

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
SEPTEMBER 9, 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 Commissioner Matelski led the Pledge of Allegiance.

Commissioner Allor requested that Item D - 2 *Huron County Resolution Opposing EPA Proposal & Supports SR 168* be pulled from the Consent Agenda and moved to New Business. Commissioner Allor requested that Item E - 1 *Finance Business Meeting of August 12, 2014* be pulled from the Consent Agenda and moved to New Business. Commissioner Socha requested that Item E - 1 *Committee of the Whole Meeting of August 26, 2014* be pulled from the Consent Agenda and also moved to New Business.

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

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

- A. Approve Monthly Finance Claim (Finance Total = \$128,013.16; Prepays Total = \$1,069,665.02)
- B. Budget Adjustments
- C. Straits Regional Ride MDOT Contract 2012-0061/P9 FY2015 – Specialized Services Operating Assistance Program
- D. Correspondence
 1. Bay County Resolution Opposing Nuclear Facility
 2. ~~Huron County Resolution Opposing EPA Proposal & Supports SR 168~~
(Moved to New Business)
 3. Oscoda County Resolution Regarding National Anthem
- E. Minutes:
 1. ~~Finance/Business Meeting of August 12, 2014 and Committee of the Whole Meeting of August 26, 2014~~ (Moved to New Business)
 2. Health Board – 7/15/2014
 3. NEMCSA – 8/1/2014
 4. NLEA August-September 2014 Newsletter and August 2014 President's Report
 5. Tax Allocation Minutes Packet
 6. Cheboygan County Fair Board – 7/7/2014
 7. Cheboygan County Road Commission – 8/7/2014
 8. Cheboygan City Council – 8/12/2014
 13. Planning Commission Minutes – 7/16/2014 & 8/6/2014
 14. ZBA Minutes – 7/23/2014

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

CITIZENS COMMENTS

Laurie Socolovitch, former employee for Sand Castles at the Cheboygan Senior Center, expressed her concerns regarding changes being made to Sand Castles and concerns about the Cheboygan County Council on Aging Director (CCCOA). Commissioner Socha asked Ms. Socolovitch if she has expressed

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her concerns to the CCCOA Board. Ms. Socolovitch affirmed. Legal counsel stated that the Board of Commissioners is only responsible at this time to appropriate the senior millage funds - not to manage or control CCCOA employees. Discussion was held regarding the CCCOA Board.

Debra Borman, former employee for Sand Castles at the Senior Center, expressed her concerns about making the CCCOA Board accountable. Discussion was held. Commissioner Socha said that policy and personnel issues must be addressed by the CCCOA Board, not the Board of Commissioners.

William Edgecall informed the Board about upcoming CCCOA meetings and expressed his concerns. Commissioner Gauthier recommended locating a copy of the CCCOA Board bylaws and determining how that Board is appointed.

David Mauldin asked the Board how to contact the Area Agency on Aging. Commissioner Allor told him of the Area Agency on Aging website.

Michael Hubble asked the Board if they could monitor the budgetary process of CCCOA and if there are other opportunities for another organization to run the Sand Castles operation. Legal Counsel stated he would have to check.

There was general consensus by the Board to have Legal Counsel provide information on the possibility of another entity operating Sand Castles and also if there are options available for appropriating the millage funds in specific periods of time hinging on reevaluation. Legal Counsel stated he will review the Council on Aging statutes and will lay out available options.

Ken Willey expressed his concern about the Council on Aging and inappropriate shirts worn by some employees of the Senior Center.

SCHEDULED VISITORS – None

FINANCE DIRECTOR'S REPORT – Accountant James Manko presented the revenue and expenditures report for the General Fund for the month ended July 31, 2014. She reported total year-to-date revenue of \$2,323,086.02, or 20.47% of budget, compared to \$2,302,733.00 last year at the same time. Mr. Manko reported expenditures year-to-date of \$5,825,165.60, or 51.33% of budget, compared to \$5,722,718.07, or 54.37%, last year as of the end July. Mr. Manko also presented the Cash Summary by Fund Report for the month of July ending July 31, 2014.

Discussion was held regarding fair revenues and expenditures. Mr. Manko updated the Board on the budget timeline.

ADMINISTRATOR'S REPORT

Administrator Lawson updated the Board on several projects: the paving for the Reid Building parking lot has been completed. The exterior railings of the Reid Building are also being looked at for replacement. Legal Counsel has drafted service contracts for the Drug Court program and the contracts need to be reviewed by the agencies. The 2015 budget process is progressing.

COMMITTEE REPORTS

Commissioner Gauthier attended a Millage Appropriation Committee meeting and a monthly NEMCSA meeting where they are in search of a new Chief Executive Officer.

Commissioner Gouine attended a Millage Appropriation Committee meeting, a township meeting and the Buffalo Bash.

Commissioner Matelski attended a Road Commission meeting, two Planning Commission meetings, two Zoning Board of Appeals meetings, a Council on Aging meeting, one Waterways Commission meeting, and a Millage Appropriation Committee meeting.

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Commissioner Allor attended an Ellis Township meeting, a Forest Township meeting, a Wilmot Township meeting, a Village of Wolverine meeting, a Council on Aging meeting, a Michigan Northern Counties Association meeting, a District No. 4 Health Board meeting, an Area Agency on Aging meeting and a Millage Appropriation Committee meeting.

Commissioner Wallace attended his last NEMSAS meeting. Discussion was held regarding a new advisory board.

Commissioner Redmond attended several township meetings, a Waterways Commission meeting, two Fair Board meetings, and a District No. 4 Health Board meeting where the Home Health Care Division was recommended to be eliminated. Discussion was held regarding the Fair Board property.

Commissioner Socha attended a Beaugrand Township meeting, the MSU-E Open House, and an Emergency Management meeting. Commissioner Socha requested Kathy Morrow to schedule a meeting in October for elected officials to specifically address known and potential budgetary impacts.

OLD BUSINESS - None

NEW BUSINESS

Community Development Planner Scott McNeil presented the Capital Improvement Plan for 2015 – 2020. Commissioner Gauthier noted three typo corrections to the Capital Improvement Plan. Commissioner Allor asked what kind of information is provided by an entity requesting capital improvement when developing the Capital Improvement Plan. Mr. McNeil stated that the Planning Commission takes whatever information is provided by the entity through their presentation and then the Planning Commission makes a determination of whether or not the project should be included in the Capital Improvement Plan and whether the project is needed or desirable. Commissioner Socha asked Mr. McNeil to restate why the Capital Improvement Plan has to be completed. Mr. McNeil restated that it is a state mandate for any entity that has a Master Plan to also complete a Capital Improvement Plan annually. Commissioner Wallace asked if the Planning Commission consults the prioritized list of projects developed by NEMCOG. Mr. McNeil said those are reviewed. Discussion was held regarding the projects listed by NEMCOG.

Motion by Commissioner Matelski, seconded by Commissioner Gauthier to accept the recommendation from the Cheboygan County Planning Commission and approve the 2015-2020 Capital Improvements Plan as required with the understanding that the inclusion of a project in the plan will not require or obligate any governmental entity or department of the County of Cheboygan to fund or complete any project or plan and also noting that the cost estimates as derived by the submitting agencies are for planning purposes only. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Mr. McNeil presented a proposed Zoning Ordinance Amendment #122 regarding boat wells and seawalls. Commissioner Gouine asked if there is a dimension that a seawall has to be above the water. Mr. McNeil stated he was not certain. Discussion was held regarding whether there was public comment at the Planning Commission meetings for this proposed amendment.

Motion by Commissioner Matelski, seconded by Commissioner Redmond to accept the Cheboygan County Planning Commission recommendation and adopt:

CHEBOYGAN COUNTY

Zoning Ordinance Amendment #122

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 TO DEFINE BOAT WELLS AND SEAWALLS, PROVIDE FOR SETBACKS RELATING TO BOAT WELLS AND SEAWALLS.

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 proper alphabetical location which shall read in their entirety as follows:

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BOAT WELL.

An artificial embayment created by the removal of earth located at the shore or bank of waters on a waterfront lot for mooring of boats and other water craft.

SEAWALL.

A permanent revetment structure for erosion protection or bank stabilization located along the shore or bank of a waterfront lot.

Section 2. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to change the following definition which shall read in its entirety as follows:

ORDINARY HIGH WATER MARK

The line between upland and bottomland that is created by the edge of a seawall or the line that persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation. On an inland lake that has a level established by law of government, it means the high established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high-water mark.

Section 3. Amendment of Section 6.4.9.

Section 6.4.9. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

6.4.9. Buildings, permanent structures, parking lots and other impervious surfaces, except boat docks, boat slips, boat wells, ramps, marinas, seawalls or other water dependent uses, shall observe both a minimum setback of forty (40) feet from the ordinary high water mark and a minimum setback of twenty-five (25) feet from any boat well as measured in any direction from the boat well. Except for potential interference in flood ways or wetlands, setbacks for this paragraph shall not apply to drains or intermittent streams. An intermittent stream is a water course with a definite bank and streambed which periodically conveys water.

Section 4. Amendment of Section 7.4.9.

Section 7.4.9. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

7.4.9. Buildings, permanent structures, parking lots and other impervious surfaces, except boat docks, boat slips, boat wells, ramps, marinas, seawalls or other water dependent uses, shall observe both a minimum setback of one hundred (100) feet from the ordinary high water mark and a minimum setback of sixty (60) feet from any boat well as measured in any direction from the boat well. Except for potential interference in flood ways or wetlands, setbacks for this paragraph shall not apply to drains or intermittent streams. An intermittent stream is a water course with a definite bank and streambed which periodically conveys water.

Section 5. Amendment of Section 8.4.9.

Section 8.4.9. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

8.4.9. Buildings, permanent structures, parking lots and other impervious surfaces, except boat docks, boat slips, boat wells, ramps, marinas, seawalls or other water dependent uses, shall observe both a minimum setback of one hundred (100) feet from the ordinary high water mark and a minimum setback of sixty (60) feet from any boat well as measured in any direction from the boat well. Except for potential interference in flood ways or wetlands, setbacks for this paragraph shall not apply to drains or intermittent streams. An intermittent stream is a water course with a definite bank and streambed which periodically conveys water.

Section 6. Amendment of Section 10.4.6.

Section 10.4.6. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

10.4.6. Buildings, permanent structures, parking lots and other impervious surfaces, except boat docks, boat slips, boat wells, ramps, marinas, seawalls or other water dependent uses, shall observe both a minimum setback of forty (40) feet from the ordinary high water mark and a minimum setback of twenty-five (25) feet from any boat well as measured in any direction from the boat well. Except for potential interference in flood ways or wetlands, setbacks for this paragraph shall not apply to drains or intermittent streams. An intermittent stream is a water course with a definite

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bank and streambed which periodically conveys water.

Section 7. Amendment of Section 13.4.10.

Section 13.4.10. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

13.4.10. Buildings, permanent structures, parking lots and other impervious surfaces, except boat docks, boat slips, boat well, ramps, marinas, seawall or other water dependent uses, shall observe both a minimum setback of forty (40) feet from the ordinary high water mark and a minimum setback of twenty-five (25) feet from any boat well as measured in any direction from the boat well. Except for potential interference in flood ways or wetlands, setbacks for this paragraph shall not apply to drains or intermittent streams. An intermittent stream is a water course with a definite bank and streambed which periodically conveys water.

Section 8. 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 9. 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 by 7 yes, 0 no and 0 absent.

Motion by Commissioner Allor, seconded by Commissioner Gauthier to adopt:

RESOLUTION 14-15

**COMMEMORATING 100 YEARS OF COOPERATIVE EXTENSION
A DIVISION OF MICHIGAN STATE UNIVERSITY**

WHEREAS, the acts of Congress on May 8 and June 30, 1914, solidified the development of a nationwide extension program through the Smith-Lever Act; and

WHEREAS, Extension services are provided through the country's land grant universities and Michigan State University (then Michigan Agricultural College) was the first land grant university, and

WHEREAS, the mission of MSU Extension is to help people improve their lives through an educational process that applies knowledge to critical issues, needs and opportunities, and

WHEREAS, the Cheboygan County MSU Extension Office began its education through the direction of its first County Agricultural Agent, Carl Henry Knopf in 1915 through a cooperative agreement with Cheboygan, and

WHEREAS, Michigan State University Extension services continue to bring the research of the university to the community and offers 4-H programs, Agricultural Programs, Family Nutrition, Children and Youth Education, Lawn and Garden Information, and programs directed at Michigan's Natural Resources; and

WHEREAS, 2014 marks one-hundred years of collaboration between the federal government, the State of Michigan, Cheboygan County, and the Extension Office of Michigan State University.

NOW, THEREFORE, BE IT RESOLVED that the Cheboygan County Board of Commissioners acknowledges and appreciates all the efforts and partnership of and with the Extension Office in Cheboygan County and the research based educational programs that have served Cheboygan County citizens for the past 99 years.

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

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Motion by Commissioner Gauthier, seconded by Commissioner Gouine to adopt:
Resolution 14-16

A Request For Governor Snyder To Authorize A Grant To The County Of Cheboygan From The State Disaster Contingency Fund Pursuant To PA 390 Of 1976 As Amended.

WHEREAS, Cheboygan County, Michigan, is a political subdivision within the State of Michigan with an approved Emergency Operations plan in compliance with Section 19 of the Emergency Management Act, Act 390, Public Acts of 1976, as amended; and

WHEREAS, Cheboygan County sustained severe losses to infrastructure; including but not limited to water and sewer systems, roads, and other equipment brought on by the record freeze event of 2013 and early 2014; and

WHEREAS, the Board of Commissioners certifies that the County of Cheboygan Emergency Operations Plan was implemented at the onset of the freeze event and all applicable relief assets to assist with this freeze event were exhausted;

and WHEREAS, as a direct result of the freeze event, public damage and expenditures were extraordinary and places an unreasonable financial burden on numerous political subdivisions and agencies in Cheboygan County.

NOW, THEREFORE BE IT RESOLVED, that the Cheboygan County Board of Commissioners requests the Governor authorize a grant to Cheboygan County from the State Disaster Contingency Fund pursuant to Section 19, Public Acts of 1976, as amended.

BE IT FURTHER RESOLVED, that Gregory Williams, Director of Emergency Management is authorized as Applicant's Agent to act for and on behalf of Cheboygan County in the application for financial assistance and to provide to the State any information required for that purpose.

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

Administrator Lawson presented Amendment #6 to the 2014 Salary & Wage Resolution regarding Straits Regional Ride/SAYPA for a bus monitor. Discussion was held.

Motion by Commissioner Redmond, seconded by Commissioner Allor to adopt Amendment #6 to the Cheboygan County 2014 Salary and Wage Resolution Non-Union General Employees #13-027 to be effective October 1, 2014 and authorize the Chairperson to sign and approve any necessary budget adjustments. Discussion was held. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Lawson presented Amendment #7 to the 2014 Salary & Wage Resolution regarding Recycling.

Motion by Commissioner Allor, seconded by Commissioner Matelski to adopt Amendment #7 to the Cheboygan County 2014 Salary and Wage Resolution Non-Union General Employees #13-027 to be retroactively effective January 1, 2014 and authorize the Chairperson to sign and approve any necessary budget adjustments. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

District Court Administrator Jodi Barrette presented the Westlaw Next agreement. Discussion was held.

Motion by Commissioner Allor, seconded by Commissioner Wallace to approve the three-year Westlaw agreement and all corresponding department contracts for Westlaw Next and West Complete and authorize the Chairperson to sign all documentation. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Lawson presented the Blue Cross/Blue Shield of Michigan Administrative Services Contract which amends the Cheboygan County inmate services contract.

Motion by Commissioner Wallace, seconded by Commissioner Allor to approve the Amendment to Administrative Service Contract as well as revised Addendum to Schedule A for the Blue Cross Blue

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Shield Cheboygan County Inmates Services Contract and authorize the Chairperson to sign the contract. Motion carried with 7 yes, 0 no and 0 absent.

Commissioner Allor addressed supporting the Huron County Resolution Opposing EPA Proposal & Supports SR 168 pulled from the Consent Agenda. Board consensus was to create a similar resolution for Cheboygan County and to be brought to the October Finance Business meeting.

Motion by Commissioner Allor, seconded by Commissioner Wallace to receive and file the Huron County Resolution Opposing EPA Proposal & Supports SR 168. Motion carried with 7 yes, 0 no and 0 absent.

Commissioner Allor addressed the Finance Business meeting minutes from August 12, 2014. She stated she would like to see a correction under *Citizens Comments* for the word “support” be changed to “opposition” in reference to Roger Gauthier’s statement about HCR 31. Commissioner Socha stated that she would like a spelling error to the word “commissioner” be corrected under *Citizens Comments*. Commissioner Allor stated that she would like to see a correction under *Committee Reports* for the last sentence under Commissioner Allor’s report to read “Northern Michigan Counties Association” instead of “Community Mental Health”.

Commissioner Socha addressed the Committee of the Whole meeting minutes from August 26, 2014. She stated she would like to see a correction under *Scheduled Visitors* for the County Treasurer to be listed as “Linda Cronan” not “Linda Socha”, and under *Citizens Comments* for the same correction.

Motion by Commissioner Gauthier, seconded by Commissioner Allor to receive and file the Finance Business Meeting Minutes from August 12, 2014 and the Committee of the Whole Meeting Minutes from August 26, 2014 with the above amendments. Motion carried with 7 yes, 0 no and 0 absent.

CITIZENS COMMENTS – None

BOARD MEMBER COMMENTS

Commissioner Wallace would like his handout to be read into the minutes.

Motion by Commissioner Wallace, seconded by Commissioner Gauthier to allow Commissioner Wallace to read verbatim a letter received from the Cheboygan Area Ministerial Association regarding their meeting from August 26, 2014. Discussion was held. Motion is withdrawn. The correspondence will be placed in the next Consent Agenda.

Administrator Lawson introduced an issue regarding dredging reimbursement from the City of Cheboygan.

Motion by Commissioner Matelski, seconded by Commissioner Redmond to authorize the Administrator to sign any necessary contracts concerning dredging reimbursement to the City of Cheboygan by the State of Michigan contingent upon Legal Counsel review. Discussion was held. Motion carried with 7 yes, 0 no and 0 absent.

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

Mary Ellen Tryban
Cheboygan County Chief Deputy Clerk/Register

Linda Socha
Chairperson