

CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
September 11, 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

Chairperson Socha requested a moment of silence for the 11th anniversary of the September 11th attacks on the World Trade Center.

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

Commissioner Matelski requested the Monthly Finance be removed from the Consent Agenda and placed under New Business as Item 12-I.

Motion by Commissioner Allor, seconded by Commissioner Matelski, 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. Phase I Animal Shelter Change Order No. 1 & Pay Request No. 1 – Change Order No. 1 \$500.00 additional cost not in the original contracts to provide temporary power to temporary office; Pay Request No. 1 = \$40,257
- B. ~~Approve Monthly Finance Claims~~ (moved to Item 12-I under New Business)
- C. Budget Adjustments – Transfer of \$1500 from Carried Forward Equity line item to Planning & Zoning Computer/Software line item and Transfer \$21,000 from Recycling Fuel/Oil line item to Equipment to purchase 3 recycling bins; Raise Revenues & Expenditures Fund 101 total budget increase of \$303,321.25 and Fund 401 total budget increase of \$36,300; Budget Adjustment Payroll Related – Transfer a total of \$970 from 2012 Sheriff ORV Division grant budget to part-time wage and vehicle repair line item; Budget Adjustment for Building & Safety and Planning & Zoning budgets to split the employee's time between the two departments;
- D. Crime Victim Rights Grant Agreement – State Grant Revenue Totaling \$43,624.00
- E. Straits Regional Ride
 - 1. Northern Star Broadcasting Advertising Contract
 - 2. MDOT Contract 2012-0061/P2/R1
- F. State of Michigan FY 2011 Operation Stonegarden Grant - \$42,764
- G. Correspondence
 - 1. Otsego County Resolution in Support of Trail Development in Northern Michigan
 - 2. MDEQ Public Hearing – State Revolving Fund/Strategic Water Quality Initiatives Fund
 - 3. Cheboygan County Farm Bureau Annual Meeting & Dinner
 - 4. NEMCOG Notice of Intent to Apply for Federal Assistance from Economic Development Administration
- H. Minutes:
 - 1. Committee of the Whole Meeting of July 24, 2012 and Finance/Business Meeting of August 14, 2012
 - 2. Health Board – July 17, 2012
 - 3. NEMCSA – August 3, 2012
 - 4. Millage Appropriation Committee – September 5, 2012
 - 5. Cheboygan Soil Conservation District - June 27, 2012
 - 6. Jail Utilization Committee – May 16, 2012
 - 7. Cheboygan County Road Commission – August 2, 2012
 - 8. Cheboygan City Council – July 10, 2012, July 24, 2012 and August 14, 2012

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9. Planning Commission Meeting – July 12, 2012, August 1, 2012 and August 15, 2012
10. ZBA – July 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 – Finance Director Kari Kortz presented the revenue and expenditures report for the General Fund for the month ended July 31, 2012. She reported total year-to-date revenue of \$2,443,870.96 versus \$2,309,687.31 last year at that time. Ms. Kortz reported expenditures year-to-date of \$5,671,197.20 or 53.11% of budget, compared to \$5,678,901.71 last year as of the end July.

ADMINISTRATOR'S REPORT – Administrator Lawson's written report included information on the Doris Reid Building; the Animal Shelter; the County Building Roof Project; Fairgrounds and Budget. He said the last bond payment for the Doris Reid Center will be the end of October, with staff currently preparing leases. North Country Community Mental Health and District #4 Health have both requested renovations and possible additional space which we will know more on after the architectural study. He reported Doyle Roofing would be removing stone of the roof the following weekend; and conduit would be run on September 19 & 20 for security camera systems, after which the RFP's for lock systems on the doors will be finished. Sheriff Clarmont said along with the security system, it is his recommendation that sidewalks should be available to visitors when the entry restriction to one door is made. Administrator Lawson said numbers would be put together on that. Chairperson Socha advised that adequate staff must be in place in the maintenance department with the takeover of the Doris Reid Center. Commissioner Horrocks pointed out the deterioration in the cement pillars and walls at the front entrance to the building.

COMMITTEE REPORTS

Commissioner Allor reported attending township meetings in Forest, Wilmot, Nunda and Walker; a District #4 Health Board meeting; a North Country Community Mental Health Finance and regular Board meeting; and the Millage Appropriations Committee meeting. She said the Health Department is monitoring the swine flu, encouraging flu shots, and concerned with declining revenues for home health care.

Commissioner Gouine attended the township meetings and the Fair Board meeting.

