

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
December 14, 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

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

The public hearing on the 2011 County Budget was opened by Chairperson Socha. She asked for public comment on the budget. None was received. Finance Director Kari Kortz briefly summarized the budget. The Public Hearing was closed at 9:40 a.m.

The following changes to the agenda were requested: Item 6C Unpaid Invoices; Item 7D County Purchasing Policy; and Item 7E Resolution 10-30 Fees were removed from the consent agenda and placed under New Business as Items Q, R, and L1, respectively. Also presentation of plaques to outgoing County Commissioner Board Members was added to the regular agenda following approval of the consent agenda.

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

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

- A. Approve Monthly Finance Claims – Finance = \$20,795.40 – Prepays + \$919,411.16
- B. Budget Adjustments: Probate Court Budget Transfer in the amount of \$4,900 from the Carried Forward Fund Equity line item to the Legal-Court Appointed Attorney's line item; Probate Court Budget Transfer decreasing the Oncall/Reimbursement Expenditure line item and increasing the Legal-Court Appointed Attorney's expenditure line item by \$1,800; Building Safety Dept. Budget Transfer decreasing the Full-time & Administrators line items and increasing the Fringe expenditure line item by a total of \$120; County Fair Budget Transfer decreasing the Seasonal expenditure line item and increasing the Fringe expenditure line item by \$265; Corrections Budget Transfer decreasing the Holiday expenditure line item and increasing the Fringe expenditure line item by \$2,750; Straits Regional Ride Budget Transfer decreasing Operators' Part-time expenditure line item and increasing Operators' Full-time expenditure line item by \$1,000; Crime Victims' Rights Budget Transfer decreasing Full-time expenditure line item in Prosecutor's Dept. and increasing Full-time expenditure line item in Crime Victim's Rights Dept. by \$507; and Raise Revenues and Expenditures totaling \$64,475.62 as follows: Fund 101 total budget increase of \$8,999.26; Fund 217 total budget increase of \$13,822.10; Fund 230 total budget increase of \$7,005; Fund 249 total budget increase of \$1,750; Fund 267 total budget increase of \$15,000; Fund 276 total budget **decrease** of (\$2,666.27); Fund 277 total budget increase of \$8,470; Fund 281 total budget increase of \$6,413; Fund 292 total budget increase of \$5,332.53; Fund 595 total budget increase of \$350
- C. ~~Unpaid Invoices (Moved to New Business)~~
- D. ~~County Purchasing Policy (Moved to New Business)~~
- E. ~~Resolution 10-30 Fees (Moved to New Business)~~
- F. Correspondence:
 - 1. Michigan Liquor Control Commission Letter Regarding Sunday Liquor Sales
 - 2. Cheboygan County Letter to U.S. Army Corps of Engineers
 - 3. NMSAS Letter Advising of New Executive Director Sue Winter
 - 4. Cheboygan Life Support Letter from Dallas Hyde Regarding Appointment
 - 5. Report of Treasurer's Bond
 - 6. NEMCOG Notice of Intent by NEMCSA to Apply for Federal Assistance from USDA
 - 7. C.C.E. 9-1-1 2011 Budget Available for Inspection in County Clerk's Office

Finance/Business Meeting –December 14, 2010

8. Lake County Resolution in Support of House Bill 6535 – Low Income Weatherization Funds
 9. Livingston County Resolution in Support of House Bill 6535 – Low Income Weatherization Funds
 10. Menominee County Resolution in Support of Senate Bill 449 – Minimum Hours for Police Officers
- G. Minutes:
1. Commissioners Finance/Business Meeting of November 9, 2010 and Committee of the Whole Meeting of November 30, 2010
 2. Health Board Meeting – October 19, 2010
 3. North Country Community Mental Health Board – October 21, 2010
 4. NLEA Board of Directors September 16, 2010
 5. Michigan Northern Counties Association – October 18, 2010
 6. Board Appointments & Procedures Committee – December 8, 2010
 7. Cheboygan County Road Commission – November 18, 2010
 8. Cheboygan City Council – October 26, 2010 and November 9, 2010
 9. Planning Commission Meeting – October 20 2010, November 3, 2010, November 4, 2010, and November 17, 2010
 10. ZBA Meeting – October 27, 2010

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

CITIZENS COMMENTS – Surveyor Brian Fullford commented on the proposed reduction in membership on the Planning Commission. He said more members seem to be more effective and beneficial to the County; and if there is a reduction he encouraged the Board to retain the experience on the Planning Commission.

FINANCE DIRECTOR'S REPORT – Finance Director Kari Kortz presented the revenue and expenditures report for the General Fund for the month ended October 31, 2010. She reported total year-to-date revenue of \$10,073,056.80 versus \$9,328,665.9 last year at that time. Ms. Kortz reported expenditures year-to-date of \$8,434,498.93, or 74.15% of budget, compared to \$8,859,570.84 last year as of the end October. Also presented were revised revenue and expenditures reports for the month ended September 30, 2010, and Ms. Kortz explained the revisions.

COMMITTEE REPORTS

Commissioner Redmond reported on the Board Appointments & Procedures Committee meeting and presented several recommendations for appointments to various committees and boards.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to accept the recommendation from the Board Appointments & Procedures Committee and approve the following changes to the Local Emergency Planning Committee, effective January 1, 2011 through December 31, 2013: Gregory Williams to replace Jack Messer, Civil Defense/OEM; Mark Dombroski to replace Dan Bauer, Education; Lynn Robinson to replace Mike McIntosh, First Aid Health & Environmental; Matt Morton to replace Julie Waldron, Human Services/FIA; and Ken Paquet to replace Mike Donovan, Transportation/County/Elected. 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 approve changing the representation for Robert Bolinger from Elected Official/County to Agriculture, on the LEPC effective January 1, 2011 and expiring December 31, 2013. 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 approve the reappointment of Joe Hiller to the Cheboygan County Department of Human Services Board for a term commencing November 1, 2010 and expiring October 31, 2013. Motion carried with 7 yes, 0 no and 0 absent.

Finance/Business Meeting –December 14, 2010

Motion by Commissioner Redmond, seconded by Commissioner Wallace, to accept the recommendation from the Board Appointments & Procedures Committee and approve the reappointment of Garfield Geyer to the Cheboygan County Department of Public Works Board for a term commencing January 1, 2011 and expiring December 31, 2013. 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 approve the reappointment of Sue Cleary to the Cheboygan County Housing Commission for a term commencing January 1, 2011 and expiring December 31, 2015. 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 approve the reappointment of Dave McKinley and Cal Oxley to the Cheboygan County Construction Code Board of Appeals for terms commencing January 1, 2011 and expiring December 31, 2012. 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 approve the reappointment of John Moore and Ralph Hemmer to the Cheboygan County Zoning Board of Appeals for terms commencing January 1, 2011 and expiring December 31, 2013. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Bolinger, to accept the recommendation from the Board Appointments & Procedures Committee and approve the reappointment of George Pike and Ron Ramsey to the Cheboygan County Waterways Commission for terms commencing January 1, 2011 and expiring December 31, 2013. Motion carried with 7 yes, 0 no and 0 absent.

Commissioner Redmond said advertising for two vacant positions on the Airport Authority has been done with recommendations for appointment to come in the near future. He also reported attending the Workmen's Comp Board in Lansing, a Fair Board, the Benton Township Meeting, a Board Appointments & Procedures meeting and a meeting of the Huron Shore Heritage Route. Chairperson Socha said Cheboygan County has a permanent seat on the Workmen's Comp Board as long as someone is appointed.

Commissioner Mushlock commented on county's Community Mental Health contribution. She said the County continues to reap the benefits of this multi-county venture. She also reported that CMH will be looking for a new home as Northern Michigan Hospital plans to demolish the current building.

Commissioner Page attended a NEMCSA meeting and reported that federal stimulus money is running out on a lot of NEMCSA programs and these programs will not be funded as they have been, leaving major gaps. He stressed the need to make these types of federal poverty programs known to the public. He also attended Aloha & Koehler township meetings.

Commissioner Makima attended the Board Appointments & Procedures meeting and union negotiations for the Health Department; also a Workmen's Comp Board in Lansing where he heard high praises for the Cheboygan County Sheriff's Department for safety training and that the Sheriff continues to do an excellent job.

Commissioner Wallace attended the Board Appointments & Procedures meeting, a NE Consortium meeting, and an Ambulance Meeting,

Commissioner Socha reported attending many meetings including an Airport meeting; two NLEA related meetings; resource center meeting at the Cheboygan Library; Cheboygan NLEA Huddle round table discussion; a regular meeting of the Office of Emergency Management, where some changes were made that will effect this county's budget; a meeting on the Duncan Bay issue, boats are not abandoned which creates issues for all, charges are pending and Sheriff Clarmont said he and the prosecutor will be meeting to determine if at the local level they can take the next step on this matter. She noted the CCE 911 annual Tri-County meeting will not be at the Headlands this year, as Charlevoix County will be handling the plans. Commissioner Socha said Cheboygan County is one of only 12 counties in state that has a Tax Allocation Board.

Finance/Business Meeting –December 14, 2010

OLD BUSINESS - None

NEW BUSINESS

Motion by Commissioner Redmond, seconded by Commissioner Makima, to approve the Straits Regional Ride Letter of Understanding between the counties of Cheboygan, Emmet and Presque Isle for fiscal year 2011 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Page, seconded by Commissioner Bolinger, to approve the Housing Administration Agreement between the County of Cheboygan and Northeast Michigan Affordable Housing, Inc. effective January 1, 2011 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Overton presented two alternatives for bin hauling for County Recycling. The alternatives presented were to purchase a truck, at a cost of \$92,500, and hire a part-time employee for hauling; the other alternative would be to continue to contract with a private hauler. Bids were received for a private hauler with the low bidder being Republic Services at \$89,146. Lengthy discussion was held.

Motion by Commissioner Page, seconded by Commissioner Mushlock, to authorize the purchase of a truck for the purpose of self-hauling of recycling and approve the agreement outlining proposal 2 on call with Tri-County Refuse Services, Inc., d/b/a Republic Services of Upper Michigan and authorize the Chairperson to sign. Motion failed with 1 yes (Commissioner Page), 6 no and 0 absent.

Motion by Commissioner Makima, seconded by Commissioner Redmond, to authorize the contract for services between Cheboygan County and Tri-County Refuse Services, Inc., d/b/a Republic Services of Upper Michigan for a three term effective January 1, 2011 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Wallace, seconded by Commissioner Mushlock, to approve the Fairgrounds Event Agreement between Cheboygan County and Cheboygan Trail Blazers for the Rusty Stud Snowmobile Race on January 14 & 15, 2011 from 8 p.m. to 8 a.m. each day, and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Harbormaster Curtis Chambers said the Cheboygan Waterways Commission discussed at the last Waterways meeting that due to Personnel cut backs and declining boater revenue it is no longer physically possible or financially feasible for the County Marina to run the City Marina operations. The agreement will expire on January 1, 2013. The termination clause states either party may terminate this agreement by giving the other party written notice of intent to terminate no less than six (6) months prior to the effective date of the termination. Some discussion was held.

Motion by Commissioner Redmond, seconded by Commissioner Bolinger, to terminate the Cheboygan City Marina Management Agreement between the City of Cheboygan and the County of Cheboygan by submission of a letter of intent to terminate and authorize the Chairperson to sign the letter effective 6 months after receipt of the letter. Motion carried with 7 yes, 0 no and 0 absent.

89th District Court Administrator Jodi Barrette presented as resolution appointing an assistant magistrate in District Court. Discussion held regarding this position and on-call time for the magistrate.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to adopt the following resolution and authorize the Chairperson to sign:

**RESOLUTION 10-29
89th District Court Magistrates**

BE IT RESOLVED, that the Cheboygan County Board of Commissioners hereby affirms appointment of the following as Assistant Magistrate for the 89th District Court:

Dale Selin, Assistant Magistrate

Finance/Business Meeting –December 14, 2010

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

Motion by Commissioner Page, seconded by Commissioner Bolinger, to approve the Agreement for Services for animal control between the County of Cheboygan and the Humane Society of Cheboygan County effective January 1, 2011, and ending December 31, 2013, and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Page, to approve the 2011 Attorney Contract for Delinquency and Child Protection Proceedings in amount of \$82,500 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Circuit Court Judge Scott Pavlich presented a Byrne JAG Grant Contract and Budget Summary. The grant amount is \$60,000. Judge Pavlich said the drug court population should increase from twelve to twenty to twenty-five within the next few months.

Motion by Commissioner Page, seconded by Commissioner Bolinger, to approve the Grant Agreement between the Michigan Supreme Court State Court Administrative Office and the 53rd Circuit Court, authorize the Chair to sign the grant agreement for the term commencing October 1, 2010 and continuing through September 30, 2011 and all other required documentation after review by the Finance Director, and approve the necessary budget adjustments for the last quarter of 2010. Motion carried with 7 yes, 0 no and 0 absent.

Proposed Ordinance No, 3-2010 regarding reduction in the number of members on the Planning Commission from 9 to 7 was discussed in length. Commissioner Redmond reported of the current nine members, three terms expire at the end of this year, and two other members have resigned; he also outlined matters to be considered, such as appointments representing the required areas of interests and disciplines which would be addressed in the coming weeks. Also discussed was assuring a quorum on the commission until the process is completed. Civil Counsel Bryan Graham said the statute is clear that the Board of Commissioners can determine what interests are important in this county, but do not have to have all of the segments mentioned represented on the Planning Commission. Chairperson Socha said it is important that the Planning Commission has adequate representation at the township level. Mr. Graham said that in regards to the terms expiring at the end of the year, those members would serve until a successor assumes office.

