

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
OCTOBER 14, 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, Cal Gouine, Tony Matelski, John Wallace, and Sue Allor.

Absent: None

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

Commissioner Gauthier requested moving Item 12 - *G Resolution 14-23 Reduce, Reuse and Recycle* up between *Citizens Comments* and *Scheduled Visitors*. Commissioner Allor requested that Item D - 6 *Letter from Michael R. Hubbel Regarding Cheboygan County Council on Aging* be pulled from the Consent Agenda and also moved to New Business as Item 12 - C.

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

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

- A. Approve Monthly Finance Claim (Finance Total = \$65,771.95; Prepays Total = \$877,938.35)
- B. Budget Adjustments
- C. Straits Regional Ride Specialized Services Third Party Agreement October 1, 2014 – September 30, 2015
- D. Correspondence
 1. Letter from Cheboygan Area Ministerial Association Regarding Support of Cheboygan County Drug Court
 2. Letter from NMSAS Regarding FY 2013 Liquor Tax Fund Balance
 3. Letter from Commissioner John Wallace Resigning from NMSAS Board and Appointment to SUDS Policy Oversight Board
 4. NEMCOG Regional Project Review October 2014
 5. NEMCSA Resolution Supporting Weatherization Assistance Program Funding
 6. ~~Letter from Michael R. Hubbel Regarding Cheboygan County Council on Aging~~
(moved to New Business)
- E. Minutes
 1. Finance/Business Meeting of September 9, 2014 and Committee of the Whole Meeting of September 23, 2014
 2. Health Board – 8/19/2014
 3. NEMCSA – 9/5/2014
 4. NEMCOG – 9/18/2014
 5. C.C.E. Board of Directors – 7/16/14; Director's Update – 8/20/14; and Technical Advisory Committee – 7/8/14
 6. NLEA September-October Newsletter and September & October President's Reports
 7. Community Corrections – 9/12/2014
 8. Cheboygan County Millage Appropriation Committee – 6/24/14, 8/28/14 & 10/3/14
 9. Cheboygan County Road Commission – 8/21/14, 9/9/14 & 9/18/14
 10. Cheboygan City Council – 8/25/2014, 9/3/2014 & 9/9/2014
 11. Planning Commission Meeting – 8/20/14, 9/3/2014 & 9/17/2014
 12. ZBA Minutes – 8/17/14 & 8/27/14

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

CITIZENS COMMENTS

Karen Martin, of resident of the City of Cheboygan, addressed the Board regarding proposed Resolution 14-23 Reduce, Reuse and Recycle. She noted that she, along with her son David Martin, began researching the use of plastic bags in January of this year. She said information has been forward to the board from her periodically throughout the year. She also distributed information which included pictures of areas in the county littered with plastic bags as well as petition signatures gathered on this issue.

Support of adoption of Resolution 14-23 was heard from Kathy Bricker, of Inverness Township; Cynthia Kress, of Mentor Township; Joanne Cromley, of Koehler Township; Susan Page, of Grant Township; David Dwyer, of Mackinaw Township; Phil Bellfy, Democrat candidate for 37th District State Senator; Sherry Nelson, of Mullett Township; Ron Wallin, of Mackinaw City; Leonard Page, of Grant Township; and Deborah Hansen, of Munro Township.

David Martin, of the City of Cheboygan, stated that he and his mother received endorsements from many groups in the community. He said they did change direction from urging a ban on plastic bags to urging a reduction in the use of such bags.

Stephenie Jacobson, of Inverness Township, commented that it is not government's responsibility to ban things nor is it necessary to pass a resolution of support for reduction in plastic bag use.

Commissioner Gauthier presented Resolution 14-23 and read the resolution for the record.

Motion by Commissioner Gauthier, seconded by Commissioner Wallace to adopt the following Cheboygan County Resolution:

**RESOLUTION #14-23
REDUCE, REUSE and RECYCLE**

WHEREAS, there are approximately 11,459 households in Cheboygan County acquiring on average 468 plastic shopping bags per year resulting in the use of approximately 5.3 million bags within Cheboygan County per year, and

WHERAS, only about 5% of the plastic bags used in the United States are recycled according to the EPA, which means 5 million shopping bags distributed within Cheboygan County may be sent to landfills or end up in the environment, and

WHEREAS, plastic shopping bags make up 13% of the trash on local beaches according to the Alliance for the Great Lakes, and

WHEREAS, plastic shopping bags within the environment have the potential to endanger wildlife and pollute land and water,

NOW THEREFORE BE IT RESOLVED, that the Cheboygan County Board of Commissioners urges citizens and business owners within the County to reduce the use of plastic shopping bags, as well as reuse shopping bags and to recycle all bags when ready for disposal to encourage environmental stewardship within Cheboygan County.

Discussion was held. A roll call vote was taken. Motion carries with 5 yes, 2 no (Commissioner Matelski, Commissioner Allor) and 0 absent.

Commissioner Socha moved Item 12C *Senior Millage Appropriation Applications* up on the agenda to be addressed at this point.

Mike Bur, Director of the Cheboygan County Council on Aging, presented the Council on Aging application for senior millage appropriation for the 2015 Fiscal Year. He noted that the federal appropriation for 2015 has been reduced and that the Sand Castle program is self-funded and does not

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utilize funding from the senior millage. The Council on Aging is requesting \$570,975.00 in senior millage appropriation; a reduction from its original request of \$581,000.

Motion by Commissioner Allor, seconded by Commissioner Gouine to accept the recommendation from the Millage Appropriation Committee to approve the allocation of \$570,975 from the Senior Citizens Millage fund to the Cheboygan County Council on Aging. Lengthy discussion held regarding the need for more involvement from the CCCOA Board, possibly hold part of the appropriation to be paid upon a review in six months and other concerns. A roll call vote was taken. Motion carried with 5 yes, 2 no (Commissioner Matelski, Commissioner Allor) and 0 absent.

Motion by Commissioner Allor, seconded by Commissioner Matelski to accept the recommendation from the Millage Appropriation Committee to approve the allocation of \$57,000 from the Senior Citizens Millage fund to the Village of Mackinaw City and Wawatam Area Senior Citizens, Inc. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Allor, seconded by Commissioner Gauthier to accept the recommendation from the Millage Appropriation Committee to approve the allocation of \$7,000 from the Senior Citizens Millage fund to MSU-E Project Fresh. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Equalization Director Janice Eaton presented the 2014 Millage Rate Resolution 14-18.

Motion by Commissioner Matelski, seconded by Commissioner Gouine to adopt Cheboygan County Resolution 14-18; the 2014 Millage Rate Resolution and authorize the Chairperson to sign the resolution. Discussion was held. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Ms. Eaton presented the 2014 Apportionment Report and noted the report may have to be amended for the Wolverine Community Schools after the November Election if the Building and Site Sinking Fund proposal passes.

Motion by Commissioner Gouine, seconded by Commissioner Wallace to accept the 2014 Apportionment Report as presented. Motion carried with 7 yes, 0 no and 0 absent.

Ms. Eaton presented 2014 Tax Resolution 14-19.

Motion by Commissioner Matelski, seconded by Commissioner Redmond to adopt Cheboygan County Resolution 14-19; the 2014 Tax Resolution and authorize the Chairperson to sign the resolution. Discussion was held. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Allor, seconded by Commissioner Matelski to receive and file the Letter from Michael R. Hubbel Regarding Cheboygan County Council on Aging. Motion carried with 7 yes, 0 no and 0 absent.

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 August 31, 2014. She reported total year-to-date revenue of \$4,130,056.97, or 36.40% of budget, compared to \$3,350,877.99, or 31.79% of budget last year at the same time. Ms. Kortz reported expenditures year-to-date of \$6,947,543.34, or 61.23% of budget, compared to \$6,672,613.46, or 63.31%, last year as of the end August. Finance Director Kortz also presented a Cash and Investments Report for all funds.

ADMINISTRATOR'S REPORT

Administrator Lawson reported on several projects. He stated that finance department staff is reviewing requested budgets. The draft budget is scheduled for Commissioner review at the October 28, 2014 Committee of the Whole meeting. He also reported that the Board may need to award a contract for clearing and grading of property at the Animal Shelter at the October 28, 2014 Committee of the Whole

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meeting - contingent on whether bids are received. He said a report is being prepared for Commissioner review identifying the cost impact of a COLA increases for retiree pensions. A decision for the increase has to be made before November 15, 2014.

COMMITTEE REPORTS

Commissioner Gauthier attended a city council meeting, a NEMCSA meeting, and a special Cheboygan County Council on Aging meeting.

Commissioner Gouine attended a township meeting.

Commissioner Matelski attended two Planning Commission meetings, two Zoning Board of Appeal meetings, a Waterways Commission meeting, a Michigan Townships Association meeting, and three township meetings – Koehler, Waverly, and Aloha.

Commissioner Allor attended two North Country Community Mental Health meetings, one Michigan Townships Association meeting, a Millage Appropriation meeting, a special Cheboygan County Council on Aging meeting, a regular Cheboygan County Council on Aging meeting, an Elected Officials meeting, and a MAC Conference.

Commissioner Wallace attended a Northern Michigan Regional Entity meeting.

Commissioner Redmond attended a LEPC tabletop exercise, a MAC Conference, an Elected Officials meeting, a Waterways Commission meeting, a District No. 4 Health Board meeting, and a Benton Township meeting.

Commissioner Socha attended a LEPC tabletop exercise, a web Emergency Operation Center training, an Enbridge Drill that she was disappointed that the local EOC was written out of, the MAC Conference, a Beaugrand Township meeting, a Burt Township meeting, and went to an Airport Authority meeting but there was not a quorum present.

OLD BUSINESS - None

NEW BUSINESS

Administrator Lawson presented four Drug Court contracts developed by Civil Counsel and reviewed by Administration and Circuit Court for Drug Court services.

Motion by Commissioner Wallace, seconded by Commissioner Gouine to approve the agreements for Drug Court services between the County of Cheboygan on behalf of the 53rd Circuit Court Drug Court program and Northeast Michigan Council of Governments, Diane Lissfelt, Catholic Human Services, Inc., and Harbor Hall for one year terms effective October 1, 2014 through September 30, 2015 and authorize the Chairperson to sign the agreements. Motion carried with 7 yes, 0 no and 0 absent.

Finance Director Kari Kortz presented the 2015 Salary & Wage Resolution for Elected Officials.

Motion by Commissioner Redmond, seconded by Commissioner Allor to adopt the Cheboygan County 2015 Salary and Wage Resolution – Elected Officials 14-20 to be effective January 1, 2015 and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Finance Director Kari Kortz presented the 2015 Salary & Wage Resolution for Non-Union General Employees.

Motion by Commissioner Redmond, seconded by Commissioner Gauthier to adopt the Cheboygan County 2015 Salary and Wage Resolution – Non-Union General Employees 14-21 to be effective January 1, 2015 and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 1 no (Commissioner Allor) and 0 absent.

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Commissioner Allor presented Resolution 14-22 Opposing US EPA Proposal & Supporting SR 168.

Motion by Commissioner Allor, seconded by Commissioner Matelski, to adopt Cheboygan County Resolution:
Resolution 14-22

WHEREAS, the U.S. Environmental Protection Agency (EPA) issued a final direct rule on July 2, 2014, that would allow the agency to conduct administrative wage garnishment. Unless the EPA takes action to actively withdraw the rule, the EPA will be able to garnish the nonfederal wages of private citizens to collect unpaid fines without a court order effective September 2, 2014; and

WHEREAS, the EPA has a long history of regulatory overreach and issuing substantial fines against ordinary citizens conducting activities, ultimately determined to be legal, on their own property. The EPA can administratively fine individuals hundreds of thousands of dollars per day, easily large enough to ruin a family. At the same time, disputes over EPA jurisdiction and enforcement are common and have been successfully challenged in case of after case; and

WHEREAS, administrative wage garnishment will compound the problems already faced by property owners attempting to fight questionable EPA actions. This process will allow EPA to dictate the procedures for challenging fines and wage garnishment, and remove it from a neutral court setting. The EPA will be able to decide if an individual can present an oral defense, choose the hearing officer, and determine the site of the hearing. The burden of proof will be on the individual, not the agency. In short, administrative wage garnishment will allow an agency with institution-wide issues unbridled discretion to judge its own actions and further power to suppress challenges to its authority; and

WHEREAS, Senator Thomas Casperson has offered this same resolution as SR 168.

NOW THEREFORE, BE IT RESOLVED that the Cheboygan County vehemently opposes the U.S. Environmental Protection Agency's proposal to garnish wages without a court order and wholly supports SR 168; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to all Michigan counties, Representative Frank Foster, Representative Peter Petallia, Senator Howard Walker, Senator Thomas Casperson, Governor Rick Snyder, the Michigan Association of Counties, Congressman Candice Miller, Congressman Dan Benishek, Congressman Bill Huizenga, Congressman Justin Amash, Congressman Dave Camp, Congressman Dan Kildee, Congressman Fred Upton, Congressman Tim Walberg, Congressman Sander Levin, Congressman Mike Rogers, Congressman Kerry Bentivolio, Congressman John Dingell, Congressman John Conyers, Jr., Congressman Gary Peters, U.S. Senator Debbie Stabenow, U.S. Senator Carl Levin, the Administrator of the U.S. Environmental Protection Agency, and the National Association of Counties.

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

CITIZENS COMMENTS – None

BOARD MEMBER COMMENTS

Commissioner Matelski would like to request a policy on stipends, personnel, disposal of assets and automobile use from the Cheboygan County Council on Aging before next year's application for senior millage funds. Discussion was held. Board consensus is to direct requests to the County Administrator.

Motion by Commissioner Gauthier, seconded by Commissioner Redmond to adjourn this meeting to the call of the chair. Motion carried with 7 yes, 0 no and 0 absent. Meeting adjourned at 12:49 p.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson