

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS**  
**FINANCE/BUSINESS MEETING**  
**June 12, 2012**

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 Redmond requested the addition of North Country Community Mental Health Board Appointment under Committee Reports as Item 10A-2. Commissioner Allor requested the addition of Resolution 12-11 in Support of the MI Choice Waiver Program and the Nursing Facility Transition Initiative under New Business as Item 12H.

**Motion** by Commissioner Redmond, seconded by Commissioner Horrocks, to approve the agenda as amended. Motion carried with 7 yes, 0 no and 0 absent.

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

- A. Approve Monthly Finance Claims: Finance = \$47,875.03 Prepaids = \$1,023,880.57
- B. Budget Adjustments: Raise Revenues and Expenditures totaling \$40,213.36; Inter-department Budget Transfer related to payroll on behalf of Straits Regional Ride in the amount of \$2,630.55; Budget Transfer in amount of \$110,000 from the Building Permit line item to the Electrical, Mechanical and Plumbing Permit line items; and Budget Transfer for the County Tax Allocation Board in the amount of \$730 from the Carried Forward Fund Equity to the Per Diem and Travel/Lodging and Meals line items.
- C. Title IV-D Cooperative Reimbursement Program Grant Application 2013-2015 Prosecutor
- D. Title IV-D Cooperative Reimbursement Program Grant Application 2013-2015 Friend of the Court
- E. Cheboygan County Fair – Skerbeck Brothers Shows, Inc. Contract and 2012 Addendum to Exhibitor Contract
- F. Correspondence
  - 1. Livingston County Resolution Requesting that the Michigan Congressional Delegation Prevent to Continued Loss of Department of Defense Force Structure and Eventual Closure of Selfridge Air National Guard Base
  - 2. VanBuren County Resolution Opposing Proposed Rate Increase for Private Foster Care Agencies
  - 3. NEMCOG Program Highlights January 1, 2012 – March 31, 2012
  - 4. Top of Michigan Trails Council Letter Re North Eastern State Trail Grand Opening Event
- G. Minutes:
  - 1. Finance/Business Meeting of May 8, 2012, Tri-County 9-1-1 Meeting of May 16, 2012, Committee of the Whole Meeting of May 22, 2012 and Special Meeting with Elected Officials of May 30, 2012
  - 2. Health Board – April 17, 2012
  - 3. North Country Community Mental Health Board – April 19, 2012
  - 4. Michigan Northern Counties Association – April 16, 2012
  - 5. NEMCSA Board of Directors – May 4, 2012
  - 6. C.C.E. 9-1-1: Board Minutes of 3/21/12; Director's Report March 21, 2012; and Monthly Financial Reports March 2012 and April 2012
  - 7. NLEA May Newsletter, President's Report 5/12/12 and Board Minutes – March 12, 2012
  - 8. Northern Michigan Community Corrections Advisory Board – January 20, 2012
  - 9. Board Appointments & Procedures – May 30, 2012
  - 10. Jail Utilization Committee – February 8, 2012

## Finance/Business Meeting – June 12, 2012

11. Cheboygan County Fair Board – April 2, 2012 and May 7, 2012
12. Cheboygan County Road Commission – April 19, 2012 and May 3, 2012
13. Cheboygan City Council – April 24, 2012
14. Planning Commission Meeting – May 2, 2012
15. ZBA – April 25, 2012

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

**CITIZENS COMMENTS** – None

**SCHEDULED VISITORS** – None

**FINANCE DIRECTOR'S REPORT** – Accountant James Manko presented the revenue and expenditures report for the General Fund for the month ended April 30, 2012. He reported total year-to-date revenue of \$1,006,217.81 versus \$996,148.71 last year at that time. Mr. Manko reported expenditures year-to-date of \$3,264,493.15, or 30.66% of budget, compared to \$3,222,493.15 last year as of the end of April. He reported the department currently has been working on the audit with the auditors. Administrator Lawson asked if the Board would prefer the audit electronically, a paper copy, or both. The consensus was both.

Chairperson Socha commented she has spoken with Sheriff Clarmont and received information from Judge Butts regarding bath salts and drug issues discussed at the recent elected officials' meeting. Sheriff Clarmont said a few counties have addressed the bath salts and synthetic marijuana issue by approving health regulations to make the substances illegal. He said he discussed this with State Representative Greg MacMaster and was told the State House has unanimously passed legislation banning the sale of these substances the legislation should be passed by the Senate and signed into law by the Governor in the near future.

**ADMINISTRATOR'S REPORT** – Administrator Lawson's written report included information on the County Audit; Animal Shelter Project; County Building Phase One Improvements; Community Development update for the Historical Open Permit Remediation program prepared by Building Official Allan Hoard and a letter from US EPA identifying the County's Brownfield Grant has been closed out; the Veteran's 2011 VVA Expenditure Report; Building/Court Audio-Video Project; and the DNR Trail Opening Event scheduled for June 23, 2012 at 8:30 a.m. at the Cheboygan Trail Head as well as in Aloha and Tower.

### **COMMITTEE REPORTS**

Commissioner Redmond presented recommendations from the Board Appointments & Procedures Committee.

**Motion** by Commissioner Redmond, seconded by Commissioner Matelski, to accept the recommendation from the Board Appointments & Procedures Committee and appoint John Jazdzyk to the Cheboygan County Planning Commission for a term commencing June 1, 2012 through December 15, 2013. Motion carried with 7 yes, 0 no and 0 absent.

Commissioner Redmond said Civil Counsel Bryan Graham reviewed the statute governing the composition of North Country Community Mental Health and the Amended and Reinstated Enabling Resolution from 2003 to Form the North Country Community Mental Health Authority. In Mr. Graham's Memorandum dated June 6, 2012, Mr. Graham stated, based on the Enabling Resolution, it is his opinion that the alternating member must be a primary consumer of mental health services.

**Motion** by Commissioner Redmond, seconded by Commissioner Matelski, to accept the recommendation from the Board Appointments & Procedures Committee and rescind the appointment of Larry Hanson to North Country Community Mental Health Board effective June 12, 2012. Motion carried with 7 yes, 0 no and 0 absent.

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**Motion** by Commissioner Redmond, seconded by Commissioner Matelski, to accept the recommendation from the Board Appointments & Procedures Committee and reappoint Robert Boyd to the North Country Community Mental Health Board effective June 12, 2012 through March 31, 2015. Motion carried with 7 yes, 0 no and 0 absent.

Commissioner Redmond asked that letters be sent to all three gentlemen. He also reported attending the Health Board meeting, the Tri-County 9-1-1 at the Headlands, a Waterways meeting, the Elected Officials' meeting, two Board Appointments & Procedures meetings, the Fair Board meeting and a Benton Township meeting.

Commissioner Allor attended meetings of the District #4 Health Board; North Country Community Mental Health Finance meeting, Regular Board meeting and Planning Session; Region 9 Area Agency on Aging; Elected Officials' meeting; MSUE Leadership Steering Committee meeting; the local MTA meeting; a NEMCSA meeting; Forest and Wilmot Township Board meetings; Village of Wolverine Council meeting and a Presentation by Mark Hall. She reported the Health Departments has hired a health care nurse for work in Cheboygan County; North Country CMH discussed the Affordable Care Act and the potential impact on NCCMH; and the MSUE Leadership Steering Committee will be meeting with the Sense of Place group to identify projects to promote growth.

Commissioner Gouine noted the ribbon cutting for the trail way is scheduled for June 23<sup>rd</sup>; and the Fair will be sponsoring a Gordon Lightfoot Tribute free of charge.

Commissioner Matelski reported attending two Planning Commission meetings, two Road Commission meetings, two Board Appointments & Procedures Committee meetings, three township meetings, the local Michigan Townships Association meeting, a ZBA meeting and the Elected Official's meeting. He noted that townships contributed \$917,000 last year to the road commission for various township projects. He reported the local MTA contributed \$1500 in the form of a grant to the 211 program.

Commissioner Horrocks noted the Cheboygan Schools have two offers to purchase the former Black River School building. A \$20,000 bid would be for use as a call center with 200 jobs anticipated. A \$50,000 bid would be for a 35 bed nursing home employing 45 people, this group would withdraw if the other group would step up to \$50,000. He said action was tabled until next week.

Commissioner Wallace thanked all the employees of the County Building for the cards and get well wishes. Chairperson Socha said it is good to have him back. Commissioner Wallace said he was notified by CCE 9-1-1 that they have completed purchase of two towers one in Cheboygan County and one in Emmet County.

Commissioner Socha attend the NLEA regular board meeting, the CCE and the Emergency Management Tri-County annual meeting, and Hebron and Mackinaw Township meetings. She recommended to review the reports on the NLEA website particularly on place making. She said this year's annual NLEA luncheon drew 475 attendees and 500 paid, however it has outgrown the location. She related the Office of Emergency Management contact her while she was camping in Brimley through her Kindle regarding the Duck Lake fire. She also attended a US Coast Guard Northern Michigan Area Committee meeting aboard the ship Mackinaw. This meeting was called by the contingency preparedness special for the US Coast Guard relative to preparedness for potential spills or leaks in the waterways. It was attended by about 30 representatives of various agencies and reports were given regarding access to entities that have response equipment, what they have, how soon it could be deployed and where it would be deployed. The same company that worked on the oil spill in the south last year would respond and they have equipment situated in the Great Lakes area, including one in Cheboygan. She said there were several interesting reports including a report on an exercise with Canada and the United States at the Soo Locks. Both two countries each have plans that were different, but now are reviewing each other's plans and working on a comprehensive plan. She said the Coast Guard now has a civilian that is a contingency preparedness specialist.

**OLD BUSINESS – None**

**NEW BUSINESS**

**Motion** by Commissioner Horrocks, seconded by Commissioner Redmond, to approve the 2012 Event Contract and Addendum to Exhibitor Contract between the Cheboygan County Fair Board and the Michigan Horsepulling Boat Association for an event to be held on Tuesday, August 7, 2012 at 7 pm at the fairgrounds. Motion carried with 7 yes, 0 no and 0 absent.

Two proposed were presented for approval: County Resolution 12-08 Aloha Township Joint Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program and County Resolution 12-09 Burt Township Joint Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program. Chairperson Socha asked Civil Counsel Graham if both resolutions could be approved with one motion. Mr. Grahams said they could. He said the townships had to have these joint agreements to qualify for the flood plain program in order to get flood insurance for their township. Future such resolutions can be placed on the Consent Agenda for approval. Mr. Graham said there should be two originals provided, one for the township and one of the County. Resolutions from townships that have not been drafted by Civil Counsel should be reviewed by Mr. Graham.

**Motion** by Commissioner Matelski, seconded by Commissioner Allor, to adopt County Resolution 12-08 Aloha Township Joint Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program and County Resolution 12-09 Burt Township Joint Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program (Resolutions on file in County Clerk's Office). A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

**Motion** by Commissioner Horrocks, seconded by Wallace, to authorize the Chair to sign the Joint Resolutions that will be coming in relative to the Intergovernmental Agreements to Manage Floodplain Development for the National Flood Insurance Program, after review and approval from Civil Counsel and to place those agreements on the Consent Agenda for ratification by the Board. Motion carried with 7 yes, 0 no and 0 absent.

Community Development Planner Scott McNeil presented Zoning Ordinance Amendment #112 regarding conditions upon which the Planning Commission can approve height of buildings above the maximum height limit for structures and allowing height of antennas and flag poles to a maximum height of 50 feet in Commercial Development zoning districts. This amendment provides updated language from that provided currently by establishing a new section 17.2.9. in the zoning ordinance which grants the Planning Commission the ability to approve the height of a building above the maximum height limit in any zoning district subject to a finding that certain conditions are met. The updated language is recommended in order to provide clarification relative to procedure and scenic view criteria. Section 3 of the amendment document includes the current language which is proposed to be repealed. Section 4 of the amendment document provides the updated language within new section 17.2.9. The amendment also provides for the addition of a new note I to the table in section 17.1 relative to maximum height of structures in the Commercial Development District to allow a 50ft. maximum height for antennas and flag poles. Currently these structures are limited to 35 ft. in height as are all other structures.

**Motion** by Commissioner Gouine, seconded by Commissioner Horrocks, to adopt the following:

**Zoning Ordinance Amendment #112**

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 TO PROVIDE FOR THE APPROVAL OF BUILDING HEIGHTS TO EXCEED THE MAXIMUM HEIGHT AND TO PROVIDE FOR A MAXIMUM HEIGHT OF ANTENNAS AND FLAGPOLES IN THE COMMERCIAL DEVELOPMENT ZONING DISTRICT (D-CM).

**Section 1. Amendment of Section 17.1.**

Section 17.1. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to replace the following row in its proper alphabetical location which shall read in its entirety as follows:

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		Minimum Floor Area	Minimum Building Width	Min. Lot Size		Min. Yard Setbacks (feet)			Maximum Height of Structures
Zoning District		Sq. ft.	Feet	Area (Sq.ft.)	Width (ft.)	Front	Sides	Rear	Feet
<u>D-CM</u>	<u>Commercial Development</u>	Submit Site Plan				25	10	10	35 <sup>1</sup>

**Section 2. Amendment of Section 17.1.**

Section 17.1. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following note in its proper alphabetical location to read in its entirety as follows:

I. Antennas and Flag Poles which are accessory to a main use shall be allowed a maximum height of fifty (50) feet.

**Section 3. Repeal of Provision Relating to Controlled Height Increases.**

The following provision of the Cheboygan County Zoning Ordinance No. 200 located after the notes in Section 17.2.8 is hereby repealed in its entirety:

10. Subject to a Public Hearing and the conditions outlined here, the Planning Commission may approve controlled height increases above the maximum in all districts without an upper limit. The conditions for approving taller structures are as follows:

1. It is determined by the Planning Commission that the added height will not significantly interfere with line-of sight scenic views.
2. There is no conflict with airport zoning height restrictions.
3. The percent of lot coverage for all buildings, parking lots and other impervious surfaces, shall not exceed 50%.
4. The applicant can demonstrate that the added height will result in more ground level open space through the lot toward the scenic view to compensate for higher structures or otherwise demonstrate to the Planning Commission that the added height will result in a better use of the premises from the standpoint of the arrangement of parking areas, buildings, open spaces and relationship to adjacent buildings and uses.

**Section 4. Addition of new section 17.2.9.**

Article 17 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 17.2.9., which shall read in its entirety as follows:

17.2.9. Following a Public Hearing held pursuant to requirements of Section 18.5 of this ordinance, the Planning Commission shall approve the height of buildings in all zoning districts to exceed the maximum height of structures, without an upper limit, if it finds that all of the following conditions are met:

1. The added height will not significantly interfere with line-of sight scenic views of lakes and rivers from neighboring properties.
2. There is no conflict with airport zoning height restrictions.
3. The added height will not significantly interfere with the use of neighboring properties or amenities located on neighboring properties.
4. The percent of lot coverage for all buildings, parking lots and other impervious surfaces do not exceed 50%.
5. The applicant has demonstrated that the added height will result in more ground level open space through the lot toward the scenic view to compensate for higher structures or otherwise has demonstrated to the Planning Commission that the added height will result in a better use of the premises from the standpoint of the arrangement of parking areas, buildings, open spaces and relationship to adjacent buildings and uses.

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**Section 5. 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 6. 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.

Mr. McNeil presented Zoning Ordinance #113 regarding establishment of minimum lot size, minimum dwelling area, maximum structure height and side and rear setbacks for Natural Rivers Protection District (P-NR). The Natural Rivers Protection District includes an area 500 feet deep on each side of and parallel to all channels of the mainstream of the Pigeon and Upper Black Rivers and to their tributaries, as noted:

**Pigeon River:**

Mainstream - From the rivers entry into Cheboygan County in Section 33, T33N, R1W, downstream to the Hackleburg Road Bridge.

Tributaries - All streams which flow into the Pigeon River upstream of M-68, from their sources to their confluence with the Pigeon River.

**Upper Black River:**

Mainstream - From the rivers entry into Cheboygan County in Section 32, T33N, R1E, downstream to the Upper Black River Road Bridge in Section 34, T36N, R1E.

Tributaries - McMasters, Little McMasters and Milligan Creeks, from their sources to their confluence with the Upper Black River.

The ordinance establishes minimum dwelling area and width requirements, along with minimum lot sizes, setbacks and proposed maximum structure height for the P-NR zoning district via an amendment of the table in Section 17.1. of the zoning ordinance. Commissioner Wallace noted that Hackelburg Road and Pigeon River Road should now be East Mullett Lake Road. Mr. McNeil said that would be looked into.

**Motion** by Commissioner Gouine, seconded by Commissioner Horrocks, to adopt the following:

**Zoning Ordinance Amendment #113**

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200  
TO PROVIDE FOR MINIMUM LOT SIZE AND SIDE AND REAR SETBACK STANDARDS FOR THE NATURAL  
RESOURCES PROTECTON DISTRICT (P-NR).

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

**Section 1. Amendment of Section 11.1.1.**

Section 11.1.1. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

11.1.1. The area of the Pigeon River and its tributaries and an area of the Upper Black River and its tributaries has been assigned a Natural Resource Protection land use designation pursuant to the Cheboygan County Comprehensive Plan. The Natural Rivers Protection District is established to preserve, protect and enhance the unique and significant values, qualities and natural resources of the Pigeon River and Upper Black River and to provide measures to protect those invaluable natural assets in the interest of present and future generations. The Pigeon River has been designated as a wild-scenic river, under authority of part 305 of the Natural Resources and Environmental Resources Protection Act, Public Act 451 of 1994, based on its water quality, resource and recreation values. The Upper Black River has been identified as a priority stream by the Michigan Department of Natural Resources, Natural River Program, noting qualities and resource values similar to the designated portions of the Pigeon River.

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**Section 2. Amendment of Section 17.1.**

Section 17.1. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following row in its proper alphabetical location:

		Minimum Dwelling Area	Minimum Dwelling Width	Min. Lot Size		Min. Yard Setbacks (feet)			Maximum Height of Structures
Zoning District		Sq. ft.	Feet	Area (Sq.ft.)	Width (ft.)	Front	Sides	Rear	Feet
P-NR	Natural Rivers Protection	720	24	50,000 Waterfront Main stream	200 <sup>K</sup> Waterfront Main-stream	200 <sup>A</sup> Main-stream	15 Waterfront	25 Waterfront	35
				30,000 Waterfront Tributaries	150 <sup>K</sup> Waterfront Tributaries	150 <sup>A</sup> Tributaries	8 Non Waterfront	12 Non Waterfront	
				15,000 Non Waterfront	100 Non Waterfront				

**Section 3. Amendment of Section 17.1.**

Section 17.1. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to change the following note to read in its entirety as follows:

A. The minimum front setback for non waterfront lots in the P-LS and P-NR Districts shall be thirty (30) feet.

**Section 4. Amendment of Section 17.1.**

Section 17.1. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following note in its proper alphabetical location to read in its entirety as follows:

K. A lot in the P-NR District shall meet the definition of lot width within this Ordinance and lots on a Main Stream shall have a minimum lot width of 200 feet as measured between the side lot lines at the front setback line, and lots on a Tributary shall have a minimum lot width of 150 feet as measured between the side lot lines at the front setback line.

**Section 5. 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 6. 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 6 yes, 1 no (Commissioner Wallace) and 0 absent.

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Sheriff Clarmont presented the annual Blue Cross Blue Shield of Michigan Administrative Services Advance Deposit Program Cheboygan County Inmate Services Contract which allows inmate medical services to be billed at the BCBS insurance approved rate.

**Motion** by Commissioner Redmond, seconded by Commissioner Matelski, to approve the Administrative Services Advance Deposit Program between Blue Cross Blue Shield of Michigan and Cheboygan County, a one year contract renewal through June 30, 2013 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

County Treasurer Cronan presented a written report on the Foreclosure Fund and briefly reviewed the history of this fund for the new commissioners. She said although the law only requires the County Treasurer to report the remaining balance from the sales proceeds, her report shows all revenues and all expenses in this fund. She reported a balance of \$29,391.53.

**Motion** by Commissioner Gouine, seconded by Commissioner Horrocks, to accept the Cheboygan County Treasurer's Foreclosure Report and instruction the County Treasurer to move funds in the amount of \$29,391.53 from the Foreclosure Fund into the General Fund to be designated for current building improvements expenditures. Motion carried with 7 yes, 0 no and 0 absent.

Treasurer Cronan updated on the board on this year's foreclosed properties. She said currently there are 47 parcels, up from prior years, however, two of the parcels have been granted an extension pending sales, so most likely will not be offered. She said the City of Cheboygan has expressed an interest in the parcel on the corner of Division and Dresser streets, and she has not yet received waivers from all of the townships, so it looks like approximately 44 parcels will be offered for sale on August 18, 2012.

Administrator Lawson presented a proposed resolution urging state legislators not to divert Michigan Natural Resources Trust Fund dollars to fund other state projects. He said the resolution has been approved by NEMCOG as well as other Northern Michigan communities.

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

**Resolution 12-10  
in Opposition of Michigan Natural Resources Trust Fund (MNRTF) Dollars  
Being Diverted to Fund State Projects**

**WHEREAS**, the Michigan Natural Resources Trust Fund created the Michigan Land Trust Fund Program to provide a source of funding for the public acquisition of lands for resource protection and public recreation, and

**WHEREAS**, the funding was derived from royalties on the sale and lease of state-owned mineral rights, and

**WHEREAS**, Michigan residents and communities benefit greatly from the grant awards given by the MNRTF, and

**WHEREAS**, the granting of these funds should not be earmarked for political agendas, and

**WHEREAS**, such action would erode the integrity of the Land Trust Fund;

**THEREFORE BE IT RESOLVED** that the Northeast Michigan Council of Governments opposes any action that would divert Land Trust Fund dollars to anything other than the sole purpose of land acquisition, preservation of critical areas and the establishment and development of public recreation sites to enhance the lives of all Michigan residents and visitors.

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

Commissioner Allor presented a proposed resolution that was adopted by NEMCSA in support of the MI Choice Waiver Program and the Nursing Facility Transition Initiative.

**Motion** by Commissioner Allor, seconded by Commissioner Gouine to adopt the following resolution:

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**Resolution 12-11  
in Support of Nursing Facility Transition Initiative**

**WHEREAS**, the Nursing Facility Transition Initiative (NFTI) is part of the MI Choice Medicaid Waiver Program; and

**WHEREAS**, NFTI is a cutting edge program that has successfully transitioned people in nursing homes who want to leave, but face barriers; and

**WHEREAS**, in fiscal year 2010 over 1,600 people were transitioned and it is estimated that each year about 3,000 people in nursing homes are candidates for NFTI; and

**WHEREAS**, the average cost of a Medicaid nursing home stay is \$172 per day compared with an average of \$60 per day on the MI Choice Waiver Program; and

**WHEREAS**, according to the Governor Snyder's 2012 Executive Budget, NFTI has saved the state \$65 million since 2008 yet a disproportionate share of State of Michigan's long-term care budget (83%) is targeted to nursing facility funding; and

**WHEREAS**, the current waiting list for MI Choice Waiver enrollment is almost 6,000 statewide.

**WHEREAS**, a majority of Michigan residents express a desire to remain in their homes for as long as possible; and

**WHEREAS**, it is estimated that \$25 million will be needed in fiscal year 2013 to transition another 1,600 people, but only \$3.1 million is allocated in the Governor's budget, enough to fund the program for only two months and \$11 million to address the current waiting list for MI Choice services; and

**THEREFORE BE IT RESOLVED** that the Cheboygan County Board of Commissioners supports the MI Choice Waiver Program and Nursing Facility Transition Initiative and requests Governor Snyder and the MI Legislature to appropriate \$11 million for the MI Choice waiting list and \$25 million for nursing facility transitions in the MI Choice budget for fiscal year 2013.

**FURTHER, RESOLVED** that after adoption, this resolution be forwarded on to the appropriate State elected officials and governmental entities.

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

**Motion** by Commissioner Redmond, seconded by Commissioner Wallace, to go into closed session to consult with our attorneys regarding settlement strategy in connection with the case of *Flory v Cheboygan County, and Steven Schnell*, File No, 11-8178-CD pending in the Cheboygan County Circuit Court pursuant to Section 8(e) of the Open Meetings Act since discussion in an open meeting will have a detrimental financial effect on the litigating position of the county. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Went into Closed Session at 11:20 a.m.; Returned to Open Session at 12:30 p.m.

**Motion** by Commissioner Allor, seconded by Commissioner Horrocks, to designate Linda Socha, Chairperson of the Cheboygan County Board of Commissioners, as the Cheboygan County Representative to attend the settlement conference regarding *Flory v Cheboygan County et al*, and to engage in the settlement discussion scheduled for June 27, 2012 pursuant to the settlement authority discussed in closed session. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

**Motion** by Commissioner Wallace, seconded by Commissioner Horrocks, to adjourn to the call of the Chair. Meeting adjourned at 12:30 p.m.

**CITIZENS COMMENTS** – None

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**BOARD MEMBER COMMENTS** – Chairperson Socha state that NACO now has a dental program similar to the prescript[ion drug program we currently offer. She gave the information to Administrator Lawson for review.

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Mary Ellen Tryban  
Cheboygan County Clerk/Register

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Linda Socha  
Chairperson