Commissioner Matelski reported attending two Planning Commission meetings, two Road Commission meetings, three township meetings, and the McLaren reception, which was very interesting. He said the Road Commission contract with the state for maintenance on state road runs out September 30, 2012 and they have yet to receive a new contract. This is something to watch as some counties are saying they are not going to renew with the state and will no longer do the work. He reported the Koehler Board discussed five road ends which were lost in platted subs, and to change a platted sub requires court action. Koehler Township is asking to take back a road end they are concerned with and the road commission said township can take better care of it than the road commission due to the money situation. Commissioner Matelski referred to an email sent to some county commissioners from person on Countyline Road regarding caring for county roads. The county's website shows the road commission as one of the county departments. Chairperson Socha said she asked Matt to check under departments as a few should not be there.

Commissioner Horrocks reminded everyone of the grand opening of Festival Square in the City of Cheboygan on September 16th. He also reported attending trails and EDC meetings. He said the Port Committee would like a resolution of support from this Board.

Commissioner Wallace said NMSAS continues to give input but the Senate is discussing a proposal from Community Mental Health to absorb NMSAS. He reported NMSAS has completed the client check report regarding businesses selling tobacco products to minors.

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Commissioner Redmond attended two Benton Township and reported the concrete is down, walls are up and the roof is being worked on at the new fire hall. He also attended the District #4 Health Board meeting and advised that the 2013 allocation for District #4 is \$201,807.00 from Cheboygan County. He attended meeting of the Waterways Committee, and a Fair Board Budget meeting. This year the Fair saw gates receipts and ride receipts up, and the grandstand events held their own. Next year will be the 135th anniversary year for the Fair. The Fair Board will be applying for grants from the Michigan Department of AG and Rural Development for upgrades to capital improvements for fairs. These grants are \$1 for \$1 grants from \$1,000 to \$20,000.

Commissioner Socha reported attending the Planning Commission meeting, an Airport meeting, a reception hosted by officials of McLaren Health Care, and the Burt Township meeting. Burt Township passed a dangerous building and infrastructure ordinance. This covers structural damage of buildings caused by acts of God and was developed with attorneys Tim MacArthur and Mary Campbell. There is quite a detailed process for forcing cleanup and removal of the unsafe buildings. One segment of the process involves having a person with certified building knowledge board to determine that a building is damaged to a point of being unsafe. The Burt Board wishes to possibly contract with the county to utilize a county building inspector. She directed them to talk with Steve Schnell. Bryan Graham said he has worked on many such township ordinances. Discussion held. Commissioner Socha said the Office of Emergency Management hired a new assistant; Megan Anderson will be starting in October. Related to this, she reported the LEPC meeting scheduled for yesterday was cancelled as Greg Williams was out of state for training. Last night's Cheboygan County Farm Bureau meeting was very good. State – wild life mitigation, livestock issues AG in Michigan 81 billion – need to make sure utilizing local agriculture and not negatively affecting it in planning decisions and in reviewing the master plan, agriculture should be given more consideration. Commissioner Socha said there is a push at the state level to remove court employees from county jurisdiction and the state would receive a formula based amount to fund the courts.

OLD BUSINESS

NEW BUSINESS

Administrator Lawson said the Cheboygan Kiwanis Club has appointed an Outdoor Sports Exposition Committee that is organizing the event to take place at the fairgrounds from May 17 to 20, 2013. Various outdoor sporting vendors related to hunting, fishing, boating, ORV and camping/RV will be featured at the event. The City of Cheboygan has approved the Shotgun Shooting Exhibition pursuant to city ordinance.

Motion by Commissioner Redmond, seconded by Commissioner Wallace, to approve the Fairground Event Agreement between Cheboygan County and Cheboygan Kiwanis for all fairground areas for May 17 thru May 20, 2013 to hold the Northern Michigan Outdoor Sports Exposition and authorize the Chair to sign the agreement contingent upon final insurance approval by the Administrator and range review by Sheriff and final legal review by Civil Counsel for possible archery competition. Motion carried with 7 yes, 0 no and 0 absent.

The 89th District Court Administrator Jodi Barrette said the Court will be assessing program fees of \$20.00 per month for each individual placed into the Sobriety Court, and would like to place these fees into a designated fund to be used for expenses incurred to the Sobriety Court. She said the fees collected should be sufficient to fund the cost. From August through December of 2012, the District Court expects to have approximately 10-15 participants entered into Sobriety Court which equates to program fees totaling approximately \$2,000 that the Court would assess and collect this year.

Motion by Commissioner Matelski, seconded by Commissioner Redmond, to adopt Amendment #1 to the 2012 Fee Resolution 11-19 for the 89th District Court Sobriety Court Program Fees, 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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Finance Director Kortz advised the Board that she confirmed there would be no fees associated with the Cheboygan County Juvenile Independence Court.

Straits Regional Ride Director Mike Couture presented Agreement 2012-0061/P3 2012 Section 5311 Capital, Surface Transportation Funds for approval. This contract is for the purchase of two tower repeaters and installation to upgrade the radio communication equipment to meet FCC narrow banding requirements effective at the end of 2012. It also will broaden the communication coverage for SRR. Mr. Couture said the contract does not require any local match and has been reviewed by civil counsel.

Motion by Commissioner Redmond, seconded by Commissioner Horrocks, to approve the Project Authorization Cheboygan County Board of Commissioners FY 2012 Section 5311 Capital/Surface Transportation Program, Agreement No. 2012-0061, Authorization No. P3; Project No. 116029, authorize the Chair to sign and authorize any necessary budget adjustments. Motion carried with 7 yes, 0 no and 0 absent.

Veterans Services Coordinator Mike Wise said the department will implement a Veterans' ID card program beginning October 3, 2012. The cards may be used by Veterans at participating merchants to receive discounts on goods and services. The proposed fee for the card is \$5.00 for Cheboygan County Veterans and \$10.00 for Non-County Veterans. He requested adoption of an amendment to the 2012 Fee Resolution to add these fees.

Motion by Commissioner Horrocks, seconded by Commissioner Gouine, to adopt Amendment #1 to the 2012 Fee Resolution 11-19 for the Veteran's Office to establish a fee of \$5.00 for Cheboygan County Veteran and \$10.00 for Non-County Veteran to produce a Veteran ID Card, authorize the Chair to sign and approve necessary budget adjustments. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Community Development Planner Scott McNeil presented Zoning Ordinance #114 concerning rezoning of property owned by the State of Michigan relative to Cheboygan State Park and Burt Lake State Park to Agriculture and Forestry Management District (M-AF) from Residential Development District (D-RS). A detail report was provided with information relative to the current land use, current zoning and proposed zoning as reviewed by the Planning Commission as well as information from the Master Plan.

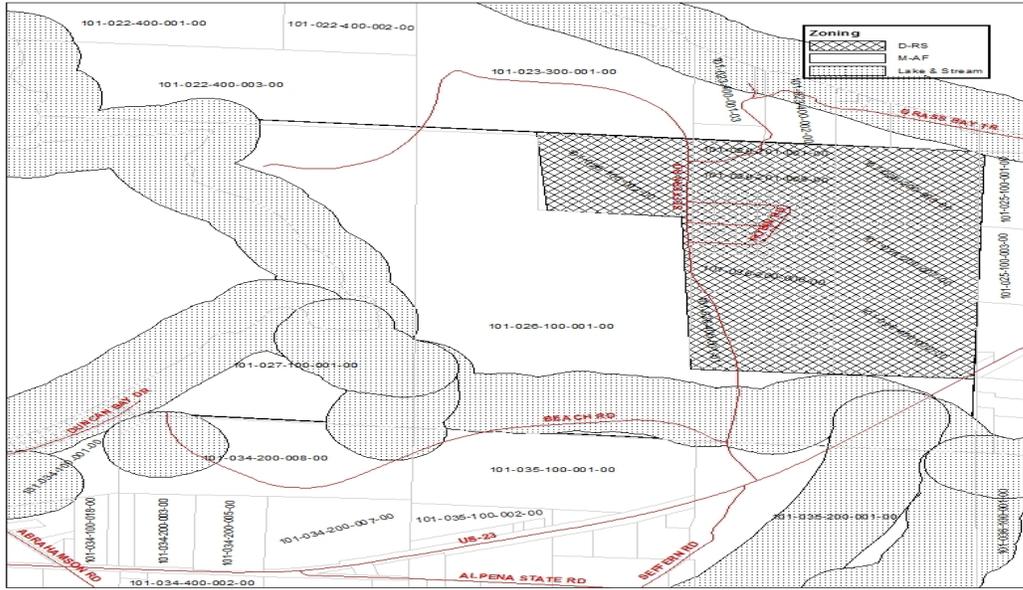
Motion by Commissioner Gouine, seconded by Commissioner Wallace to adopt the following:

