

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
May 10, 2011**

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 Linda Socha, Don Horrocks, Pete Redmond, Cal Gouine, Tony Matelski, John Wallace, and Sue Allor

Absent: None

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

Commissioner Matelski requested Item 5F1 MTA Letter Regarding Drain Commissioner be removed from the Consent Agenda and added under New Business along with letters recently received from Aloha, Beaugrand and Burt townships regarding the Drain Commissioner as Item 12D.

Motion by Commissioner Matelski, seconded by Commissioner Redmond, to approve the agenda with the above item moved from the Consent Agenda to the regular agenda and with the addition of letters from Aloha, Beaugrand and Burt townships regarding the Drain Commissioner. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Wallace, seconded by Commissioner Allor, to approve the consent agenda as follows:

- A. Approve Monthly Finance Claims – Finance = \$43,545.02 Prepays = 886,011.27
- B. Budget Adjustments – Raise Revenue & Expenditures Fund 101 Dept 301 in amount of \$200 due to a grant. Inter-budget Transfer in Sheriff Dept. transferring \$2,936 from 101-333-718.00 Full Time to 101-301-718.00 Full Time and transferring \$4,937 from 101-333-712.00 Fringe to 101-301-712.00 Fringe
- C. Investment Report
- D. 2012 Crime Victims Rights Grant Application approved, the forthcoming grant agreement upon review from civil counsel, and authorized Chairperson to sign all relative documents
- E. Cheboygan County Road Commission Annual Report 2010
- F. Correspondence:
 - 1. ~~MTA Letter Regarding Drain Commissioner~~ (moved to New Business Item 12D)
 - 2. Michigan Public Service Commission Public Hearings Re: Sentiments of General Public with Regard to Petition of Sheplers, Inc.
 - 3. Huron County Resolution Regarding 2011 Legislative Agenda
 - 4. Lake County Resolution Regarding Baiting and Feeding of Deer in Michigan
 - 5. Livingston County Resolution in Support of House Bills 4148, 4149 & 4150
 - 6. Oscoda County Resolution Regarding Baiting and Feeding of Deer in Michigan
- G. Minutes:
 - 1. Commissioners Finance/Business Meeting of April 12, 2011 and Committee of the Whole Meeting of April 26, 2011
 - 2. Health Board – March 15, 2011
 - 3. North Country Community Mental Health Board – March 17, 2011
 - 4. Michigan Northern Counties Association – February 28, 2011
 - 5. Cheboygan County Fair Board – April 4, 2011
 - 6. Cheboygan County Road Commission – March 16, 2011, March 17, 2011, and April 15, 2011
 - 7. Cheboygan City Council – March 10, 2011, March 22, 2011, and April 12, 2011
 - 8. Planning Commission Meeting – April 6, 2011 and April 20, 2011
 - 9. ZBA Meeting – March 23, 2011

A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

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Chairperson Socha said the board received a letter from the fire association regarding a budgetary issue for 2012. She directed the administrator to respond to the letter relating the matter would be addressed during the budget process.

CITIZENS COMMENTS – None

SCHEDULED VISITORS – None

FINANCE DIRECTOR'S REPORT - Finance Director Kari Kortz presented the revenue and expenditures report for the General Fund for the month ended March 31, 2011. She reported total year-to-date revenue of \$809,888.83 versus \$725,734.55 last year at that time. Ms. Kortz reported expenditures year-to-date of \$2,079,522.88, or 19.74% of budget, compared to \$2,216,523.00 last year as of the end March. She reviewed the Fund Balance quarterly report and Summary of General Fund Expenses by Category, which also is a quarterly report.

ADMINISTRATOR'S REPORT – Administrator Overton said in recent years reports regarding efficiency improvements to this building were received from Johnson Controls, and now Honeywell, and given the times today, there is a need to consider this issue, as clearly there is no doubt that we have significant needs. He said the boilers work but we have two and only need one and they have been in place since 1968 and at some time will have to be replaced. Commissioner Socha stated these recommended efficiency improvements are things we really need to do but we must find the most effective and fiscally responsible way to do them. Commissioner Wallace suggested this could be discussed at the Board's planning session next month. Administrator Overton said funds are available in the Court House Preservation fund and there have been funds set aside in Fund Balance to be used towards this expense. Discussion held. Commissioner Socha stated that at the board planning session, the board gives direction to administrator.

COMMITTEE REPORTS

Commissioner Allor reported attending four township meetings, a meeting of the Village of Wolverine, the North Country Community Mental Health Board meeting, the District #4 Health Board meeting, and visited the Wolverine Senior Center. She said the Sheriff presented a program at the senior center on prescription drug abuse, and reported the Wolverine Schools started the first school recycling program in the county. She reported that North Country Community Mental Health is proceeding in obtaining a building in Petoskey in front of Walmart; and that a couple of townships still voice concern in regards to a swimming pool. Chairperson Socha said the County has absolutely nothing to do with the swimming pool, the committee is working strictly with the townships to form an authority.

Commissioner Matelski attended two planning commission meetings, two road commission meetings, two township meetings, a county redistricting meeting, a ZBA meeting, and a MTA meeting. He said Koehler Township approved submitting a letter regarding the drain commissioner issue. He also said Koehler plans to get involved with the national flood insurance program and were concerned that since the county does zoning if the county will get involved in this flood program. Commissioner Socha said this matter came up several years ago and the township has the responsibility, but because we do zoning, the townships need to work with county planning and zoning and Steve Schnell needs to be aware. Discussion held on financing property in flood plain areas and maps of floodplains. Beaugrand Township Supervisor Marcia Rocheleau said if townships don't belong to FEMA home owners in flood plains cannot get insurance.

Commissioner Horrocks said he attended the new trails dedication yesterday and reported there has been impressive numbers of people walking on the trails. He said there are interesting comments on types of recreation not wanted in the Pigeon River area.

Commissioner Wallace attended a recent narrowbanding seminar, he reported narrowbanding will shrink the size of frequencies and will cost 9-1-1 a couple of million dollars. He said this is coming without funding.

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Commissioner Redmond reported attending the District #4 Health Board Meeting and the annual Farm Bureau dinner. He said the Waterways Commission requested, and the DNR approved, a change in the rating at the county marina which reduced the cost of docking there and has resulted in all of the seasonal slips being full this year. He said the board also reduced annual launch fee from \$50 to \$30. He reported the Straits Regional Ride is doing well and the last quarterly report showed a slight amount of money going back to the counties; however there still is a concern with rising fuel costs. He also attended the recent Jaycees Legislative Luncheon which was well attended. He said the Fair Board would like to thank the board, the administrator, the HR department and civil counsel for working on and changing the liability insurance policy to give them some leeway. He also attended a Benton Township meeting, the NLEA luncheon and a LEPC meeting.

Commissioner Socha attended a District #4 Health Board meeting, Allocation Board meeting, the annual Farm Bureau dinner, the legislative luncheon as a speaker, Mackinaw and Burt Township meetings, and a LEPC meeting. She said Greg Williams is setting up training for public officials related to emergency management. She said there's a lot going on with emergency management especially with concerns about more of an increased terrorism threat. She will be getting the FEMA information necessary for the four new commissioners to access the training information. On SANE and meth lab issues, federal funds designated to cleaning up meth lab sites has dried up, if money not reinstated, the minimum cost of an average clean up is \$2400 and can go as high as \$10,000. She said there maybe a time when bill submitted for meth lab clean up costs and there will not be a choice. She recently read more cuts to Byrne discretionary grants, so these issues are going to be potentially more costly to the counties.

OLD BUSINESS – None

NEW BUSINESS

District Coordinator for MSUE Patrick Cudney presented a new Agreement for Extension Services. Mr. Cudney reviewed the agreement in depth noting it is a five years agreement with a one year budget agreement. The new agreement is a result of a significant restructuring effort statewide by MSUE focused on greater investment in program staff and decreased investment in administration. Mr. Cudney pointed out that Exhibit A is the annual work plan. Commissioner Socha thanked Mr. Cudney for working to place Cheboygan County in District 3.

Motion by Commissioner Redmond, seconded by Commissioner Matelski, to approve the Agreement for Extension Services Provided by Michigan State University between Michigan State University Extension and Cheboygan County effective January 1, 2012 and terminates on December 31, 2017 and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Allor, to approve the Fair Ground Event Agreement between Cheboygan County and the Cheboygan County Equine Youth & Family for the use of the horse barn and one of the horse arenas on June 4, 2011 and July 16, 2011. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Overton advised that Lou Ann Miller has been hired as the new SAYPA Director effective April 25, 2011 to replace Carol Rosinski who left the position effective March 1, 2011. Ms. Miller will assume all duties set forth for the position and will work to strength the program. He said this is a new position on the Salary and Wage Resolution as the past director was employed under a contractual service agreement with MSUE. He said for the 2011 remaining budget, the Court is requesting to transfer funds from 292-161-810.07 (previous director's contract) in amount of \$32,958.99 and 276-156-810.01 (on-call worker's contract) in the amount of \$6,933.40; totaling \$39,892.39. For the 2012 budget, the total Salary & Fringe package will be \$60,770.56; the two contractual service line items only total \$57,155. The SAYPA program will have to cut an additional \$3,615.56 from the 2012 budget to fund this new position.

Motion by Commissioner Wallace, seconded by Commissioner Gouine, to adopt Amendment #5 to the Cheboygan County 2011 Salary and Wage Resolution, authorize the Chair to sign and approve the necessary budget adjustments. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

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Commissioner Matelski said he requested the MTA letter that was moved from the consent agenda and the letters recently received from Aloha, Beaugrand and Burt townships all regarding supporting the Cheboygan County Board of Commissioners in whatever action they deem necessary to resolve the issues brought about by the County Drain Commissioner be addressed under New Business to acknowledge said letters. Chairperson Socha read all four letters for the record, and thanked the townships and MTA for their support.

CITIZENS COMMENTS – Prosecutor Vizina invited all to attend tonight's apportionment meeting. Two weeks ago the meeting had a large turnout. He said there appears to be an overwhelming number of individuals confused as to the duties of county commissioners.

Mullett Township Supervisor Bill Morgan said his township gypsy moth spraying costs \$25 per acre. He said there has been talk regarding the money the county has from several years ago for gypsy moth issues. Administrator Overton said there is just over \$31,000 in the county's fund. Discussion held as to how to equitably determine amounts due to townships.

Motion by Commissioner Horrocks, seconded by Commissioner Matelski, to divide the \$31,000 being held by Cheboygan County for gypsy moth eradication to the townships that contributed to the gypsy moth program based on the allocation of funds received from each township that paid into the gypsy moth program for use toward current eradication of gypsy moths in those townships. Motion carried 7 yes, 0 no and 0 absent.

Beaugrand Township Supervisor Marcia Rocheleau said she talked with Steve Schnell regarding floodplain maps. She said they have some mapping to make that designation but are waiting for maps from FEMA.

BOARD MEMBER COMMENTS – Commissioner Gouine said there appears to be a bottle neck in the Building Department as 18 projects are currently on hold waiting for plan reviews. The Finance Director said a Building Official has been hired and he will begin working on the bottleneck on Wednesdays until he can begin full time. Discussion held on hiring local personnel if at all possible.

Commissioner Wallace distributed notification for the annual Tri-County 9-1-1 meeting to be held on May 18, 2011 at Whiting Park.

Chairperson Socha requested a report from NEMAH be on the agenda for the June Committee of the Whole meeting.

Motion by Commissioner Redmond, seconded by Commissioner Matelski, to go into closed session pursuant to Section 8(h) of the Open Meetings Acts, being MCL 15.268(h), to consider the written memo from our attorney dated May 9, 2011, which is exempt from disclosure by Section 13(1)(g) of the Michigan Freedom of Information Act, being MCL 15.243(1)(g), since this memo is subject to the attorney-client privilege. A roll call vote was taken. Motion carried with 7yes, 0 no and 0 absent.

Went into closed session at 11:15 a.m. Returned to open session at 12:07 p.m.

Civil Counsel Bryan Graham noted that federal law requires a public hearing if the board decides to go forward with this and would have to allow a 21 day notice from the date of service to Mr. Lennox. Discussion held centered a round cost for this process versus potential unforeseen future expenditures that could exceed court costs.

Motion by Commissioner Wallace, seconded by Commissioner Allor, to approve the Notice of Public Hearing concerning Removal from the Office of Cheboygan County Drain Commissioner; to schedule a public hearing on a date to be determined in the Commissioners' Room, Room 135, Cheboygan County Building, 870 South Main Street, Cheboygan, Michigan for the Cheboygan County Board of Commissioners to consider pursuant to MCL 46.11(k) whether to remove Dennis G. Lennox, II from the office of Cheboygan County Drain Commissioner for his neglect or refusal to make a report on April 26, 2011 to the Cheboygan County Board of Commissioners on specific subjects connected with his duties as the Cheboygan County Drain Commissioner; to request that the Sheriff or the Sheriff's Designee serve

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Mr. Lennox with a copy of the Notice of Public Hearing concerning Removal from Office of Cheboygan County Drain Commissioner, such service to occur no less than twenty-one (21) days before the scheduled public hearing, and to direct the Cheboygan County Clerk/Register of Deeds to publish a notice of the public hearing in a newspaper of general circulation in the county no less than fifteen (15) days before the scheduled public hearing. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Matelski, seconded by Commissioner Horrocks, to set the public hearing for consideration of the removal of the Cheboygan County Drain Commissioner from office for Wednesday June 8, 2011 at 9:30 a.m. in the Commissioners' Room of the County Building. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Matelski, seconded by Commissioner Guine, to adjourn to the call of the Chair. Meeting adjourned at 12:20 p.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson