

**COUNTY BOARD OF COMMISSIONERS  
FINANCE/BUSINESS MEETING  
February 13, 2018**

The Finance/Business Meeting of the Cheboygan County Board of Commissioner was called to order in the Commissioners Room by Commissioner Wallace at 9:30 a.m.

Roll called and a quorum present

**Present:** Commissioners Karen Johnson, Richard Sangster, Michael Newman, Cal Gouine, Roberta Matelski, John Wallace, Robert Bolinger.

**Absent:** None

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

**Motion** by Commissioner Sangster, seconded by Commissioner Bolinger, to approve the agenda as corrected adding Citizens Comments after New Business. Motion carried with 7 yes, 0 no and 0 absent.

**Motion** by Commissioner Sangster, second by Commissioner Bolinger, to approve the consent agenda as follows:

- A. Approve Monthly Finance Claims (Finance Total = \$23,772.80; Prepaid Total = \$1,193,726.78.
- B. Budget Adjustments
  - 2017 Raise Revenue/Expenditures
    - 1) Fund 101 Total Budget Increase Totaling \$7,931.68
    - 2) Fund 283 Total Budget Increase Totaling \$1,500
  - 2017 Lower Revenue/Expenditures
    - 1) Fund 267 Total Budget Decrease Totaling \$4,171.53
    - 2) Fund 276 Total Budget Decrease Totaling \$12,445.99
- C. Investment Report
- D. Top O Michigan Outboard Racing Club Request for Waiver of "No Wake"
- E. Straits Regional Ride – 2019 Annual Grant Application Resolution 18-02
- F. Correspondence:
  - 1. Alger County Resolution Opposing HB 5096-5098
  - 2. Eaton County Resolution Opposing HB 5096-5098
  - 3. Gogebic County Resolution Opposing HB 5096-5098
  - 4. Gratiot County Resolution Opposing HB 5096-5098
  - 5. Wexford County Resolution Opposing HB 5096-5098
- G. Minutes:
  - 1. Organizational Finance/Business Meeting of January 9, 2018, Committee of the Whole Meeting of January 23, 2018
  - 2. ZBA – 10/25/17 & 11/27/17
  - 3. Planning Commission Minutes – 1/3/18 & 1/17/18
  - 4. District #4 Health Dept. – 12/19/17
  - 5. Department of Public Works – 1/17/17
  - 6. City Council Minutes – 12/12/17 & 1/9/18
  - 7. County Road Commission Minutes – 1/4/18 (Regular & Organizational)

8. NEMSCA – 1/5/18

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

**CITIZENS COMMENTS - None**

**SCHEDULED VISITORS**

Chairperson Wallace and Administrator Lawson presented Scott McNeil a certificate of appreciation for his eight (8) years of services. Mr. McNeil stated that he had been fortunate to have a career in local government, to serve the community and he thanked everyone.

**Finance Director's Report**

Administrator Jeff Lawson stated that there would be no General Fund Revenue and Expenditure Report for December 31, 2017 because the 2017 year-end adjustments were still being posted. Also Cash Summary by Fund Cash for December 2017 would not be presented until all the 2017 adjusting entries are posted, as cash balances could be affected. He gave an explanation of the Summarization of all budget adjustments posted from July 1, 2017 through December 31, 2017. Also Mr. Lawson gave an explanation of the Investment Report as of December 31, 2017 totaling \$21,499,486.39.

**Administrator's Report**

Administrator Jeff Lawson reported that the bids for the demolition of the Gold Front buildings would be accepted until 2 P.M. February 16, 2018. Four demolition companies have visited the site as of this week.

Administrator Jeff Lawson reported that bids for the Jail Kitchen addition and storage building were currently out for bids. A pre-bid meeting would be held on February 13, 2018 at 2 P.M. for inspection of the project areas and to answer any bid questions contractors may have. Bids would be accepted until 2 P.M. February 22, 2018.

