

Keweenaw County Planning Commission
Regular Meeting
Draft Minutes
September 30, 2024

Keweenaw County Courthouse 4:00 pm

Roll Call: John Parsons, present Steve Siira, present
 Barry Koljonen, present Harvey Desnick, present
 Daniel Yoder, present AJ Kern, present
 Bob DeMarois, Cnty Commissioner, absent Bob Pokorski, present

Yoder named as acting secretary by Parsons.

5 Member quorum is **present**, meeting was appropriately posted.

Pledge of Allegiance **recited**

Approve Agenda

Updated numbering of agenda topics to correct typographical errors.

Motion (M) to approve Pokorski / Second (S) Siira, motion carried.

Approve minutes of the regular meeting on August 26, 2024.

Corrected day of meeting error under final comments to change "Wednesday" to "Monday"

M to approve Parsons / S Pokorski, motion carried.

Guests: *Guests acknowledged and invited to present public comment.*

Public Comment: *none*

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New Business:

1. BOC liaison member

Parsons wanted DeMarois to introduce himself as liaison to county board, but was not present. Parsons said he will reach out to county commissioners to encourage participation.

No motions made.

2. "New" Ordinance

Parsons noted that acting zoning administrator Sue Hockings referred to recently published amendments as the "new ordinance." Updated ordinance is published online.

Parsons said Hockings has noticed discrepancies within the ordinance, for example in short term rentals and zoning maps, which she feels should be corrected. Parsons

suggested a 30 day moratorium on short term rental permit approvals to allow Hockings to research. Discussion by commissioners on pros and cons of moratorium. Kern raised issue of short term rental density and feels it still needs to be discussed. Desnick questioned need for moratorium and suggested inviting Hockings to meeting prior to making any changes. Parsons indicated he had already invited Hockings, who was unable to attend due to illness. Kern and Koljonen thought a moratorium would provide Hockings with clarity when fielding permit applications.

Motion by Desnick to hold a special meeting as soon as feasible with a date to be determined with acting zoning administrator Sue Hockings to discuss discrepancies she sees in the ordinance.

M to approve Desnick / S Pokorski, motion carried.

Motion by Parsons to pause new short term rental permit issuances until said special meeting has been held with Sue Hockings.

M to approve Parsons / S Koljonen, motion carried. Desnick opposed.

3. Amendment issues/corrections

Kern raised continued concerns about procedural errors in amending ordinance earlier in the year. Discussion among members about amendments and procedural process.

Parsons said he didn't think there were errors. Yoder noted that Kern's issue was already discussed in August 2024 meeting, that Parsons and Pokorski had asked Kern for her suggested resolution of concerns. Desnick suggested that returning to the issue again was Kern's way of revisiting issues already decided. Kern stressed importance of procedures and clear minutes and motions.

No motions made.

4. Black Bear change request

Parsons summarized zoning change requested by Trina Anderson of AFM Real Estate who wrote "Black Bear, Inc. requests a rezoning of approximately 80.00± acres of the Mt. Bohemia resort properties from Resort Residential RRB to Resort Service RS2. The parcels are in Section 33, T58N-R29W, and combine owned and leased land by Black Bear from The Nature Conservancy (TNC)." Discussion among members about intent of request. Consensus among members that much more detailed information about the proposed use of the properties would be required to consider rezoning. Koljonen and Desnick have heard through social media that proposed use of property is for multi-parcel development on a lease basis from property owner. Kern noted procedures outlined in zoning ordinance for rezoning and recommended sending those requirements to requestor.

No motions made.

Old /Unfinished Business:

1. TNC Master Plan grant (Bob Pokorski)

Pokorski presented update on TNC grant. County board reviewed initial draft of grant agreement and plan. County attorney Miller followed up with questions which were answered in part by Julia at TNC. Pokorski requests that commissioners review his proposed RFP emailed to commissioners on 09/26/2024 and suggest updates or incorporate updates proposed by Kern in email dated 09/18/2024. Kern raised concerns about working with TNC as a special interest group and raised cautions about moving forward due to prior decisions by planning commission that were focused on updating

*“demographic information, graphs and tables and text.” Kern requested that her email to commissioners dated 09/26/2024 be included in minutes. Other members expressed consensus that TNC grant would enable County to get an updated plan that the County could not otherwise afford. Pokorski noted that county board had requested the planning commission to pursue this opportunity.
No motions made.*

2. Zoning Administrator position

*Parsons updated members that Sue Hockings is working as zoning administrator on Tuesdays and some Wednesday afternoons. Discussion among members about what will happen with zoning and the zoning administrator position should millage fail or pass. Yoder noted that zoning and planning are separate and that planning efforts continue even if zoning does not. Consensus that zoning administrator position should be full time.
No motions made.*

3. Permit fees

*Discussion on suggesting to county board to implement zoning fees. Members shared examples of fee schedules published by other zoning departments. Consensus among members that zoning fees could help offset cost of zoning staff. Consensus among members that zoning fees are appropriate. Yoder noted that the zoning ordinance discusses setting and implementing zoning fees. Zoning fees must be related to actual cost of zoning activities. Parsons requested that Koljonen, Yoder, and Pokorski distribute their research on fees to members.
No motions made.*

4. Remaining ordinance edits/amendments

*Parsons noted that the topic had already been discussed under new business.
No motions made.*

5. Alternative energy facilities ordinance

Parsons reminded members that a deadline of November is approaching for county to consider new ordinance related to alternative energy. Discussion among members about options to do nothing, adopt “cookie cutter” ordinance proposed by the Michigan Association of Counties, or to create a custom ordinance. Kern noted county board opposition to State control in prior county board meeting minutes. Kern opposed making a decision, suggested more input from county board and county legal counsel. Some members favored recommending adoption of “cookie cutter” template with option to revise later.

Motion by Parsons to recommend approval of Michigan Association of Counties’ Compatible Renewable Energy Ordinance (CREO)
<https://docs.google.com/document/d/1dHrztmqldu0K1SQps8CfJfhr9fH0u1-u/edit> as listed in their legislative update <https://micounties.org/legislative-update-8-23-24/>
M Parsons / S Desnick, motion carried. Kern and Yoder opposed.

6. MSU public meetings facilitator

*Parsons reminded members that MSU has offered to facilitate workshops for public input for planning.
No motions made.*

7. Code of Conduct

Parsons presented two sample codes of conduct for members to consider adopting. Discussion by members on whether to adopt a code of conduct and whether to include in bylaws. Kern raised concerns about prior executive session related to code of conduct, opposed implementing a code of conduct due to her concerns about planning commission failing to follow proper procedures in the past. Yoder noted prior meeting minutes in which Kern had raised similar concerns and had received public apologies from Parsons and Pokorski. Members reviewed sample codes. Yoder suggested 2nd example "Michigan State University Extension Land Use Series" fact sheet as a good guide, striking listed item #14. General consensus that a code of conduct is a good idea. Parsons said he will have county attorney review sample code of conduct and provide insight.

No motions made.

Public Comment:

J. Kern - Discussed members' process of adopting ordinances. Thinks members' motion on agenda item #5 related to energy ordinance was done improperly. Thinks public comment needs to be better documented and shared with county commissioners.

K. McEvers - Discussed zoning fees and told members that townships receive funds from tax collections that could be used to help pay for zoning. Suggested graduated fee schedule for short term rentals based on room rate. Asked questions about Black Bear rezoning request. Thanked Kern for involvement in public meeting held by county board related to zoning.

P. Campbell - Question to Kern about her comments on county board's prior decisions related to opposing State's involvement in alternative energy.

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Final Comments:

Kern recommended that published meeting minutes include attachments, documents, correspondence for public review.

Next Regular Meeting October 28, 4:00 PM
M to Adjourn Pokorski / S Desnick, motion carried.