

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE MEETING
MAY 27, 2014**

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, Bruce Gauthier, Pete Redmond, Tony Matelski, John Wallace, and Sue Allor.

Absent: Commissioner Cal Gouine

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

Motion by Commissioner Wallace, seconded by Commissioner Redmond, to approve the agenda as presented. Motion carried with 6 yes, 0 no and 1 absent.

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

- A. Approve Monthly Finance Claims
- B. Budget Adjustments
- C. Straits Regional Ride and COP-ESD Transportation Agreement
- D. Correspondence
 - 1. Huron County Resolution Supporting HB5456
 - 2. Wexford County Resolution Opposing HB5097 and SB850
- E. Minutes:
 - 1. CCE 9-1-1 Board of Director's 4/16/14 and Strategic Thinking and Goal Setting Session and Director's Report 5/14/14
 - 2. Michigan Northern Counties – 4/21/14
 - 3. NEMCOG – 4/17/14
 - 4. North Country Community Mental Health – 4/17/14
 - 5. Board Appointments and Procedures Committee – 5/22/14
 - 6. Cheboygan City Council – 4/22/14

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

CITIZENS COMMENTS

Robert Kendrick, an attorney from Saginaw and soon to be Cheboygan County resident, addressed the Board regarding the 2014 Cheboygan County Equalization report specifically mentioning the residential value of Tuscarora Township which increased 6.95% and is 17.5% of that class of property for the entire county. Mr. Kendrick urged denial of the conditional rezoning request due to its potential negative impact on residential values and property tax revenues.

Stephen Hatt, a resident of Tuscarora Township, addressed the Board regarding his concern over a reduction in property values in Tuscarora Township if the Griswold Mountain conditional rezoning request is approved. He provided a hand out to the Board.

Gary Campbell, a resident of Tuscarora Township, addressed the Board regarding his concern about the Griswold Mountain conditional rezoning request. He provided a handout to the Board, and urged the Board to denial the request.

Jess Miller, a citizen of Tuscarora Township, addressed the Board regarding several handouts he passed out to the Board. He represented the Friends of Indian River for Smart Growth group and summarized the

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most important items against the racetrack and a listing of documents referenced most often by the Planning Commission when reviewing the 10 criteria items.

SCHEDULED VISITORS/DEPARTMENT REPORTS

Commissioner Socha as Kortney Hahn, a co-worker of Shawna McMannus to deliver a plaque and certificate of appreciation to Shawna for her skill and attention regarding her detailed reporting of county government over the past thirteen years.

Judge Maria Barton presented the 2013 89th District Court annual report. The 89th District Court has come in under budget for the last five years totaling a savings of approximately \$140,000. The 89th District Court was selected to be a pilot court for direct access programming which streamlines the driver's license clearance process after payment is received for traffic tickets. The 89th District Court has collected \$42,000 to date in cases where tax return garnishments were issued, collecting \$6500 through this process in 2013. The Polycom system installed in the 89th District Courtroom provided a multi-department savings of approximately \$5500 in 2013. The clearance rate of cases in the 89th District Court was 102% clearance in 2013 which means out of 4,395 new cases filed, the court disposed of nearly 4,500 cases. The court will have two years of operation for their Sobriety Court program in August and the program had its first graduate this year. For 2013, the court exceeded state guidelines in case disposition rates. The revenues of the 89th District Court were down in 2013 mainly due to the decrease in civil infraction and misdemeanor cases. Commissioner Gauthier asked Judge Barton if there was an explanation for the steady decrease in felony cases over the last five years. Judge Barton thought the ebb and flow of cases is typical. Sheriff Clarmont stated that it has to do a lot with law enforcement and education in the community. Commissioner Gauthier inquired as to why the clearance rate of cases was over 100%. Judge Barton stated that there will always be lingering cases that aren't completely closed because of various issues. Sheriff Clarmont commended Judge Barton and the 89th District Court staff for their dedication in keeping jail costs down and being mindful of the jail population. The Board also commended Judge Barton for being conscious about costs.

ADMINISTRATOR'S REPORT

Administrator Lawson stated that after this meeting there would be a packet of Griswold Mountain rezoning request information ready for download. He asked Board members to forward any correspondence regarding the Griswold Mountain rezoning request that they may receive individually to administration so that it may forwarded to everyone.

Commissioner Wallace asked when the county building parking lot paving will begin. Administrator Lawson stated that the project is slated to be completed in June.

NEW BUSINESS

Marie Frick, a NEMCOG Community Corrections Case Manager, presented Resolution 14-12, an annual resolution, approving the fiscal year 2015 Community Corrections Grant Application.

Motion by Commissioner Redmond, seconded by Commissioner Gauthier to adopt:

**RESOLUTION 14-12
Approving the Fiscal Years 2015
Community Corrections Grant Applications
of the Northeast Michigan Council of Governments**

WHEREAS, the Northeast Michigan Council of Governments (NEMCOG) serves as the Northern Michigan Community Corrections Advisory Board's (NMCCAB) fiscal agent and manager, and

WHEREAS, this County is a member of the Northern Michigan Community Corrections Advisory Board, has been served by its programs, and wishes to continue participation with the Board's programs and services in the future, and

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WHEREAS, an application in the amount of \$190,663 for the general program has been prepared by NEMCOG to continue the Community Corrections programs in Cheboygan, Crawford, Oscoda, Otsego, and Presque Isle counties, and

WHEREAS, the Northern Michigan Community Corrections Advisory Board, has approved this proposal, and recommends its approval by the member counties, and

THEREFORE BE IT RESOLVED, that this County hereby approves the Northern Michigan Community Corrections Advisory Board Grant Application prepared by NEMCOG for Community Corrections funding in the annual amount of \$190,663 for the general program for Fiscal Years 2015.

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

Commissioner Redmond presented the Board Appointments & Procedures Committee recommendation on the filling of vacancies on the Cheboygan County Human Services Board. There are two vacancies due to a person moving out of the area and the other position which is appointed by the Governor.

Motion by Commissioner Redmond, seconded by Commissioner Matelski to accept the recommendation from the Board Appointments & Procedures Committee and declare the Governor's appointed position on the Cheboygan County Department of Human Services Board vacant as required by state statute 400.464. Discussion was held regarding the composition of the DHS Board. Motion carried with 6 yes, 0 no and 1 absent. The Clerk will send a letter to Julie Sproul regarding this action.

Commissioner Redmond presented the Board Appointments & Procedures Committee recommendation on an appointment to the Cheboygan County Department of Human Services Board. The Board Appointments and Procedures Committee recommend the appointment of Les Tebo to replace Molly Paquin for the remainder of the term expiring October 31st, 2014.

Motion by Commissioner Redmond, seconded by Commissioner Gauthier to accept the recommendation from the Board Appointments and Procedures Committee and appoint Leslie Alan Tebo to the Cheboygan County Department of Human Services Board to replace Molly Paquin for the remainder of the term expiring October 31st, 2014. Motion carried with 6 yes, 0 no and 1 absent.

Commissioner Redmond stated that there are currently three vacant positions on the Economic Development Corporation due to resignations. Commissioner Redmond stated that it is the recommendation of the Board Appointments and Procedures Committee to fill those positions with the Community Development Director and two County Commissioners. The three different terms are to expire on September 30th, 2014, September 30th, 2017 and September 30th, 2018.

Commissioner Socha stated that the Public Act from which the Economic Development Board is derived from requires the appointment of Board members to be made by the Chairperson of the Board. She said that she analyzed the geographic area of current Board members which is focused primarily in the City of Cheboygan, the Township of Tuscarora, and the middle of the county, and noted that there is currently no representation on the EDC from the southern portion of the County. Commissioner Socha stated that her recommendation would be to appoint Commissioner Allor to fill the vacated term remaining on the Economic Development Corporation board expiring September 30th, 2014. She added that since that term expires in the current year that she would appoint Commissioner Allor to the following term after the expiration of the current term, which would make the subsequent term of the two appoints to expire on September 30th, 2020.

Commissioner Socha stated that her recommendation would be to appoint Commissioner Matelski to fill the vacated term on the Economic Development Corporation Board expiring September 30th, 2018. Commissioner Socha agreed the recommendation of the Board Appointments and Procedures Committee to appoint the Community Development Director, Steve Schnell, to fill the last vacated position

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expiring September 30th, 2017. Commissioner Socha asked the Board for a vote of consent for her appointments.

Motion by Commissioner Wallace, seconded by Commissioner Redmond to approve the appointments made to the Economic Development Corporation of the County of Cheboygan by the Chairperson of the Board of Commissioners as previously stated. Discussion was held regarding the purpose for the geographic representation for the Economic Development Corporation. Motion carried with 6 yes, 0 no and 1 absent.

Commissioner Redmond stated that terms on the EDC are for 6-years. He stated that currently still serving on the EDC is Jim Muschell, Bud Darnell, Bob Andrews, Dawn Bodnar, Jim Granger, and Matt Friday.

Commissioner Socha clarified that a Board liaison for the EDC will no longer be necessary. Commissioner Socha stated that Act 338 of 1974 establishes a separate Economic Development corporate body, not a commission, and the County board appointment book is in error on page 19. Commissioner Socha stated that it is her recommendation that when the new Board takes office on January 1st, 2014, that it will be priority for there to be a Board training and thereafter set the Board of Commission goals, but also that the EDC can set their own goals and make their own decisions and do not have to follow the same goals set by this Board. She said that County Civil Counsel does not serve as civil counsel to the County EDC; and that the only way the EDC could be abolished is if the corporate body itself chose to abolish itself, as it is a separate entity. Commissioner Redmond stated that he met with Administrator Lawson and Community Development Director Steve Schnell to have a preliminary discussion about the EDC and refocusing the goals of the EDC after the first of the year.

Sheriff Clarmont presented the State of Michigan FY 2013 Operation Stonegarden Grant from the Department of Homeland Security. There is no financial match required for the grant. Commissioner Socha asked where the bulk of the grant money goes. Sheriff Clarmont stated that it mostly ends up in Chippewa County.

Motion by Commissioner Wallace, seconded by Commissioner Allor to accept the recommendation from Sheriff Clarmont and approve the Fiscal Year 2013 State of Michigan Operation Stonegarden Grant in the amount of \$33,500 and authorize the Chairperson to sign the grant agreement and any forthcoming relative documentation after review by the finance director. Motion carried with 6 yes, 0 no and 1 absent.

Administrator Lawson presented the McLaren Northern Michigan – Cheboygan Campus recycling agreement.

Motion by Commissioner Matelski, seconded by Commissioner Redmond to approve the agreement for recycling services between Cheboygan County and McLaren Northern Michigan effective May 27th, 2014 and authorize the Chairperson to sign the agreement. Motion carried with 6 yes, 0 no and 1 absent.

Commissioner Socha asked Administrator Lawson if there will be an annual report from the Recycling Program Director. Administrator Lawson stated that a report can be put together. Commissioner Socha stated that she learned that the State of Michigan and Governor Snyder have designated funding for recycling programs and that the County should investigate the requirements for that funding.

Finance Director Kari Kortz presented the 2014-2015 Title IV-E (Abuse and Neglect) Reimbursement Program contract on behalf of Prosecuting Attorney Vizina. Commissioner Allor asked what the meaning was for the penetration rate of the contract to be set by the State of Michigan. Finance Director Kortz explained that it is based on the number of neglect and abuse cases in total in the entire State of Michigan per quarter. Ms. Kortz hopes the penetration rate will be determined annually due to the upgrade in using an online system to save from reprogramming each quarter.

Motion by Commissioner Redmond, seconded by Commissioner Allor to approve the submission of the 2014-2015 Title IV-E Reimbursement Program application using the E-Grams on-line grant management system and authorize the Prosecuting Attorney and the Board Chairperson to sign any forthcoming

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required documentation after review by the Finance Director and legal counsel if necessary. Motion carried with 6 yes, 0 no and 1 absent.

BOARD MATTERS FOR DISCUSSION – None.

CITIZENS COMMENTS

Jess Miller, a resident of Tuscarora Township, addressed the Board asking about the proposed format for the public hearing coming up regarding the Griswold Mountain Racetrack. Commissioner Socha explained the process that will be used. Mr. Miller also asked if the County has looked into curbside recycling. Discussion was held; Commissioner Socha stated that the recycling program funding is limited and would not allow providing curbside pickup.

Susan Whitener, a resident of Tuscarora Township, addressed the Board regarding her concern for her property value and health of her horses which are directly adjacent to the proposed racetrack at Griswold Mountain. Ms. Whitener provided materials to the Board.

BOARD MEMBER COMMENTS

Commissioner Gauthier asked for clarification as to when public comments will be made at the public hearing on June 10th. Commissioner Socha stated that the public hearing portion of the meeting occurs prior to Board deliberation. Commissioner Gauthier asked how the Board deliberation process will be conducted. Commissioner Socha stated it will be in a similar format as the Planning Commission. The findings will be voted on individually. Commissioner Gauthier expressed his opposition to the structure of this Board in conducting the public hearing as being an exact replication of the structure of the Planning Commission public hearing. Commissioner Wallace agreed with Commissioner Gauthier. Commissioner Socha disagreed and deferred the issue to legal counsel to explain the format.

Commissioner Gauthier commented regarding a letter the Board received from the Burt Lake Association and its request to conduct an environmental impact study which would need to be acted on immediately. Commissioner Socha said the Board will not respond to an individual letter at this time. Administrator Lawson stated that these issues can be discussed at the public hearing meeting.

Motion by Commissioner Wallace, seconded by Commissioner Redmond to adjourn this meeting to the call of the chair at 11:10 a.m. Motion carried with 6 yes, 0 no and 1 absent (Commissioner Gouine).

Mary Ellen Tryban
Cheboygan County Clerk/Register of Deeds

Linda Socha
Chairperson