

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS  
COMMITTEE OF THE WHOLE MEETING  
NOVEMBER 24, 2015**

The regular meeting of the Cheboygan County Board of Commissioners was called to order in the Commissioners Room by Chairperson Pete Redmond at 9:30 a.m.

Roll called and a quorum present.

**Present:** Commissioners Chris Brown, Bruce Gauthier, Pete Redmond, Cal Gouine, Tony Matelski, John Wallace, and Sue Allor

**Absent:** None

Commissioner Redmond held a moment of silence for recently deceased Judge Robert Livo.

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

Commissioner Redmond advised that *Gregory Bock, Salvation Army Business Manager* was unable to attend today, so Item 6B was removed from the agenda.

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

**CITIZENS COMMENTS**

Linda Rogers, a citizen Mackinaw Township, voiced her concerns about the Resolution the Board will have before them regarding Enbridge Line 5 Pipeline and asked the Board to strongly consider the resolution.

Cindy Kress, a citizen of Mentor Township, thanked everyone on the Board for seeking office and holding responsibility as Commissioners of Cheboygan County. Ms. Kress stated that a house that goes without maintenance for 60-years would most likely be torn down, and throughout this county we have a 60-year old pipeline transporting crude oil nearly inaccessible under the straits. Ms. Kress asked the Board to seriously consider the resolution coming before them regarding Enbridge Line 5 pipeline.

Karen Martin, a citizen of the City of Cheboygan, commented on the stress on the Enbridge Line 5 Pipeline based on the amount of oil going through it. Ms. Martin asked the Board to seriously consider the urgency of the resolution and the responsibility the Board has.

Vincent Lumetta, a property owner in Beaugrand and Mackinaw Townships, stated that we are all very fortunate to live here. Mr. Lumetta said that Enbridge claims that the oil transportation is safe but that they should be pushed to presenting an end date for the use of the pipeline and he hopes the Board considers all available information regarding the Enbridge resolution.

Susan Page, a resident of Grant Township, stated when the Coast Guard was asked what would happen if there was a rupture in the Enbridge Line 5 pipeline in the winter, the response was that it would take them a few days to get there due to ice conditions in the Straits. She said this was alarming for her to learn. Ms. Page stated that Cheboygan County's economy is so dependent on the Great Lakes water resource.

David Martin, a citizen of the City of Cheboygan, stated that Enbridge has already had several bursts in Michigan and Wisconsin so they know it's a possibility in Line 5. Mr. Martin stated that Enbridge is a for-profit business and he is a concerned citizen who loves the area and supports the resolution.

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Commissioner Gauthier stated that he was hopeful that Cheboygan County would be the first county in Michigan to lead a resolution on oil pipeline issues, but he learned that yesterday Genesee County passed a resolution to shut down Enbridge Line 5 completely. Commissioner Gauthier hopes to be the second county in the state to take action.

### SCHEDULED VISITORS

Commissioner Redmond presented a Certificate of Appreciation to Commissioner Chris Brown for his 14 years of service on the Zoning Board of Appeals. Commissioner Redmond thanked him on behalf of the Board and the citizens of the Cheboygan County for his dedicated service.

Commissioner Redmond presented a Certificate of Appreciation to Curtis Chambers for his 26 years of service as County Harbor Master. Commissioner Redmond congratulated Mr. Chambers on his retirement. Mr. Chambers thanked everyone for the opportunity to serve in this capacity, noting that the County Marina is a jewel in this community. He also commended the great young people in Cheboygan who worked at the marina during his tenure.

Joanne Cromley presented information regarding Enbridge Line 5 Pipeline and asked the Board to please immediately consider telling the Governor and the Attorney General to restrict Line 5 Pipeline to non-oil cargo. Ms. Cromley is a resident of Cheboygan County, Koehler Township. Ms. Cromley stated that the Enbridge campaign of pipeline safety cannot be trusted because of the 2010 Line 6B Pipeline burst in the Kalamazoo River that dumped approximately one million tons of oil that the community is still cleaning up, that there have been 15 failures in Line 5 since the 1980's near the Mackinaw Bridge, and the number of Enbridge spills has gone from 50 spills per year from 1999 - 2004 to an average of 90 spills per year from 2010 – 2014. Ms. Cromley stated they are asking Governor Snyder to use his authority to protect valuable Michigan water resources. Ms. Cromley asked the Board if they have a plan and asked them to adopt the resolution. Commissioner Gauthier asked Ms. Cromley if the independent pipeline task force she mentioned has developed an independent study on worst case scenario in the event of an oil spill. Ms. Cromley stated that they have not. Ms. Cromley presented a video developed by the University of Michigan Graham Institute about what will happen if there is a rupture in the Straits. Commissioner Redmond stated that no one ever wants to see an oil spill and that it's important to realize that Enbridge is a big player in the economics of Cheboygan County – as the top tax payer as far as taxable SEV value is concerned. Commissioner Gauthier stated that the Pipeline Safety Advisory Board is for all the pipelines in the State of Michigan and they have scheduled a meeting for June 20, 2016 somewhere in Northern Michigan. He said that the Board should suggest the meeting take place in Cheboygan. Commissioner Redmond agreed. Commissioner Matelski asked if it's possible to get someone from the Governor's office who knows what's going on to come and address the Board. Commissioner Matelski stated he has a lot of questions and concerns and he is pro-pipeline/pro-industry. Commissioner Matelski stated that he was 12-years-old when he watched the pipeline being installed and wondered about an anchor dropping on the pipeline and he is an engineer. Ms. Cromley stated that she knows that Tuscarora Township is planning to have a town hall meeting with someone available to speak to both sides of the issue. Prosecutor Vizina stated that approximately one year ago there was information provided regarding an emergency situation. Prosecutor Vizina stated that a portion of the pipeline goes through the Indian River and near a subdivision and that at one point there were pilings going in and they were 18 inches from rupturing the pipeline. Prosecutor Vizina stated there is real concern and the vulnerable areas are much vaster than just the Straits of Mackinaw. Commissioner Allor commented about concerns with extra supports being added to the pipeline recently. Commissioner Brown stated that he does understand the concerns but that a substitute to the pipeline would be 55 miles of semi-trucks transporting oil and crossing the Mackinaw Bridge every day. Discussion was held with Commissioner Matelski about another line replacing Line 5. Commissioner Allor commented regarding the resolution about encouraging the Governor to restrict what is being transferred and she stated that it could be push needed for them to act sooner rather than later. Ms. Cromley stated that we have to remember that this is Canadian oil

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and Michigan is a pass-through and that possibly this is problem for the Canadian government to find another pass-through. Commissioner Gauthier shares in the sense of urgency and asked if they could pass the resolution today. Commissioner Wallace stated he wants more information. Commissioner Allor stated that the resolution will just serve as a message that we're concerned. Discussion was held.

**Motion** by Commissioner Gauthier, seconded by Commissioner Allor, to adopt the Enbridge Resolution as it stands. Discussion was held. Commissioner Redmond said typically we don't adopted resolutions without further study. Redmond said he thinks the board is in agreement to send concerns regarding this, but we are not following policy. This could be addressed at the December Finance/Business Meeting. Commissioner Brown said he is in favor of a resolution including information in proposed resolution and a lot more. John Moore, Supervisor of Nunda Township, pointed out that if adopted it would violate the Open Meetings Act because it was not on the agenda. Commissioner Redmond requested the County Administrator draft a resolution and also ask Dr. Ed Timm to address this matter at a Committee of the Whole meeting. Commissioner Wallace said Enbridge should also be invited to that meeting. Commissioners Gauthier and Allor rescinded the motion and second.

**ADMINISTRATOR'S REPORT – None**

**OLD BUSINESS – None**

**NEW BUSINESS – None**

**BOARD MATTERS FOR DISCUSSION**

The Board continued reviewing the 2016 Draft Cheboygan County Budget. Finance Director Kari Kortz highlighted some of the recent changes. Ms. Kortz stated that the requested budget of \$25,584,055 reflects \$844,659 to be used of fund balance. Administrator Lawson stated that the budget is always estimated conservatively and the county tends to not spend the entire budget and gain in fund balance. Commissioner Matelski asked about the MERS retirement fund. Administrator Lawson stated that MERS actually has been projecting the increase in our payments to use towards the deficit in funding. Ms. Kortz highlighted several changes to the budget including General Fund increase of \$333,755 to \$11,807,216 based on a wage & fringe contingency, FOC Fund increase of \$15,761 to \$523,298 based on a wage & fringe contingency, Recycling Fund increase of \$16,215 to \$348,715 based on a fee schedule for hazardous waste fees and a wage & fringe contingency, Cellular Phone and CCE 9-1-1 Phone Flow-thru to match the 9-1-1 budget, Building Safety Department budget decrease of \$14,206 to \$421,795 based on a wage & fringe contingency and excess expenditures, Register of Deeds Automation and Sheriff's Work Crew program budgets were adjusted with wage & fringe contingency because a small amount of wages are paid out of those funds, Drug Court budget was adjusted for a wage & salary change, Childcare fund was increased \$8,295 to \$1,258,308 for a wage & fringe contingency, Courthouse Preservation fund was increased \$90,000 to \$170,000 due to window and trim replacement project and for analysis of food prep area of the jail, Marina budget was adjusted to be more comparable to the 2015 budget, County Fair budget was decreased \$10,581 to \$225,579 based on trends of what actual revenue would probably be. Discussion was held.

Commissioner Brown asked how to structure the recycling program so that it's profitable for the county, as is Emmet County's recycling program. Administrator Lawson stated that there aren't enough per household charge gains to make it profitable, but that in the long run a change in the funding mechanism is being considered, like a tipping fee but that may cause confrontation with waste management companies.

Commissioner Brown commented about adding an individual from the Sheriff's Department to manage the county building security door. He said all of his townships have issues with the security door. Commissioner Allor said she too hears that a lot from her townships as well.

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Commissioner Redmond said he thinks the community as a whole understands the safety level, but has heard that it is an inconvenience to the public. Administrator Lawson and Sheriff Clarmont responded. Discussion was held.

Ms. Kortz stated that Straits Regional Ride budget was increased by \$24,189 to \$1,010,308 due to the wage and fringe area coupled with contingency for estimated raises.

Ms. Kortz stated that these increases establish a budget of \$26,062,483.

Sheriff Clarmont commented about transferring a Sheriff's Department vehicle being taken out of rotation to the Humane Society for animal control. Board consensus was to allow for the transfer.

Sheriff Clarmont commented about his intent to schedule a meeting with the Judges, Prosecutor and County Commissioners about overcrowding in the jail. Sheriff Clarmont stated that the jail is always near, at or over capacity. Sheriff Clarmont talked about running a tether program to keep low-risk persons out of the jail and give another option to the courts for punishment compared to imprisonment in Cheboygan County. He said another option would be to house inmate out of county at a cost of roughly \$50.00 per day. Sheriff Clarmont also mentioned addressing the cost of food in the jail and liability of one food provider.

Ms. Kortz said barring any unexpected change this will be the final budget for 2016.

**CITIZENS COMMENTS – None**

**BOARD MEMBER COMMENTS**

Commissioner Wallace said the merge between NEMCOG and the Northeast Consortium is on hold because of the three counties refusing to participate.

Commissioner Redmond thank the Administrator, Finance Director, the elected officials, and all others that worked on the 2016 budget.

**Motion** by Commissioner Gouine, seconded by Commissioner Brown to go into closed session for the purpose of a strategy session connected with the union negotiations as authorized by Section 8 (c) of the Open Meetings Act, being MCL 15.268 (c). A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

**ENTERED INTO CLOSED SESSION AT 12:11 P.M.**

**RETURNED TO OPEN SESSION AT 12:32 P.M.**

**Motion** by Commissioner Matelski, seconded by Commissioner Brown, to adjourn to the call of the Chair. Motion carried. Meeting adjourned at 12:32 P.M.

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Mary Ellen Tryban  
County Clerk/Register

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Pete Redmond  
Chairperson