Motion by Commissioner Wallace, seconded by Commissioner Page, to table the Planning Commission Ordinance Amendment indefinitely. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Overton stated in an effort to reduce expenditures the County is transitioning from the more traditional BC/BS Community Blues PPO plan to the BC/BSM – BCN Healthy Blue Living 2 HMO plan with an open formulary. The net reduction in health care cost is \$302,286 when compared to 2010 costs. Sandy Borowicz, Blue Cross Representative, said the actual agreement the county is to sign has not been received but should arrive later in the day. She said the agreement needs to be signed so it can be up and ready by January 1, 2011.

Motion by Commissioner Redmond, seconded by Commissioner Mushlock, to approve the agreement with Blue Care Network for employee health care services contingent on ratification of the contracts later on the agenda and authorize the Chairperson to sign the agreement as soon as it is available. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Wallace, seconded by Commissioner Redmond, to adopt Resolution 10-30 2011 Fee Resolution, effective January 1, 2011 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 Wallace, seconded by Commissioner Redmond, to adopt the 2011 General Fund budget in the amount of \$10,415,441 and all other funds budgets with a combined total of \$12,953,755 resulting in a Cheboygan County 2011 Budget in the amount of \$23,369,196. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Finance/Business Meeting –December 14, 2010

Motion by Commissioner Mushlock, seconded by Commissioner Wallace, to cancel the December Committee of the Whole Meeting and schedule the Organizational Meeting for January 3, 2011 at 9:30 a.m. Motion carried with 7 yes, 0 no and 0 absent.

CITIZENS COMMENTS – Sheriff Clarmont thank the four outgoing commissioners for there years of service. Treasurer Cronan and Clerk Tryban echoed the Sheriff's thanks.

BOARD MEMBER COMMENTS

Commissioner Wallace advised the new commissioners present of a 9-1-1 meeting in Petoskey if they would like to attend.

Commissioner Page suggested the Waterways Commission could have just one county commissioner representative rather than two. He said the Northern Broadband Cooperative is still in existence and he will remain on that board and give periodical reports to the County Administrator. He thanked his colleagues for the last four years.

Commissioner Makima said he is glad to be retiring. Chairperson Socha wished the four outgoing commissioners good luck.

Motion by Commissioner Redmond, seconded by Commissioner Wallace, to go into closed session pursuant to Section 8(c) of the Open Meetings Act MCL 15.268(c) for the purpose of a strategy session connected with the negotiation of collective bargaining agreements with 1) American Federation of State and County Municipal Employee Union; 2) Police Officers Labor Council; and 3) Police Officers Command Council. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Went into closed session at noon; returned to open session at 12:30 p.m.

Motion by Commissioner Wallace, seconded by Commissioner Bolinger, to approve the AFSCME contract between Cheboygan County and the American Federation of State and County Municipal Employees effective January 1, 2011. . A roll call vote was taken. Motion carried with 6 yes, 1 no (Commissioner Wallace) and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Mushlock, to approve the POLC (non-command) contract between Cheboygan County and Police Officers Labor Council effective January 1, 2011. A roll call vote was taken. Motion carried with 6 yes, 1 no (Commissioner Page) and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Mushlock, to approve the POLC (command) contract between Cheboygan County and Police Officers Command Council effective January 1, 2011. A roll call vote was taken. Motion carried with 6 yes, 1 no (Commissioner Page) and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to authorize the same benefits as to the POLC Command be applied to the Sheriff, Undersheriff, Jail Administrator, and Lieutenant for the term of the contract. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Regarding Unpaid Invoices, Commissioner Mushlock noted there are three unpaid invoices for the Michigan Department of Corrections totaling over \$6,000. Discussion held.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to accept the Treasurer's recommendation to cancel the invoices presented due to the length of time from original billing, amount of invoice, and cost of postage for additional attempts to collect, with the understanding the billings to the Michigan Department of Corrections continue through the Sheriff's Department. Motion failed with 3 yes, 4 no and 0 absent.

Motion by Commissioner Mushlock, seconded by Commissioner Wallace, to accept the Treasurer's recommendation to cancel the following invoices due to the length of time from original billing, amount of invoice, and cost of postage for additional attempts to collect Invoices 491, 646, 877, 941, & 989; and to

Finance/Business Meeting –December 14, 2010

continue Invoices 1155, 1187 & 1230, totaling \$6,133.50 due from MDOC with the Sheriff's Department to continue the billing process. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Bolinger, to adopt the revised Sole Vendor Listing 300-2A to become effective December 15, 2010 and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Discussion held on postage machine usage, budgeting, workmen's comp check and correspondence from Drain Commissioner to local governmental bodies.

Commission Page advised that NEMCSA has allocated \$43,000 to Cheboygan County homeless prevention.

Motion by Commissioner Makima, seconded by Commissioner Redmond, to adjourn to the call of the Chair. Meeting adjourned at 1:05 p.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson