

**Homestead Inland Joint Planning Commission
Special Zoning Administrator Interview Meeting
29 April 2008 at 7:00pm
Homestead Township Hall
Approved 20 May 2008**

Meeting called to order by Roger Hubbell at 7:01 pm.

Pledge of Allegiance recited.

Members Present: Roger Hubbell, Mary Miller, Fred Poynor, Zelda Gray, Sharon Peregoy.

7:05pm First Interviewer: Mr. Mark Ritter will be the first to be interviewed.

Roger Hubbell: Mark what qualifies you for this job?

Mark Ritter: I have had quite a bit of experience in zoning administration. I served as a deputy-zoning administrator for quite a number of years. I was on a planning commission. I was the manager of two townships, and whenever there is any trouble yours is always the desk that gets pounded on, so the tough issues I have been able to handle. I have directed planning and permits departments, so I am familiar with the whole permitting process, you don't have your own inspectors so, I assume for building permits you are going through the county. In my last position, we had in-house inspectors so I directed them. I understand reviewing various proposals and plans, I have done that extensively, for some reason not always to my pleasure, with the other duties I have had, I have always ended up having to review or help review various developments. The ones that have difficulties or the ones that had some political ramifications are going to be sticky and you know eventually, you are going to have to get into to it anyway, so I have always felt that those are a challenge. I enjoy it very much. I think it is different from planning. It is not planning in my opinion. It is really a mechanism to make your plans, and I know you are working on your comprehensive joint master plan, but somebody has to make it happen. That, and my background of 15 years in local government again, I have always had heavy involvement in planning. That is how I became interested in local government in the first place. I was a dental technician, which obviously has nothing to do with local government, it was one of those things where you go to meetings, then you are on a committee, and one thing leads to another.

Roger Hubbell: What kind of salary do you expect?

Mark Ritter: As I take it this is a three day a week job, is that right?

Roger Hubbell: We are looking at one day a week in Inland Township and one day a week in Homestead Township and then on call. We are a recreation area for the most part and we have people who come up on the weekends only and may need a land use permit. Just have a cell phone available.

Mark Ritter: Well, for a full time position the pay is on average 30-35 thousand a year, so if you pro rate that to 15-17.5 thousand, that would be fair.

Roger Hubbell: Are you willing to spend one day a week in each township?

Mark Ritter: Oh sure. You are talking; I assume both townships have a joint planning commission.

Roger Hubbell: The zoning administrator is an employee of the townships so he would have to report to the townships.

Mark Ritter: For updates and that sort of thing. How do you foresee handling your zoning board?

Roger Hubbell: It has to be one per township, because there has not been put in place yet to allow one zoning board.

Mark Ritter: So you are really only talking four regular meetings per month and then the special meeting, so five.

Roger Hubbell: So what makes you the best person for the position?

Mark Ritter: I have a qualified back ground for the position, I think that that is not necessarily required, but I think it's also that I like the work, and I think that makes a big difference. It depends on what you want to do in different areas, particularly in areas where you might get phone calls on when it comes to enforcement. I think that's part of the job, and I think it is a really important part of the job, and sometimes I think it gets overlooked, but I think it can be handled in a way where it doesn't have to bring a lot of grief on everybody, particularly the land owner. I have always found that kind of a challenge, a fun type of challenge to work with the people and basically win them over. I know you can't do that with everybody, but usually you can. You just have to let them know that you are not there enemy, but we have certain rules to follow and I am not your adversary but am here to help you; I'll help you get to where you need to be. I think I do that well, I hope I do, I have in the past. There are the technical components of the job. I have reviewed site plans and more site plans and limited blue prints. Obviously at that point, you don't require them, and each one of them is different, but it's fun kind of a, it's like a puzzle. You got your ordinances, and then somebody and I'm not talking your simple house type stuff, but more like commercial, and you have a developer who wants to put in something like a bakery, and trying to redo the ordinance and conform to the ordinance, and your kind of matching everything up to make sure that everything is in line with the ordinance. I like doing that. I like to educate the public. I have worked in townships where the zoning administrator sets the papers down, says there's the ordinance read it, bring your plans in. Others go to far the other way, and then they end up doing their plans for them. I think somewhere in between is about right, you help guide them, explain how the ordinance is laid out and where they are at, and where they need to be. What is the best way to follow the procedure, the best way to present. I would be involved in that as well.

