair Grier asked if there were any more comments by the Commissioners prior to public comment.

Secretary Evans commented that even though he is highly trained as a Zoning Administrator and has a Zoning Administrator Certificate, Zoning Administration is not the role that he is in. The township board asked for his assistance earlier to analyze ZA requests while there was no ZA working and he indicated that after conferring with the township attorney he was instructed to stay out of specific ZA decisions. He repeated that when people come with ZA related matters, he sends them to the ZA. If the ZA doesn't know what they are doing, that is not something that he can resolve even though he knows exactly how the job should be performed and can determine what a correct decision should be very quickly.

10) Public Comment: (According to the Planning Commission bylaws.)

Geraldine Walker expressed interest that the Master Plan be amended and not replaced and that it is very expensive to replace. She also commented that it was inappropriate for one of the Commissioners to "attack" the township supervisor.

Erma Ericson commented that Ex-officio Coffey did what need to be done and that what he stated had been done to others and to her by Marilyn Burns. She suggested that Coffey read the letter at the township meeting also.

Jeff Ray commented that they are new to the community and come with a great spirit to be involved in something good. He expressed appreciation for the difficult and sometimes unpleasant work of public service.

11) Adjournment

Motion by Ex-officio Coffey to adjourn, second by Commissioner Johnson.

Meeting adjourned at 6:47 pm.

Respectfully Submitted



Secretary Blair Evans