

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS  
FINANCE/BUSINESS MEETING  
April 13, 2010**

The regular meeting of the Cheboygan County Board of Commissioners was called to order in the Commissioners Room by Chairperson Linda Socha at 9:30 a.m.

Roll called and a quorum present.

**PRESENT:** Commissioners Socha, Makima, Redmond, Mushlock, Page, Wallace and Bolinger

**ABSENT:** None

Chairperson Socha requested a moment of silence in memory of former County Commissioner Allen VanSlembrouck who passed away on April 11, 2010.

Commissioner Bolinger gave the invocation and Commissioner Wallace led the Pledge of Allegiance.

Administrator Overton requested Item 11F – Michigan Energy Efficiency & Conservation Block Grant be removed from the agenda and that the Closed Session be postponed to the April 27, 2010 Committee of the Whole Meeting. Chairperson Socha requested Item 5E (10) - Cheboygan County Road Commission Letter of Support for Local Bridge Program be taken off the Consent Agenda and placed under New Business with Item 11D.

**Motion** by Commissioner Mushlock, seconded by Commissioner Bolinger, to approve the agenda with the above changes. Motion carried with 7 yes, 0 no and 0 absent.

**Motion** by Commissioner Mushlock, seconded by Commissioner Redmond, to approve the consent agenda as follows:

- A. Approve Monthly Finance Claims: Finance = \$42,324.25 - Prepays = \$729,273.92
- B. Budget Adjustments: Raise Revenues and Expenditures as follows: Fund 101, Department 301 Sheriff's Department, total budget increase of \$605; Fund 201 County Road Fund total budget increase of \$2,296,964; Inter-budget Transfers – Payroll Related: Budget Adjustment totaling \$2,010 decreases carried forward fund equity, postage, non-reimbursable and office furniture and equipment expenditures line items and increases several fringe expenditure line items for MERS. Budget Adjustment decreases the carried forward fund equity expenditure line item by \$3,569 and increases the county administrator and fringe expenditure line items by \$3,307 and \$262, respectively
- C. Fiscal Year 2011 - Title IV-D Cooperative Reimbursement Program Application - Friend of the Court – approved and authorized the Chairperson to sign the application and any other pertinent documentation upon review and approval of the Finance Director, Kari Kortz and legal counsel, if applicable.
- D. Fiscal Year 2011 - Title IV-D Cooperative Reimbursement Program Application – Prosecutor - approved and authorized the Chairperson to sign the application and any other pertinent documentation upon review and approval of the Finance Director, Kari Kortz and legal counsel, if applicable.
- E. Correspondence:
  1. Alger County Resolution Supporting Efforts to Stop the Migration of Asian Carp into Great Lakes
  2. Antrim County Resolutions Opposing the MIWATER Ballot Initiative; in Support of the Back Forty Joint Venture; in Support of Final Report of the Legislative Commission on Statutory Mandates – December 2009; and Supporting Efforts to Stop the Migration of Asian Carp into Great Lakes
  3. Leelanau County Resolution in Support of Final Report of the Legislative Commission on Statutory Mandates
  4. NMSAS 2009 Annual Report
  5. Correspondence from State Representative Kevin Elsenheimer – Thank You for Support of HB 4776

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6. NEMCOG Project Dated 3/23/10 – Intent by Third Level Crisis Intervention Center, Inc. to Apply for Federal Assistance from Substance Abuse & Mental Health Services Administration
7. NEMCOG Project Review Dated 3/23/10 – Intent by Michigan State University to Apply for Federal Assistance from USDA
8. NEMCOG Public Notice Dated 3/23/10 – Savoy Energy L.P. Exploratory Well
9. Cheboygan County Farm Bureau's 29<sup>th</sup> Annual Rural Urban Dinner
10. ~~Cheboygan County Road Commission Request – Letter of Support for Local Bridge Program~~ - Moved to New Business with Item 11D