Roger Hubbell: Have you worked on land divisions?

Mark Ritter: Yes. The land division act was updated in 1997. I planned division. It is not particularly difficult, I don't think. It is an area that some people don't like. It doesn't vary a lot from the previous land division. There are components of it, that were meant to be great improvements, and there are some good ideas, and to add to that is to try to keep land as it is being divided, not quite so divided. I am sure you are all familiar with 10 acres and 40 acres exempt and the whole routine. I can do that yes. I think the hardest part is going to get people to spend money on surveys, and then pay us to review it.

Roger Hubbell: Would you be willing to enforce a blight and junk ordinance?

Mark Ritter: Absolutely. One easiest thing a township could do to make itself look better short of major requirements to, like with the new comprehensive ideas with the store fronts up front on the road, and all those things, and a lot of the them are good, some of them are a matter of personal taste, as far as I am concerned. I don't see that as having an opinion on that as a rule. To enforce that if you have it as a rule. One experience I did have with a junk and blight ordinance that I thought went very well was in Bath Township. We had a terrible time trying to keep up with junk vehicles and just junk. So we finally instituted a bureau that what we did, we called it a municipal civil infraction bureau. I don't know if you have any experience with that, but it is basically a ticketing format. That worked great. It was easier on the residents; they certainly understood it better. You didn't have to go to circuit court. If you had to enforce it, you generally went to district court, typically just a magistrate type of deal. I guess I wouldn't be afraid of lending you ideas in effort to help you enforce what you want to enforce. But again what you want to do is not my policy; it would not be my area it would be following your direction. The language is not working well for what you want to accomplish. I guess I wouldn't hesitate at least suggesting changes. As far as enforcement goes it is really up to the municipalities as far as what they want to enforce, sometimes they don't. I have the theory that you have to use discretion, but beyond that, if there is something obvious and it is an obvious violation and it is obvious to many people, then you have to either address it or eliminate it out of your ordinance.

Roger Hubbell: What do you think are the two most important aspects of the zoning administrator's job?

Mark Ritter: I think enforcement and follow-up would constitute one as a combined effort. The other thing, I think is developing the rapport with the public. Zoning, we have all been in it for a while, you get used to it, you think back to it when you first started, and realize that the public may not know what you are talking about. You need to take the time and spend the time with them to explain what we are trying to accomplish, and particularly if what we are

trying to accomplish in their eyes is just a hardship. "Why do I have to do that if that is going to cost me a lot of money." Pretty much anything in life, if people have a background understanding of the reason, as opposed to saying, because that is the law and you're going to do it. I think it goes long way. I think a persons ability to develop a relationship with the community is certainly as important as enforcing the ordinances.

Roger Hubbell: Mary, any thing else?

Mary Miller: No, thank you.

Fred Poynor: I think he has covered it all.

Zelda Gray: Mr. Ritter, where do you reside right now?

Mark Ritter: Traverse City, Garfield township.

Zelda Gray: Would you have a problem traveling in the winter?

Mark Ritter: No.

Zelda Gray: How many miles is it to get here from your house?

Mark Ritter: It is about 25 miles.

Zelda Gray: You were active in local government, was that in Garfield Township?

Mark Ritter: No that was in Acme Township and then down state in Bath Charter Township. I was Deputy administrator in Acme Township. It wasn't a hug responsibility because we didn't do much; we had the county do our zoning inspections. That was for the most part enforcement.

7:36pm Second Interviewer: Mr. Roger Williams is the second to be interviewed.

Roger Hubbell: What qualifies you for this position?

Roger Williams: I have been a zoning administrator for a township in Grand Traverse County. This was on an interim basis, so I do have experience working as a zoning administrator. Over my professional career working with zoning ordinances and have provided training programs for zoning administrators as well as boards of appeals, and have written numerous zoning ordinances and have worked with zoning administrators as they have gotten into problems with zoning ordinances, and have also worked with applicants who have had problems with zoning administrators, so I have seen both sides of that issue.

Roger Hubbell: What salary do you expect?

Roger Williams: I have and unfair advantage in that I know what your budget is. Actually when I was working with Chairman Hubbell on this whole thing back six weeks ago, I was aware that you have about \$15,000 in your budget. When I start thinking about it a zoning administrator is going to have to go out and look at property, and I didn't see any money in there toward mileage. My thinking would be that I would be very happy with about a \$1,000 a month stipend or what ever you want to call it, and then that would leave \$3,000 for mileage, and there are going to be start up costs, and maybe you have that in the budget, but there is going to be start up cost for two offices really. You are going to have to have a file, preferably a lockable file. You are going to have to have forms. Most of the administrators have cameras to take pictures of situations. There are going to have to measurements made, and with one person it is going to be hard to hold both ends of the tape measure, so probably one of those wheels. So you know there are going to be some expenses. I would want to see if we could work this thing out, I would want to see you have enough to get this thing going properly. I would be happy with the \$12,000 a year situation. I understand that there is eventually going to be an agreement between the two township boards, rather than with the planning commission. So there is another whole dimension in there that can work out. That is what I would propose; at least for the first year and see how it works, then in the second year we have to do some negotiating. This is kind of a new

thing for you and a new thing for me. I think it is real important that the first zoning administrator, because the county is looking and every body is looking to see how it is going to happen, we are fortunate in a way that we are in a bit of an economic down shift in that there will not be a lot of activity, but there certainly will be at some point. I think it is important.

Roger Hubbell: Roger (Williams) said that if he were selected that two years would be his max.

Roger Hubbell: Are you willing to spend one day a week per Township?

Roger Williams: Yes, I thought about that and I have a couple of thoughts on that. One, I think it is important that the residents know when a zoning administrator is going to be available. I just foresee all kinds of problems with that because, lets say that I am here on Monday and Inland on Tuesday and on Thursday someone here has got a question, someone is coming up for the weekend and they want to build a deck, there is going to have to be some kind of flexibility somehow, because it is not going to be any good, say you have a seasonal resident who wants to come up on the weekend and build something, and you say well to bad the zoning administrator is not here until Monday, that is not going to be good service. I am willing to do that, but I think there is going to have to be some kind of flexibility. Weekends I guess people can understand that offices are not usually open on the weekend, but I do know some zoning administrators who get calls seven days a week. It just goes with the territory. So in answering your question, yes I am willing to do the one-day a week in each township. I am not the kind of person who likes to sit in an office when nothing is happening, but I realize that maybe initially we need to do that. I am also thinking that if I am here on a Monday, and I need to go out and look at a piece of property, then I am not here. So if somebody comes walking in without making an appointment, they are probably going to be disappointed. There is more than likely going to be a sign on the door saying that I will be back whenever. I don't know what office arrangements are made. Is there an actual real office with a desk and a phone yet? If someone is coming up to do something over the weekend, I would prefer get with them prior to the weekend, but not have them have to wait until the following Monday. That is very frustrating for people trying to get something done. A lot of people, even the people who live here, the weekends are the times when they need to have what ever done. That's what I am worried about, is that if I am here on Monday and then on Thursday, someone decides to build something over the weekend, he/she in trouble. To a property owner that is very frustrating and the Township says you have to wait until next Monday to get the permit before you can start, you know that is just not going to be good.

Roger Hubbell: So in essence you would be willing to be on call on something like that?

Roger Williams: I think I am going to have to be, and how that works out with the one day with the twenty hours, I don't know.

Roger Hubbell: Can you attend each Township board meeting and the Planning Commission meeting and submit a monthly activity report?

Roger Williams: Yes, I am not crazy about night meetings. I have had so many of them over the years, but I think eventually, because I don't know the Township boards, unless there is an issue, I could submit a written report type of a thing. I would certainly initially be willing to attend the township board meetings, until you folks get used to what the report is going to contain and what's coming up in the way of issues, and the boards need to work out bugs on how it's operating with two Townships and two offices and that kind of stuff. The zoning administrator is going to have to send out letter occasionally, there needs to be some type of letter head, some postage, that kind of stuff. The zoning administrator is probably going to be collecting fees, where does that money go? There are going to be receipts issued, so I am going to need a receipt book, and there is going to need to be somebody to put that money someplace, maybe locked in the file but eventually it needs to get deposited. I think the ordinance says that it is deposited with the Township Treasurer. When is the Township Treasurer available? Those are the practical things I have been kind of worried about.

Roger Hubbell: Why do you feel that you are the best person for this position?

Roger Williams: As I thought about it when I talked to the chairman about it. I thought that the first zoning administrator is going to be very critical, and as I went over with him, with the applicants, and kind of what types of questions you were going to ask and the qualifications, I guess I feel that this first zoning administrator needs to be a

special person and I think that I am that special person. I guess I feel that somebody that is not especially interested in making it a career, which I am not, not using this as a stepping stone to another position with the county or down the road, which I am not. Somebody who has a level head and is not going to get excited about violations or conflicts, and understands that for many residents of the Township that this is the only contact they have with the Township when they want to do something, and that experience should be a good one. Other than building and paying their taxes that is the only contact they have with the Township, is when they want to build something. That ought to, I have always felt, that should be a good experience. That is basically why I feel that is why this first one, if we could work something out, I would commit to two years and then and that is not etched in stone, because life has a way of changing things as we go along, that is my goal. I would certainly be in the position then to help you find a replacement.

Roger Hubbell: Have you worked with land divisions:

Roger Williams: I have, yes. I don't know whether the two Townships probably have a land division committee. Most Townships have a land division committee that meets when they have a land division. Most Townships have their Zoning Administrator and their Township Assessor and then one person from the board usually.

Roger Hubbell: What are the two things you think are the most important part of the job?

Roger Williams: Well I have listed 6 or 7 already, I can't think of anything more right now.

Roger Hubbell: I like making it a pleasant experience; the other gentleman said the same thing.

Roger Williams: The other thing I have thought about is the way the ordinance is written right now. It talks about a violation of the ordinance a municipal civil infraction. As far as I know in order to make that work the Township boards need to adopt a municipal civil infraction ordinance. Then the zoning administrator is issued a book of tickets by the court and they would issue actual tickets like if you failed to stop at a stop sign. It used to be the zoning violations were misdemeanors and it was 90 days in jail and a \$500.00 fine. As time went on they decided that it goes on their record and maybe the punishment is too harsh for the infraction. They come up with the civil infraction idea and most Townships have gone to that. If someone doesn't get a permit, they are in violation of the ordinance, they get a fine, and everyone is happy. That is something else I kind of worry about so there are some things that are going to have to happen to make that happen. The only other thought I had is that I know the zoning ordinance very well because I have been writing it and I realize that it is a combination of Almira, Inland, Homestead, and some stuff that I had. I think that once we adopt it and start using it that we are going to find some bugs that is just human nature. That means that you are going to have to make some amendments and tweak it to make it work because, sure as we will, once we start using it, that it is not working like you thought it was going to. Normally the Zoning Administrator would bring that to the attention of the planning Commission. This is where it gets a little dicey for me, because then the planner usually writes the amendment takes it back through the process; you have got me in the budget for \$1800.00. I would be concerned that the Planning Commission would not feel that I was coming up with work for the planner. Other Townships have a combination Zoning Administrator/Planner, because many Townships don't need or can't afford a full time Zoning Administrator and Planner, so they combine those and it works but there is a difference in those two jobs.

Roger Hubbell: Would you be willing to enforce a blight ordinance?

Roger Williams: Is it enforceable? I would want your attorney to review it and make sure that it is enforceable, before I would say that I would. Blight and junk is a tough area. People have a misconception of what the zoning ordinance is for. For example, I went by this motel down here on my way here and behind it is a whole pile of junk, and sure enough someone is going to call and say "you are the zoning administrator, what are you going to do about that pile of junk behind the motel?" And it is kind of a subjective area, I guess I would say yes, with reservations at this point.

Roger Hubbell: Mary Miller to you.

Mary Miller: I need some clarifications about the salary. You were saying that you would do a thousand a month and then you said something about three thousand.

Roger Williams: You have fifteen thousand in the budget for the zoning administrator, but I don't think you have anything in there for start up cost or mileage. So I am thinking that I would get myself here, but then if I have to go out to look at a piece of property then I expect to get compensated for it, mileage was for that. I am expecting that there is going to be something for me to use, files, forms, and what ever else I am going to need.

Fred Poynor: He did a pretty good job answering my question with the extension to Mary's question.

Zelda Gray: Roger I like your idea about one day a week is unreasonable, I agree with you on that, so my question is you don't have a problem being on call like that? It is difficult to make plans when you are on call all the time.

Roger Williams: I am assuming that it would be a five-day work week and that I would be on call? Whether the phone would ring in the office I have right now, which I check several times a day, I think it would be a matter of calling back and setting up an appointment. Chances are that 90 percent of the time it is going to be going out to that location, meeting with the applicant on what it is they want to do, and here is your set back and what you can do.

Zelda Gray: If everything works out with the blight ordinance, and that is the path we want to take, how would you handle conflict. I am almost certain that you would come into some kind of conflict with some hostile landowner claiming the amendment rights?

Roger Williams: That is very common. I went through one this winter with horses. The same kind of thing, both people involved had horses and the wind was blowing in one direction and the people were complaining to the township and they brought it to the board. I think the thing to do is to understand clearly what the ordinance says, and I don't know anything about the blight ordinance, but how certain things are defined in the ordinance and the enforcement mechanism within the ordinance is what I would have to use. You are going to be facing people who are upset and unreasonably upset and you just need to be able to talk to them and calm them down and explain to them that this is what the law says, you may not like it but this is what the law says and worst come to worse you could send them to the next township meeting and ask the board to amend the ordinance.

Zelda Gray: You don't mind traveling in the winter? You did it all this past winter. How far is Honor from you residence?

Roger Williams: It is about a 25-minute drive. I live right in the city.

Roger Hubbell: Recess at 8:00

Roger Hubbell: Reconvene at 8:11

Roger Hubbell: Any recommendations? Mary Miller.

Mary Miller: I liked them both very much. One of the things that I was thinking about was being impartial. Because we have worked with Roger (Williams) it is hard to put everything on the back burner and I want to be fair. I am also agreeing with what Roger said in the first year or two out. We are going to make mistakes, we are going to have things come up that we are going to have to make right and fix. I am not sure.

Zelda Gray: I like Roger's willingness and eagerness to see us succeed and it is just my opinion, but I think that that is his ulterior motive, and just to be part of that. I don't think that it is a financial thing, I don't think it is a career thing, I think he just genuinely wants to see us succeed and that makes me feel good. With the vast knowledge that he has also. Mr. Ritter was great also but I feel that Mr. Williams is more knowledgeable and more willing to help us in our learning process.

Roger Hubbell: I like Mr. Ritter also, he did a good job, but I am still scared about the next two years so that we don't get up and fall flat on our faces.

Fred Poynor: I would like to say that Mr. Ritter would be good, but I believe Roger is treating this like an end-of-career thing that he wants to make really fly.

Roger Hubbell: When I asked what was important they both said to be fair and honest.

Zelda Gray: Mr. Ritter's education was very impressive, I thought. I think in two years maybe we can send him and invitation to reapply. He would be a good candidate.

Mary Miller: I think that is a good idea even now. Send him a letter and explain our decision and that Roger (Williams) is only going to be here for two years and at that time would you reapply because we were really impressed with your answers and your attitude towards us. I think Fred (Poynor) hit the nail on the head when he said that this was an end-of-career thing for Roger (Williams) and that he has brought the Township all the way through and got it up and running and that everything is as it should be.

Zelda Gray: Just to reiterate, I think he just genuinely wants to help us succeed.

Mary Miller: I move that we cast a unanimous ballot for Roger Williams.

Zelda Gray: I second the motion.

Roger Hubbell: All in favor, Mary Miller, yes; Fred Poynor, yes; Roger Hubbell, yes; Zelda Gray, yes.

Mary Miller: I would like to send a thank you letter to Mr. Ritter and explain that the person filling the position at this time is only going to be with us for two years and we would like very much for him to reapply at that time because we were very impressed with his interview.

Zelda Gray: Motion to adjourn.

Mary Miller: Second.

Roger Williams: All in favor, All ayes, no nays, motion carried.

Submitted by
Sharon Peregoy
JPC Recording Secretary

Approved by
Dan Moore
JPC Secretary