Administrator Jeff Lawson reported that the Staff would be mailing out the Recycling Interlocal Agreements to participating units within the next two (2) weeks. Letters would also be sent to non-participating units to inquire their interest in entering into an interlocal agreement.

Administrator Jeff Lawson reported that the State of Michigan has requested financial clarification on expense items within the County's Indigent Defense Application. The application would be resubmitted prior to February 20, 2018 for State review. The State required reclassification of certain expenses related to construction items and has denied staff wage expenses for area they considered supplanting.

**COMMITTEE REPORTS**

Commissioner Matelski attended a number of township meetings and a Planning Commission Meeting.

Commissioner Johnson attended a ZBA Meeting where the issue of tiny houses came up and there seemed to be a lot of community support. This was something that the Board of Commissioner would be seeing shortly. She also attended an Airport Authority Board Meeting with the rebid of the SRE Building going out in April.

Commissioner Wallace attended a CCE 911 where the interviews were narrowed down to three (3) final candidates. An offer was given to one and they were still negotiating the conditions of the contract.

Commissioner Newman attended a Benton Township Meeting, CCE 911 Meeting, District #4 Health Meeting and several other meeting with nothing to note.

Commissioner Gouine attended an Inverness Township meeting, Planning Commission Meeting, and a Fair Board Meeting. At the Fair Board Meeting, the Board wants to hire someone new for the secretary position.

Commissioner Sangster attended a DDA Meeting in Cheboygan, City Council Meeting, NLEA Meeting where a presentation was done for the Downtown Main Street Program and he had the opportunity to be on a conference call with the Drain Commissioner Cam Cavitt and Administrator Jeff Lawson working on some resolutions to the lake draw down on Black Lake.

**OLD BUSINESS - None**

**NEW BUSINESS**

Interim Planning and Zoning Director Scott McNeil presented Zoning Ordinance Amendment #145 to rezone property currently zoned Lake & Stream Protection to Agriculture and Forestry Management District (M-AF) and Residential Development District (D-RS). The Planning Commission had recognized problems and conflicts between land zoned Lake and Stream Protection (P-LS) and the neighboring land. This conflict occurs in areas which were away from major lakes, rivers, and perennial streams.

The 5 year Implementation Plan (Zoning Plan) within the Cheboygan County Master Plan provided the following recommendation regarding the current Lake and Stream Protection zoning district: Refine these zoning districts to better identify water resources in need of protection rather than everything that is on a 7.5" USGS topographical map.

As a result, a large scale rezoning took place in 2015 via amendment #138. The changes brought forth by the rezoning sought to remove those properties which were not on a lake, river or on a perennial stream in the county from the P-LS zoning district. They were rezoned to be consistent with the zoning on neighboring property. Before amendment #138 was adopted, all properties within 500 feet of a body of water or stream as indicated on the USGS maps were included in the P-LS zoning district. This rezoning kept the existing 40 foot waterfront setback for those areas that were rezoned, which have ponds and intermittent streams.

It has been discovered that the subject area contained an intermittent stream previous identified as a perineal stream and currently zoned P-LS. This rezoning was being recommended in order to be constant with the 2015 rezoning.

**Motion** by Commissioner Gouine, seconded by Commissioner Johnson to adopt Zoning Ordinance Amendment #145 and in connection to the amendment of the zoning map and rezoning of property currently zoned Lake and Stream Protection (P-LS) to Agriculture and Forestry Management District (M-AF), Residential Development District (D-RS). The Cheboygan County Board of Commissioners hereby incorporates into this record all planning commission public hearing minutes and all documents submitted to the planning commission in connection with its consideration of the rezoning amendment and the Cheboygan County Board of Commissioners hereby adopts as its own the findings made by the Cheboygan County Planning Commission at its meeting on December 6, 2017 on the rezoning factors considered by the Planning Commission on the rezoning.

**CHEBOYGAN COUNTY**  
**Zoning Ordinance Amendment #145**

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE NO. 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 property located in sections 17, 20 and 21, T37N, R1W, Benton Township, Cheboygan County generally described property located within five hundred (500) feet from an intermittent stream as depicted in the map below from Lake and Stream Protection District (P-LS) to Agriculture and Forestry Management District (M-AF).

**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 property located in section 17, T37N,R1W, Benton Township, Cheboygan County from the Lake and Stream Protection District (P-LS) to Residential Development District (D-RS). The land to be rezoned is described as follows:

Lot 8 of the Plat of Riviera, Cheboygan County Records.

**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.

Interim Planning and Zoning Director Scott McNeil presented Zoning Ordinance Amendment #146 to establish the Lake and Stream Protection Shelter Overlay (P-LS-SO) zoning district. Consideration of this amendment began from discussion regarding variance applications for boathouse and boat shelters coming before the Zoning Board of Appeals. Land located 500 feet from a lake, river or perennial stream was in the Lake and Stream Protection zoning district. Currently there was a 40 foot standard water front setback from the high water mark for any structure in the Lake and Stream Protection zoning district. Due to this setback requirement, structures such as boathouses could not be built or replaced without a variance granted by the Zoning Board of Appeals.

The Planning Commission reviewed variance applications that had been submitted to the Zoning Board of Appeals in the past regarding boathouses and boat shelters along with review of existing boathouses and boat shelters along the Cheboygan River.

The Planning Commission also conducted a survey of property owners along the Cheboygan River, Indian River and Lower Black River relative to the desirability of boat shelters.

The Board of Commissioners had reviewed a similar amendment previously and remanded the following section back to the Planning Commission noting concerns that a width limitation not to exceed 20% of the lot width would not allow reasonable use of boat shelters on smaller lots.

**Motion** by Commissioner Sangster, seconded by Commissioner Johnson to adopt the ordinance based on the Planning Commission recommendation of approval as follows:

**CHEBOYGAN COUNTY  
ZONING ORDINANCE AMENDMENT #146  
AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 TO  
ESTABLISH THE LAKE AND STREAM PROTECTION SHELTER OVERLAY DISTRICT.**

**Section 1. Amendment of Section 2.2.**

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definitions in their appropriate alphabetical locations, which shall read in their entirety as follows:

**BOAT SHELTER**

A structure constructed over a boat well which is designed and used solely for the purpose of protecting or storing watercraft and related equipment for noncommercial purposes.

**CANAL**

An artificial waterway constructed to allow the passage of boats.

**Section 2. Amendment of Zoning Ordinance.**

The Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Article 10A, Lake and Stream Protection Shelter Overlay District (P-LS-SO), which shall read in its entirety as follows:

**ARTICLE 10A – LAKE AND STREAM PROTECTION SHELTER  
OVERLAY DISTRICT (P-LS-SO)**

**SECTION 10A.1. PURPOSE.**

The purpose of this overlay district is to provide for construction of boat shelters in areas where boathouses exist. Boat shelters will be required to meet certain conditions in order to be consistent with land use goals of the Master Plan including the Lake and Stream Residential future land use category.

**SECTION 10A.2. BOUNDARIES**

The boundaries of this overlay district shall be those waterfront lots located on the Cheboygan River, Indian River, the Lower Black River, and any canal connected to those rivers as shown on the Cheboygan County Zoning Map.

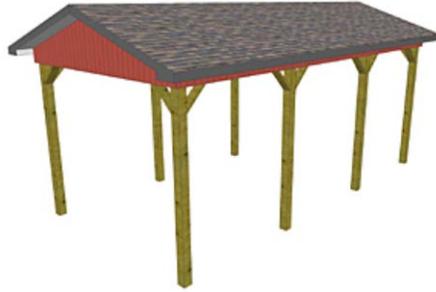
**SECTION 10A.3. PERMITTED USES.**

10A.3.1. All uses permitted by right in the underlying zoning district.

10A.3.2 Boat shelters, subject to the following conditions and requirements:

10A.3.2.1 No more than one (1) boat shelter shall be permitted on a lot of record.

10A.3.2.2 A boat shelter shall not be enclosed and shall not contain walls. Only structural components necessary to support the roof structure shall be permitted. The ability to see through the boat shelter from all angles must be maintained at all times as represented in the following illustration:



- 10A.3.2.3 The width of the boat shelter structure, with exception of the eaves, shall not exceed sixteen (16) feet.
- 10A.3.2.4 No part of the boat shelter shall extend more than two (2) feet from the wall or edge of the boat well with exception of the eaves.
- 10A.3.2.5 The boat shelter shall contain eaves no greater than two (2) feet.
- 10A.3.2.6 The boat shelter shall have a pitched roof that is no greater than 4/12 pitch, and shall not be designed or used as a deck, observation platform or for other similar uses.
- 10A.3.2.7 A boat shelter shall not exceed a building height of twelve (12) feet.
- 10A.3.2.8 Boat shelters shall be permitted in the waterfront setback of the underlying zoning district.

**SECTION 10A.4 USES REQUIRING SPECIAL LAND USE PERMITS.**

- 10A.4.1 All uses requiring special land use permits in the underlying zoning district.

**SECTION 10A.5 DEVELOPMENT REQUIREMENTS**

- 10A.5.1 Except as modified below, all development within this overlay district shall be in accord with the existing development standards for the underlying zoning district as specified in this Ordinance.
- 10A.5.2 Where the regulations of this overlay district differ from the regulations of the underlying zoning district, then the regulations of this overlay district shall control.

**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.

Administrator Jeff Lawson presented the Drug Court approval of SAMHSA Grant. The Cheboygan County Drug Court desires to apply for grant funds to expand the Drug Court Program. The application for the SAMHSA was due February 21, 2018. 53<sup>rd</sup> Circuit Drug Court needs to expand the program and would like to see more funding for drug testing, counseling services, mental health services, and for the transitional housing. They were also requesting more funding for much needed training. This would help the drug court team keep up with the changes that were required. It would also help fill the gaps in the program. There was a need to expand due to the increasing abuse of prescription medications and the co-occurring disorders that were seen in some of the participants. For a successful rehabilitation, these aforementioned services were critical to implement. Discussion held on the different programs that were offered in County.

**Motion** by Commissioner Newman, seconded by Commissioner Gouine to approve the Cheboygan County Drug Court SAMHSA Grant Application in the amount of \$44,252, and all future forthcoming documentation after review and approval by the County Administrator, and legal counsel, if applicable. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Jeff Lawson presented a revised copy of the Purchasing Policy previously adopted by the Cheboygan County Board of Commissioner. The changes were as follows: *Revising* = 1) Company name change 360 Services to Whitlock 360 Services; 2) Redefine Product or Service provided by Michigan Police Equipment from Body Armor to Police Equipment; and 3) Redefine Product or Service provided by Pro-Tech from Communications Equipment to Police Equipment. *Adding* = 1) Otec Communications to provide radio service and equipment for SRR activities; 2) Zarembas Equipment to provide major bus repair to appropriate SRR fleet vehicles; and 3) Office Depot to provide office paper for utilization in copy machines and printers. Supplier has met the needs of the County by providing the most cost effect grade that does not cause paper jams in equipment.

**Motion** by Commissioner Sangster, seconded by Commissioner Bolinger to adopt the revised Sole Vendor Listing 300 - 2A to become effective February 13, 2018 and delete OMS Compliance Services, Inc.. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Jeff Lawson presented the 2018 Salary & Wage Resolution – Non-Union General Employees #17-009 – Amendment #3 – Probate Court. Judge Butts' was taking advantage of attrition and restructuring the existing wage scale in his office to correct a comparable wage disparity that existed for a current employee without affecting the total cost of his department. The departure of the Deputy Probate Registrar would allow for a reset of the starting pay at a lower rate. This would provide additional funds to move an existing employee (Deputy Juvenile/Probate Registrar) closer to the comparable average established by the County during the 2015 comparable county wage survey. This rate change would go into effect February 14, 2018. (Copy can be obtained from the County Clerk's Office).

**Motion** by Commissioner Johnson, seconded by Commissioner Bolinger to adopt Amendment #3 to the 2018 Salary and Wage Resolution – Non-Union General Employee #17-009 to be effective February 14, 2018 and authorize the Chair to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Jeff Lawson presented the appointment of the Interim Finance Director. During the transition of the Finance Director position it was recommended to appoint an interim finance director. He stated that as the County Administrator, he currently oversaw the finance and budget activities. Discussion held on the functions and procedures of the Finance Director and the finance department.

**Motion** by Commissioner Sangster, seconded by Commissioner Matelski to appoint Jeffrey B. Lawson as the Interim Finance Director until the position of Finance Director was filled. Motion carried with 6 yes, 1 no (Commissioner Johnson) and 0 absent.

Administrator Jeff Lawson presented the transfer of title of operational trailer to Charlevoix, Cheboygan and Emmet County Office of Emergency Management. In 2003, grant funding was received by Charlevoix, Cheboygan and Emmet Counties to purchase an emergency response trailer for OEM operations. The trailers were currently maintained and funded through the Office of Emergency Management's budget. This transaction would transfer ownership to OEM. Discussion was held.

**Motion** by Commissioner Johnson, seconded by Commissioner Newman to authorize the County Clerk to transfer the title of the 2003 emergency management trailer to the Charlevoix, Cheboygan and Emmet County Office of Emergency Management subject to investigation. Motion carried with 7 yes, 0 no and 0 absent.

**CITIZENS COMMENTS** – None

**BOARD MEMBERS COMMENTS**

Commissioner Wallace reminded the Board of Commissioners about the Administrator's evaluation packet that was handed out with a deadline of March 1, 2018.

Commissioner Gouine asked how the progress on the District #4 Health Department remodeling was coming along. Administrator Lawson commented that he met with them last week. There was painting going on with the hope of finishing up today and renovation still going on in a couple other rooms.

Commissioner Johnson commented that since her appointment in July of 2017 to the Board of Commissioners, she has been trying to figure out how to assist the county to become a better place. She stated that she was truly disappointed in some of the actions and reactions of the board, but she believed that working together on some of these issues they could be resolved. Since her appointment in July there has been the resignation of two "top level" employees (Community Development Director Steve Schnell and Finance Director Kari Kortz). There was no Human Resources Department for employees to go to when conflicts arise. She stated that there were three (3) issues of concern for her, which were the health and well-being of county employees to give them a safe place to go when issues arise, the county seeming to be moving back in the direction of a controller; and administrative decisions that were in conflict with the zoning ordinances.

Commissioner Sangster commented that he had been working on the Cheboygan port project for the last six (6) to eight (8) years and had dealt with various groups and organizations related to economic development. Many counties face challenges in drawing manufacturing, but he felt Cheboygan County had more to offer than many other counties because of the geographic location, size and the scope of natural resources. One of the

questions that needed to be addressed was whether or not Cheboygan County should change its approach to encouraging economic development. Currently, the county works through the Northern Lakes Economic Alliance at a cost of \$42,000 per year, which was a four-county alliance. He stated stakeholders felt the county was spending a lot of money and not getting a lot of results. In Cheboygan County, we cannot even work across city, township or village lines on economic development and yet we were expecting economic development to work across four (4) county lines. There was a feeling that we could get better results for the county dollars being spent. He stated that if the Board of Commissioners were interested, he would like to make a presentation. Commissioner Wallace stated he felt that this was appropriate. It was the consensus of the Board of Commissioners to see a presentation at the next board meeting.

Commissioner Wallace commented that this would be a good time to address both these matters as this was the time of year the county began to look at issues to be discussed at the planning session meeting.

**Motion** by Commissioner Wallace, seconded by Commissioner Newman, to adjourn to the call of the Chair. Motion carried with 7 yes, 0 no and 0 absent. Meeting adjourned at 10:18 a.m.

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Karen L. Brewster  
Cheboygan County Clerk/Register

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John B. Wallace  
Chairperson