### F. Minutes:

1. Commissioners Finance/Business Meeting of March 9, 2010 and Special Meeting of February 24, 2010
2. North Country Community Mental Health Board – February 18, 2010
3. C.C.E. 9-1-1 Director's Report; Board of Directors Meeting of January 20, 2010; and Monthly Financial Report for February 2010
4. Health Board Meeting – February 17, 2010
5. Cheboygan County Fair Board – March 1, 2010
6. Cheboygan County Economic Development Corporation – February 18, 2010
7. Cheboygan County Brownfield Redevelopment Authority Meeting - February 18, 2010
8. Board Appointments & Procedures Committee Meeting – March 11, 2010
9. Cheboygan County Road Commission – March 4, 2010
10. Cheboygan City Council – February 25, 2010, March 2, 2010, March 9, 2010 & March 12, 2010
11. Planning Commission Meeting – February 17, 2010 & March 3, 2010
12. ZBA Meeting – February 24, 2010

A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

### **CITIZENS COMMENTS** – None

**SCHEDULED VISITORS** – Sheriff Clarmont reported the department has received notification of being awarded the FY 2009 State of Michigan Operation Stonegarden grant in the amount of \$142,431. He said the grant is part of Homeland Security, to improve border security, and was awarded to Cheboygan County due to its proximity to the Canadian border. Due to the complexity of required paper work involved with the grant, Finance Director Kari Kortz and Sheriff Office Administrator Jodi Beauchamp will be attending training. Sheriff Clarmont said the grant money would be used to purchase a new hover rescue craft for the Straits of Mackinac and throughout the county when needed. Board approval for acceptance of the grant will be presented at a later date.

**FINANCE DIRECTOR'S REPORT** - Finance Director Kari Kortz presented the revenue and expenditures report for the General Fund for the month ended February 28, 2010. She reported total year-to-date revenue of \$419,685.50 versus \$440,624.23 last year at that time. Ms. Kortz reported expenditures year-to-date of \$1,478,288.12, or 13.23% of budget, compared to \$1,475,210.28 last year as of the end February. Revised January reports were included to note the adjustment of the revenue and expenditure reports regarding the Prosecutor's Title IV-D contract for the month and an audit entry that was entered.

### **COMMITTEE REPORTS**

Commissioner Redmond presented recommendations from the Board Appointments & Procedures Committee which met on March 11, 2010 and again on April 7, 2010.

**Motion**, by Commissioner Redmond, seconded by Commissioner Makima, to accept the recommendation from the Board Appointments & Procedures Committee and appoint Curt Stewart to the Cheboygan County Waterways Commission for a three-year term commencing January 1, 2010 through December 31, 2012. Motion carried with 7 yes, 0 no and 0 absent.

**Motion**, by Commissioner Redmond, seconded by Commissioner Wallace, to accept the recommendation from the Board Appointments & Procedures Committee and accept with regret the resignations of Scott McNeil from the Cheboygan County Economic Development Corporation, the Cheboygan County Brownfield Redevelopment Authority and Northern Lakes Economic Alliance Board of

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Directors and to prepare a certificate of appreciation to be presented to Mr. McNeil. Motion carried with 7 yes, 0 no and 0 absent.

**Motion**, by Commissioner Redmond, seconded by Commissioner Makima, to accept the recommendation from the Board Appointments & Procedures Committee and appoint John Ward to the Cheboygan County Tax Allocation Board for a one-year term commencing April 1, 2010 through March 31, 2011. Motion carried with 7 yes, 0 no and 0 absent.

**Motion**, by Commissioner Redmond, seconded by Commissioner Makima, to accept the recommendation from the Board Appointments & Procedures Committee and appoint Bob Andrews to the Cheboygan County Economic Development Corporation and to the Cheboygan County Brownfield Redevelopment Authority for the remaining terms commencing April 1, 2010 through September 30, 2012. Motion carried with 7 yes, 0 no and 0 absent.

Commissioner Redmond also reported attending the District #4 Health Board Meeting a pipeline program in Petoskey, the LEPC meeting and Benton Township meeting.

Commissioner Makima attended two Cheboygan City Council meetings and the Road Commission meeting. He said the City of Cheboygan has hired a temporary city manager.

Commissioner Wallace reported attending the Board Appointments & Procedures Committee meetings, C.C.E. 9-1-1 Board of Directors and EOC meeting, as well as a Northeast Michigan Consortium Board meeting. He said if anyone would like to look at the Consortium's audit he has a copy available.

Commissioner Bolinger attended the District #4 Health Board meeting, a NEMCOG meeting, the M.A.C. Convention, M.A.C. Board of Directors meeting, a Judiciary meeting in Lansing, and the PRC meeting. He reported a TB infected deer was found in the southern part of the county; and Court House Preservation Funds may be taken by the State. Administrator Overton said money from the Court House Preservation Fund was used for the updating of the commissioners room; and by the end of this year about \$210,000 will be used for electrical work and paving and resurfacing. Chairperson Socha said changes to the heating/cooling and other building needs cannot be addressed due to the current economic conditions.

Commissioner Mushlock attended the Fair Board meeting and Board Appointments & Procedures meeting.

Commissioner Page attended the NEMCSA meeting and reported 38 federal programs, largely designed for the disadvantaged, were cut 14% this year and are looking at possibly another 8% cut in next year's budget. He stressed the need to maintain in home services and congregate meal programs for our growing population of seniors. Administrator Overton said the senior millage expired last year and must be placed on the ballot again this year; and in talking with Mike Bur from CCCOA the proposal may be an increase in the millage. Commissioner Page reported the goods new was the head start program was fully funded and an early head start program was started in this county this year. He said NEMCSA does annual client survey which showed 98% favorable overall.

Commissioner Socha reported attending two Planning Commission meetings, the Airport Authority meeting, NLEA, LEPC and LPT, a Remonumentation Peer Group meeting, a meeting of the Northern Cheboygan County Inter-municipal Planning Committee, and required preliminary meeting on the Stonegarden Grant. She reminded everyone of the May 10<sup>th</sup> annual NLEA dinner and that economic development training and intergovernmental training sessions will be held next month. She said Scott McNeil is already working on a capital improvement plan, which is required but the county has never had. The Planning Commission continues working on revising the ordinance. She attended the PIE&G liaison board meeting and noted detailed reports are available for those interested. She said she attended quite a few emergency management related meetings, and reported, with Jack Messer's leaving, Cheboygan County asked for time to evaluate the current structure. After evaluating, it was evident that costs are neck and neck and the recommendation at this time to maintain the current tri-county structure as it is. She said things may change at the state level. A full time emergency management director is needed. She suggested the Board appoint the Administrator Overton as the alternate to the emergency

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management board. She said costs for emergency management are out of line and things have to change.

**Motion** by Commissioner Wallace, seconded by Commissioner Bolinger, to appoint Administrator Overton as the alternate voting member on the Emergency Management Board. Motion carried with 7 yes, 0 no and 0 absent.

**OLD BUSINESS** – None

### NEW BUSINESS

Maintenance Director Tim Mason presented a request from the Cheboygan Jaycees to use the field and parking area on the north side of Lincoln Avenue again this year to host the Wanigan Festival. The Jaycees will provide the required insurance. According to the new Fairgrounds Usage Policy, there will be no charge as the Jaycees are a county adult nonprofit organization.

**Motion** by Commissioner Makima, seconded by Commissioner Redmond, to approve the Fairground Event Agreement with the Cheboygan Area Jaycees for use of the north field and parking area to host the Wanigan Festival from June 21, 2010 through June 27, 2010, and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Straits Regional Ride Director Mike Couture presented the annual Specialized Services Operating Assistance Program Third Party Contract which serves as a mechanism to pass through the MDOT funds awarded to the County of Cheboygan for operating assistance to the Cheboygan County Council on Aging which operates as a 501c3.

**Motion** by Commissioner Redmond, seconded by Commissioner Mushlock, to approve Specialized Services Operating Assistance Program Third Party Contract Project Authorization 2007-0191/Z12 between the County of Cheboygan and the Cheboygan County Council on Aging and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Mr. Couture also presented the American Recovery and Reinvestment Act (ARRA) Grant for additional operating assistance for Straits Regional Ride based on 2.5% of the estimated eligible costs of the 2010 SRR budget which amounts to \$21,095.

**Motion** by Commissioner Bolinger, seconded by Commissioner Redmond, to approve the American Recovery and Reinvestment Act (ARRA) Grant Project Authorization 2007-0191/Z14 between the County of Cheboygan and MDOT and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Equalization Director Joe Lavender presented the 2010 County Equalization Report. He provided a power point presentation on the history of the State Equalized Value over the last twenty years, breakdown on classification of properties, and comparisons of taxable values. He noted this is the first year since Proposal A that the overall taxable value of the county has a negative decrease. The equalized value for the county has decreased 13.05% from the 2009 equalized values

**Motion** by Commissioner Bolinger, seconded by Commissioner Page to adopt the 2010 Cheboygan County Equalization Report as submitted reflecting a County Equalized Value of Real Property Value of \$1,766,670,346 and Personal Property of \$46,962,009 for a total 2010 County Equalized Value of \$1,813,632,355 (Copy of the 2010 County Equalization Report on file in the office of the Cheboygan County Clerk/Register). A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Cheboygan County Road Commission Manager/Engineer Luke Houlton presented a ballot proposal to be placed on the August 3, 2010 Primary Ballot for 1.00 mill for six (6) years for maintenance and repair of roads in accordance with MCL 224.20b within the cities and villages and unincorporated areas of the County. He said if approved by the voters, the millage would generate approximately \$1,370,600 annually. The millage would then be distributed to the road agencies within the county as follows: \$1,180,900 for the Road Commission, \$114,800 for the City of Cheboygan, \$70,200 for the Village of

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Mackinaw City, and \$4,700 for the Village of Wolverine annually over the next six years. Mr. Houlton explained the Road Commission plans to apply at least 60% of its funding directly to road improvements on the Primary Road System. Up to 20% of the millage proceeds would be made available to the various townships within the county through the road commission’s Local Road Allocation policy for work on the Local Road System. Approximately 10% of the millage proceeds would be dedicated to restoring the road commission aging equipment, with the remaining 10% of the millage for bridge and large culvert repairs and replacement. Mr. Houlton reviewed various charts and a proposed investment plan.

**Motion** by Commissioner Bolinger, seconded by Commissioner Makima, to adopt the following resolution:

**CHEBOYGAN COUNTY  
Resolution No. 15 of 2010**

A RESOLUTION TO APPROVE THE BALLOT LANGUAGE FOR A MILLAGE PROPOSAL TO PROVIDE FUNDS FOR ROAD MAINTENANCE AND REPAIRS WITHIN THE COUNTY AND TO SUBMIT THE PROPOSAL TO THE ELECTORATE AT THE AUGUST 3, 2010 PRIMARY ELECTION

**Recitals**

- A. Section 20b of the general highway law, being MCL 224.20b, expressly authorizes the Board of Commissioners for the County of Cheboygan to a submit to the electorate of the county the question of a tax levy for highway, road and street purposes.
- B. The County of Cheboygan desires to submit to the electorate of the county the question of a tax levy for highway, road and street purposes within the county.
- C. The Cheboygan County Board of Commissioners, therefore, desires to obtain voter approval for up to 1 mill to provide funds for road maintenance and repairs within the county.
- D. Because a county-wide primary election is scheduled on August 3, 2010, the Cheboygan County Board of Commissioners finds it appropriate to submit this millage proposition to the electorate at this primary election.

**Resolution**

NOW, THEREFORE, THE CHEBOYGAN COUNTY BOARD OF COMMISSIONERS HEREBY RESOLVES that:

- 1. The following proposal, the language of which is hereby approved by the Cheboygan County Board of Commissioners and certified to the Cheboygan County Clerk, shall be submitted to the electors of Cheboygan County for a vote at the August 3, 2010 primary election:

**CHEBOYGAN COUNTY**

**Countywide Road Millage Proposal**

*This proposal will permit the County to levy up to 1 mill for the purpose of providing funds for the maintenance and repair of roads within the county in the years 2010-2015, inclusive.*

Shall the tax limitation upon the total amount of general ad valorem taxes imposed upon real and tangible personal property for all purposes in any one year under the Michigan Constitution be increased in the County of Cheboygan, Michigan by up to 1.00 mill (which is equal to \$1.00 per \$1,000.00 of taxable value of all such property) for a period of 6 years, 2010 through 2015, inclusive, for the purpose of providing funds exclusively for the maintenance and repair of roads in accord with MCL 224.20b within the Cities and Villages and unincorporated areas of the County of Cheboygan, and shall the County of Cheboygan be authorized to levy such millage for these purposes? The proposed millage is a new additional millage. The amount of revenue the County of Cheboygan will collect if the millage is approved and levied by the County is estimated to be \$1,370,613.00 in the first calendar year.

- ( ) Yes
- ( ) No

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Lengthy discussion held on which roads would be proposed for repair and the type of repairs to be done. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

A letter dated April 7, 2010 from Kathy Bunker, Engineering Technician at the Cheboygan County Road Commission requesting a letter of support for application for Freeway Trail Bridge over the Sturgeon River for MDOT's 2013 Local Bridge Projects. This structure is located on a dead end local road approximately 3 miles south of the Village of Wolverine off of Trowbridge Road.

**Motion** by Commissioner Wallace, seconded by Commissioner Makima, to authorize the County Administrator to draft a letter of support on Board of Commissioners letterhead supporting the application for funding of the Freeway Trail Bridge over the Sturgeon River for MDOT's 2013 Local Bridge Projects and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Community Development Director Steve Schell presented Zoning Ordinance Amendment #85 – Child Caring Institution. He explained this zoning ordinance amendment addresses child caring institutions which are facilities that care for children who need care, maintenance and supervision, usually on a 24 hour basis. The proposed amendment adds child caring institutions as an allowable use in the D-MR, M-AF, and D-CM zoning districts. This use is defined in Public Act 116 of 1973 titled Child Care Organizations. He said no public comments were made at the public hearing and the planning commission recommended the amendment for approval by the County Board of Commissioners. Other public comments heard during other meetings included the desire to allow the townships to provide feedback, have a setback from residentially used property, and support for this amendment to help bring jobs to the county. This amendment was spurred by a pre-application conference back in October of 2009 with an organization called Holy Cross Children's Services (HCCS). At this meeting we heard from HCCS leaders and their interest in locating in Cheboygan County. They wanted to provide a larger facility which would handle children from a larger region. They could consolidate services into the Black River Schools, potentially, and provide more efficient and effective services for their clients and our citizens. However, HCCS representatives have indicated that they will be putting their plans on hold. The reason for this is a change in how a state law is enforced which requires all children served by child care organizations to be treated no more than 75 miles of their homes. Mr. Schnell said these amendments were designed for the whole county and for any such business that would want to locate here and the process should be continued for future possibilities.

**Motion** by Commissioner Bolinger, seconded by Commissioner Mushlock, to adopt the following:

### Zoning Ordinance Amendment # 85

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 TO ADD A DEFINITION OF CHILD CARING INSTITUTION, AMEND THE DEFINITIONS OF FAMILY AND DAY CARE CENTER, AND ADD REQUIREMENTS FOR CHILD CARING INSTITUTIONS.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

#### Section 1. Amendment to Section 2.2.

Section 2.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definition in its applicable alphabetical location, which definition shall read in its entirety as follows:

##### CHILD CARING INSTITUTION

A child caring institution under this Ordinance is a child caring institution defined and licensed by the Michigan Department of Human Services, or a successor agency or department, under Act 116 of the Public Acts of 1973, as amended.

#### Section 2. Amendments to Section 2.2.

The definition of "Day Care Center" included in Section 2.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

##### DAY CARE CENTER

Any facility other than a dwelling and other than a Child Caring Institution that provides care to unrelated children and adults for a fee. Such activities shall meet the requirements for State standards for registration and inspection of child care as described in PA 116 of 1973 and PA 218 of 1979.

#### Section 3. Amendment to Section 2.2.

The definition of "Family" included in Section 2.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

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**FAMILY**

1. An individual or group of two or more persons related by blood, marriage or adoption, together with foster children and servants of the principal occupants, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit, or
2. A group of individuals domiciled together in one dwelling unit whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, group of students, child caring institution, or other individuals whose domestic relationship is of a transitory or seasonal nature.

**Section 4. Amendment to Article 5.**

Article 5 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add Section 5.3.10 to read in its entirety as follows:

5.3.10 Child Caring Institutions, subject to the requirements of Section 17.24

**Section 5. Amendment to Article 6.**

Article 6 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add Section 6.3.13 to read in its entirety as follows:

6.3.13, Child Caring Institutions, subject to the requirements of Section 17.24

**Section 6. Amendment to Section 7.3.1.**

Section 7.3.1 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

7.3.1 Any use which requires a Special Land Use Permit in the D-CM, Commercial Development District, except Child Caring Institutions.

**Section 7. Amendment to Section 8.3.1.**

Section 8.3.1 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

8.3.1 Any use which requires a Special Land Use Permit in the D-CM, Commercial Development District or the D-LI, Light Industrial Development District, except Child Caring Institutions.

**Section 8. Amendment to Article 9.**

Article 9 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add Section 9.3.23 to read in its entirety as follows:

9.3.23, Child Caring Institutions, subject to the requirements of Section 17.24

**Section 9. Amendment to Section 17.6.**

The Table of Minimum Parking Requirements contained in Section 17.6 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following use and associated parking space requirements, in its applicable alphabetical location:

|                          |   |
|--------------------------|---|
| Child Caring Institution | 1 space for each 4 beds plus 1 space for each employee on the largest shift |
|--------------------------|---|

**Section 10. Amendment to Article 17.**

Article 17 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 17.24, which shall read in its entirety as follows:

**(a) CHILD CARING INSTITUTIONS**

In addition to meeting the general standards for special use permit approval under Section 18.7 of this Ordinance, a Child Caring Institution shall comply with all of the following applicable supplemental regulations and standards:

**1. Compliance with state licensing requirements**

The proposed Child Caring Institution shall at all times be licensed by the Michigan Department of Human Services, or a successor agency or department, under Act 116 of the Public Acts of 1973, as amended.

**2. Prohibited Principal Uses**

The Child Caring Institution shall not consist of an education program (i.e., a public or private school in the facility buildings), a psychological treatment and/or counseling program, or substance abuse

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assessment and/or treatment program that are singularly the principal use of the property. However, these uses may, either singularly or in combination, be accessory uses to the Child Caring Institution.

### 3. Minimum Lot Area

The Child Caring Institution shall be located on a lot meeting the following applicable minimum lot area requirements:

- 1 In the M-AF zoning district the minimum lot area shall be 2 acres or 4,000 square feet of lot area per resident, whichever is greater.
- 2 In the D-MR zoning district the minimum lot area shall be 2 acres or 3,000 square feet of lot area per resident, whichever is greater.
- 3 In the D-CM zoning district the minimum lot area shall be 20,000 square feet or 3,000 square feet of lot area per resident, whichever is greater.

### 4. Setbacks

All buildings used in connection with a Child Caring Institution and all outdoor recreation areas accessory to the Child Caring Institutions shall comply with a minimum setback of 100 feet from all residentially used property, regardless of the zoning district in which the Child Caring Institution is located.

### 5. Loading/Unloading area

If the Child Caring Institution provides a daytime psychological or substance abuse assessment, treatment and/or counseling program or provides a private or public education program provided to children who are brought to the facility only for those purposes, then the Child Caring Institution shall provide a bus loading/unloading zone that meets the following requirements:

- 1 One (1) bus loading/unloading space shall be provided for every twenty (20) children/students authorized for service under the Child Caring Institution state license for the program(s) provided (based on the maximum number authorized), regardless of the actual number of children/students being served.
- 2 The size of each bus loading/unloading space shall be no less than twelve (12) feet wide and no less than thirty-five (35) feet long.
- 3 Adequate maneuvering space shall be provided immediately adjacent to each bus loading/unloading space for a 28' bus to turn around.

### 6. Parking Requirements

The Child Caring Institution shall comply with the parking requirements in Section 17.6 of this Ordinance and the following applicable parking requirements:

- a. If the Child Caring Institution provides an educational program in the form of a private or public school as an accessory use, then one (1) parking space shall be provided for every ten (10) students who are brought to the facility for the educational program, and one (1) parking space shall be provided for every teacher.
- b. If the Child Caring Institution provides a daytime psychological or substance abuse assessment, treatment and/or counseling program, then one (1) parking space shall be provided for every five (5) children who are brought to the facility for the assessment, treatment and/or counseling program.

### 7. Screening Requirements

All accessory buildings and structures, including any outdoor recreation areas, shall comply with the greenbelt, wall, or fence requirements of Section 17.18 of this Ordinance.

### 8. Required public meeting with township board

The applicant for a Child Caring Institution shall document to the County Planning Commission, either by a letter signed by a township official, by a copy of township board minutes, or by a certified mailing receipt, that no more than thirty (30) days before filing an application for a Child Caring Institution with the zoning administrator pursuant to Section 18.2 of this Ordinance the applicant presented, or requested to present, the substance of the proposed Child Caring Institution development to the

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township board of the township in which the proposed development will be located. The township board may submit any written comments concerning the proposed Child Caring Institution to the County Planning Commission up to the date of any public hearing on the proposed Child Caring Institution. Any changes to the proposed development through the County Planning Commission review process, however, shall not require additional presentations to the township board.

### **Section 11. Severability.**

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

### **Section 12. Effective Date.**

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Clerk/Register Mary Ellen Tryban presented Remonumentation Peer Group Services Agreements between the county and the five members of the Peer Group. Clerk Tryban said the Remonumentation Peer Group has been in place since the beginning of the remonumentation program in the early 1990's. Beginning with this year's grant program, the State now requires the County to enter into contracts with each peer group member. The Peer Group, which meets twice annually, is composed of the following members for 2010: Richard Dunn, Ronald Brand, Carl Kiiskila, Brian Fullford and Alan Granger. The attached agreement was drafted by County Surveyor Jim Granger, sent to Civil Counsel Bryan Graham for review, with his suggestions incorporated and also reviewed by Administrator Overton. Individual contracts with each Peer Group Member were drafted.

**Motion** by Commissioner Bolinger, seconded by Commissioner Makima, to approve the five individual Remonumentation Peer Group Services Agreements between Cheboygan County and Richard Dunn, Ronald Brand, Carl Kiiskila, Brian Fullford and Alan Granger for the period beginning January 1, 2010 and ending December 31, 2010, and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Overton read Resolution 10-13 Proclaiming April 22, 2010 as Earth Day in Cheboygan County. Commissioner Page said there are dozens of events coordinated by Kathy Bricker taking place that week.

**Motion** by Commissioner Page, seconded by Commissioner Mushlock to adopt the following resolution:

### **RESOLUTION 10-13 EARTH DAY PROCLAMATION**

***Whereas**, the first Earth Day was celebrated on April 22, 1970, with the goal of inspiring environmental awareness and encouraging the conservation, protection, and appreciation of our nation's natural resources; and*

***Whereas**, it is the responsibility of each of us to safeguard the environment, by recognizing that all human life depends upon the Earth and upon one another for our mutual existence, well-being, and development; and*

***Whereas**, the steps we can take to protect and preserve our natural environment through education, partnerships, and positive actions should be encouraged in Cheboygan County; and*

***Whereas**, Cheboygan County Board of Commissioners endeavors to work closely with federal, state, local, and tribal governments, and with non-governmental organizations to develop and implement regulations and ordinances which consider Cheboygan County's fragile ecosystems and the quality of life therein; and*

***Whereas**, Cheboygan County proudly recognizes all who participate in Earth Day, for their dedication to taking a proactive role in shaping the future of our environment and in protecting Cheboygan County's precious natural resource.*

**NOW, THEREFORE**, We the Board of County Commissioners of Cheboygan County do hereby proclaim April 22, 2010, as **EARTH DAY** in Cheboygan County and urge all our citizens to be mindful of local, state and national laws

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*which protect our environment, and to join in efforts to preserve the beauty and wonder of the lands, skies, and water of the Earth in all its diversity.*

A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Community Development Director Steve Schnell said that part of the American Recovery and Reinvestment Act (ARRA) some new bond types have been authorized. He said for a project to be eligible for this money, the project has to be within a Recovery Zone. The county can designate the whole county as a recovery zone, thereby making all potential projects within the county eligible. He said even though there are no projects at this time, passing this resolution would shorten the response time if a project was proposed by having the zone already designated. There is no cost or obligation to accept such a project proposal, and NLEA has recommended that each county adopt such a resolution. Lisa Fought of NLEA explained these funds are considered an alternative type of a loan for private and municipal borrowers. She said this is the first step and these bonds can only be issued until December 31, 2010.

**Motion** by Commissioner Wallace, seconded by Commissioner Bolinger, to adopt the following resolution:

### **RESOLUTION 10-14**

#### **Designating the County of Cheboygan as a Recovery Zone**

**WHEREAS,** the federal government enacted the American Recovery and Reinvestment Act of 2009, Public Law No. 111-5, 123 Stat. 115 (2009) (the "ARRA") effective February 17, 2009, which allows for the issuance of recovery zone economic development bonds and recovery zone facility bonds (collectively, the "Bonds") at advantageous net interest costs, and

**WHEREAS,** it is a requirement of the ARRA that in order for a project to be eligible for the issuance of such Bonds, the County must designate the area within which the project will be located as a "recovery zone" prior to commencement of the project, and

**WHEREAS,** pursuant to the ARRA a "recovery zone" is an area having "significant poverty, unemployment, rate of home foreclosures or general distress", and

**WHEREAS,** as last reported, the unadjusted unemployment rate of Cheboygan County is 20.0%, and

**WHEREAS,** it is determined that the entire County meets the criteria necessary to being designated as a "recovery zone".

**SO THEREFORE, BE IT RESOLVED,** That the Cheboygan County Board of Commissioners hereby designates the entire County as a "recovery zone" pursuant to the ARRA.

A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Sheriff Dale Clarmont presented a resolution in opposition to proposed reductions in secondary road patrol funds in the Governor's FY10-11 budget recommendations.

**Motion** by Commissioner Redmond, seconded by Commissioner Bolinger, to adopt the following resolution:

### **RESOLUTION 10-16**

**WHEREAS,** Michigan Public Act 416 of 1978 allows for the distribution of Secondary Road Patrol (SRP) funds to Michigan's county sheriffs;

**WHEREAS,** Sheriffs have utilized these funds for the patrol and safety of secondary roads consistent with responsibilities outlined in the Act for over 30 years;

**WHEREAS,** SRP is funded through a \$10 assessment on all moving violations;

**WHEREAS,** the Michigan State Police (MSP) also receive a \$10 assessment allowed through other enabling legislation;

**WHEREAS,** the Governor's FY10-11 budget recommendations include the \$2.6 million reduction in SRP to fund MSP positions and radios;

**WHEREAS,** the proposed 23 percent reduction in SRP funds would result in deputy layoffs statewide;

**WHEREAS,** Cheboygan County would be no exception to counties who would be significantly impacted by this proposal including the necessary layoffs of at least one deputy and a projected dollar reduction of approximately \$63,000;

**WHEREAS,** the Governor's proposal not only raids dollars from funds specifically allocated by law to sheriffs, it initiates a significant reduction in an already shrinking local law enforcement workforce.

**THEREFORE BE IT RESOLVED,** that the Cheboygan County Board of Commissioners oppose the proposed \$2.6 million reduction in Secondary Road Patrol funds for any purpose, including subsidizing the MSP budget. The Board calls upon the Michigan Legislature to support full funding for SRP in the FY11 budget.

**Finance/Business Meeting – April 13, 2010**

A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

**CITIZENS COMMENTS** – None

**BOARD MEMBER COMMENTS** – Chairperson Socha directed the County Administrator to advise Representative Elsenheimer to forward the county’s support to Representative Marc Corriveau, Chairperson of the House Committee on Health Policy.

Commissioner Wallace said the number of Cheboygan County residents involved with NMSAS is startling.

Commissioner Page said the prosecutor reported to the townships that felony arrests for substance abuse is way up in the County, including Meth use.

**Motion** by Commissioner Mushlock, seconded by Commissioner Redmond, to adjourn to the call of the Chair. Meeting adjourned at 11:59 a.m.

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Mary Ellen Tryban  
Cheboygan County Clerk/Register

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Linda Socha  
Chairperson