Zoning Ordinance Amendment #114
AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY
ZONING ORDINANCE #200.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS

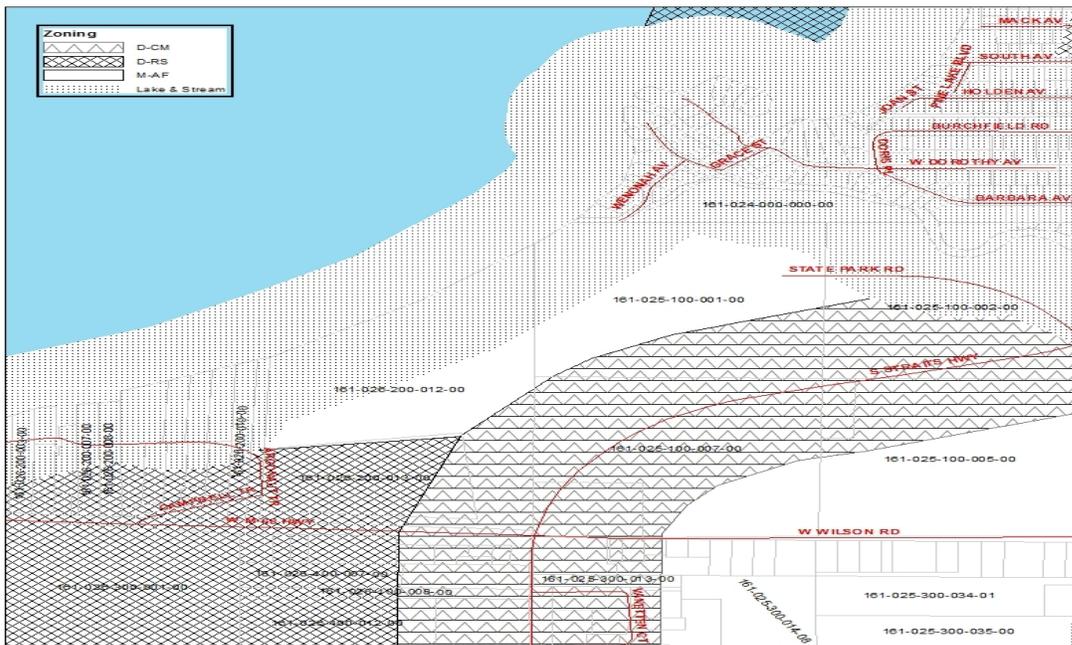
Section 1. Amendment of Section 3.9.1

The zoning map incorporated into the Cheboygan County Zoning Ordinance No. 200 by Section 3.9.1 is hereby amended to rezone the following real property in Benton Township, Cheboygan County, from Residential Development (D-RS), to Agriculture and Forestry Management (M-AF) for real property identified by Parcel Identification Nos. 101-026-100-001-00 and 101-027-100-001-00 as of June 28, 2012 except that part lying within 500 feet of the ordinary high water mark of Lake Huron and also except that part lying within five hundred (500) feet of the high water mark of Elliott Creek.



Section 2. Amendment of Section 3.9.1

The zoning map incorporated into the Cheboygan County Zoning Ordinance No. 200 by Section 3.9.1 is hereby amended to rezone the following real property in Tuscarora Township, Cheboygan County, from Residential Development (D-RS), to Agriculture and Forestry Management (M-AF) for real property identified by Parcel Identification Nos. 161-025-100-001-00, 161-025-100-002-00 and 161-026-200-012-00 as of June 28, 2012, except that part lying within five hundred (500) feet of the high water mark of Burt Lake and the Sturgeon River and except that part lying within 600 feet from the center line of the right of way of M-68.



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Section 3. 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 4. 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.

Finance Director Kari Kortz presented a recommendation from Probate Judge Robert Butts to approve a contract with McGinn Counseling. Ms. Kortz said this is a housekeeping action related to the Byrne Grant as historically these agreements were verbal.

Motion by Commissioner Horrocks, seconded by Commissioner Allor, to approve the contract between Cheboygan County and Patrick McGinn and Kelly McGinn, d/b/a McGinn Counseling and Consulting Services and authorize the Chair to sign. Motion carried with 7 yes, 0 no and 0 absent.

Chairperson Socha read a letter from Richard Sangster the Mayor of the City of Cheboygan asking the board for a resolution in support of development of the Port of Cheboygan and the proposed resolution.

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

RESOLUTION NO. 12-30

WHEREAS, The Port of Cheboygan Action Team's mission is to establish a deep water port, to attract industrial and commercial businesses to provide employment opportunities, while partnering with private and public entities to strengthen the local economy; and

WHEREAS, The Port of Cheboygan Action Team is currently working to complete a study to identify the feasibility of expanded use of the harbor area and securing development of an upland port facility by private developers; and

WHEREAS, The Cheboygan County Board of Commissioners' goal is to promote and encourage collaborative economic development activity;

NOW, THEREFORE, BE IT RESOLVED by the Cheboygan County Board of Commissioners that the County does hereby recognize and encourage the efforts of the Port of Cheboygan Action Team's mission to continue development of port facilities by private developers to attract business and employment opportunities as well as completion of the Port Feasibility Study.

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

IT Director Matt Hellens presented a proposal for phone service with AT&T as the local phone package has expired. He said after receiving bids for the service, AT&T's proposal has been determined to be the most cost effective service that meets the County's needs at this time. He said this is the first step to consolidate outside AT&T accounts such as the Fair and Straits Regional Ride. The previous contract rate was \$777.60 per month, with access fees bringing the cost to approximately \$830 monthly. The new proposed rate is \$480 for a 3 year contract with approximately the same access fees bringing the total monthly cost to approximately \$530.

Motion by Commissioner Allor, seconded by Commissioner Guine, to approve the AT&T Master Agreement and Pricing Schedule for local phone service and authorize the Chair to sign both documents. Motion carried with 7 yes, 0 no and 0 absent.

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Commissioner Matelski had requested the Monthly Finance Claims be removed from the consent agenda for discussion purposes. He questioned the \$600 checks and the \$5,898.50 check to Robiadek & Sons all of which were Fair expenses. It was explained that the \$600 checks were for fair board members who regularly attended meetings and worked at fair events, as this is the maximum per diem they can receive. The check to Robiadek & Sons was for work done on the fairgrounds such as gravel installation inside the horse barn and walkways along the north side of the grounds. Chairperson Socha said this expenditure appeared to be warranted; however the county procedure was not followed. Administrator Lawson said he has discussed this with fair board members and they are now aware of the policy and procedures. Chairperson Socha read from a memo from Bryan Graham that was drafted last year regarding the procedures to be followed when a board member desires to enter into a contract with the county. Discussion was held regarding this procedure as well as buildings on the fairgrounds built by other entities and utilities for these buildings. Civil Counsel Bryan Graham said it may be time to clear up the questions and get agreements in place that reflect the relationship between the counties and those organizations. Administrator Lawson said the process should be cleaned up and proper documents put in place.

Motion by Commissioner Matelski, seconded by Commissioner Allor, to approve the Monthly Finance Claims – Finance = \$58,862.82 Prepays = \$1,117,617.36. Motion carried with 7 yes, 0 no and 0 absent.

CITIZENS COMMENTS – None

BOARD MEMBER COMMENTS – Commissioner Gouine wanted more information on the sidewalks. Administrator Lawson said it would not be impossible to have them put in yet this year, and estimated costs would be determined and he will determine what needs to be done immediately. Discussion held regarding the poor condition of the outdoor stairway on the south side of the building.

Commissioner Allor commented on the NEMCOG Notice that was on the consent agenda which named the project as the Northeast MI Wood Industry Corridor Initiative. She said she called NEMCOG regarding it. They said they are doing an asset inventory throughout all of northern Michigan to communicate the supply chain to the various wood producers that may assist each other to transport or process their product. Chairperson Socha said at the Farm Bureau meeting Matt Friday talked about agriculture being strong in this county in the 1850's, but then the lumbering era came and took all the wood from the county. The lumber companies then quit paying taxes and left after timbering all of the wood. So now we are kind of in the same scenario and do not want to repeat history losing people.

Commissioner Matelski said it was an excellent idea to cross train Matt Cronk to enable him to work as a building inspector. He said another great thing is Straits Regional Ride trading space on buses for advertising. He also asked whether the entire allocation of \$7,000 to the MSU-E Project Fresh from the Senior Citizens Millage was spent at local farmer markets. Chairperson Socha said in the past this program was very well received. Finance Director Kortz said she would verify if there is a tracking method for the coupons issued under this program.

Motion by Commissioner Allor, seconded by Commissioner Matelski, to adjourn to the call of the Chair. Meeting adjourned at 12:07 p.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson