

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS  
COMMITTEE OF THE WHOLE MEETING  
February 22, 2011**

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, Don Horrocks, Pete Redmond, Cal Gouine, Tony Matelski, John Wallace, and Sue Allor

**Absent:** None

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

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

**CITIZENS COMMENTS** – None

**SCHEDULED VISITORS/DEPARTMENT HEAD REPORTS**

Chairperson Socha present certificates of appreciation to Gary Lambert for his service on the Cheboygan County Economic Development Corporation and to Tony Matelski for his service on the Cheboygan County Planning Commission.

Northern Lakes Economic Alliance President Andy Hayes reviewed the history of that organization. He said the NLEA, established in 1984, helps entrepreneurs create and retain jobs. It is a partnership between Antrim, Charlevoix, Cheboygan and Emmet counties, and includes core partners MSU Extension, Michigan Small Business & Technology Centers, the Michigan Economic Development Corporation, the Northwest Michigan Council of Governments and the Char-Em Intermediate School District. The funding for NLEA comes from of the following sources, 46% from local government, 37% from partnerships, 8% from services, 6% from the private sector and 3% from other sources. NLEA provides entrepreneur assistance by working with local groups, providing business counseling, offering seminar programs, providing access to capital and offering self-study resources. Mr. Hayes said NLEA created a Business Resource Center Network with eight sites in 2010 one of which is located in the Cheboygan Library. Chairperson Socha said the county has been pleased to be part of NLEA. NLEA Board Member Steve Rawlings of DTE Energy said NLEA is truly a collaborative organization. Mr. Rawlings also congratulated Administrator Overton on his daughter's recent appointment to Annapolis.

CCE 911 Director Bob Bradley outlined the history and technical services provided by CCE. He said the center was the first three-county central dispatch system in the state. The tri-county agreement was entered into in 1993, with the building, radio and network to follow in 1995-1996. The center works with 13-plus law enforcement agencies, 28 fire departments, nine EMS agencies, nine medical first responder squads and several other agencies, such as road commissions, Bradley explained. Approximately 70,000 911 calls are answered per year, with more than 128,000 computer-aided dispatch events in 2010. The center has 17 full-time dispatchers. Mr. Bradley said wireless calls continue to increase in volume, with approximately 65 percent of 9-1-1 calls in 2010 being from cell phones, with that number fluctuating seasonally. Mr. Bradley said upcoming issues include possible forced consolidation legislation, possible cuts in state and federal level funding, a "narrow banding" mandate that will shrink radio frequencies down in order to create more "channels" and preparation for Next Gen Network, which will enable the public to transmit text, images, video and data to the 9-1-1 center. Commissioner John Wallace said Cheboygan County is getting the "most bang for its buck", since it has the largest coverage area of the three counties and contributes one-third of the cost. Chairperson Socha said the combined population of the three county entities increases the chance of grants. Sheriff Dale Clarmont agreed, and said the county could not provide the same level of service that CCE does. He said the center's dispatchers and staff do a great job looking out for law enforcement. Mr. Bradley

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extended an invitation to all commissioners to tour the 9-1-1 Center.

### ADMINISTRATOR'S REPORT

Administrator Overton reported having talked with MSUE and several township officials regarding gypsy moths and he has posted the matter on the county website. He said if any township desires to spray for gypsy moths they would have to contact the appropriation parties immediately.

He also reported researching the possibility of moving the Indian River recycling location to the former ambulance building location. This would allow for storage in the old ambulance building.

### BOARD MATTERS FOR DISCUSSION - None

**CITIZENS COMMENTS** – Rick Kolb, a member of the Construction Code Board of Appeals, asked for an explanation of the abruptness in the recent dismissal of Kevan Flory from his position as county building official. Chairperson Socha said the Board would not get into a personnel discussion, and directed Mr. Kolb to talk with the county administrator or the department head if he had questions relating to this matter.

**BOARD MEMBER COMMENTS** Commissioner Horrocks asked about the port authority and that matter brought to this board. Chairperson Socha explained that will be presented to the Cheboygan County Economic Development to the Administrator then to Civil Counsel and then to the Board of Commissioners.

**Motion** by Commissioner Redmond, seconded by Commissioner Matelski, to go into closed session pursuant to Section 8(h), to consider the written memo from our attorney dated February 17, 2011, which is exempt from disclosure by Section 13(1)(g) of the Michigan Freedom of Information Act, being MCL 15.243(1)(g), since this memo is subject to the attorney-client privilege. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Following a short break, entered closed session at 11:25 a.m. Returned to open session at 12:05 p.m.

Chairperson Socha distributed copies of three documents: 1) Letter to Drain Commissioner Dennis Lennox dated February 9, 2011 from Chairperson Linda Socha regarding expenses submitted for payment; 2) Letter dated February 18, 2011 to Chairperson Linda Socha from Drain Commissioner Dennis Lennox regarding questioned expenses; and Letter dated February 18, 2011 to Rebecca S. Markert of Freedom from Religion Foundation from Drain Commissioner Dennis Lennox, after which there was a short discussion.

**Motion** by Commissioner Redmond, seconded by Commissioner Matelski, to return closed session pursuant to Section 8(h), to consider the written memo from our attorney dated February 17, 2011, which is exempt from disclosure by Section 13(1)(g) of the Michigan Freedom of Information Act, being MCL 15.243(1)(g), since this memo is subject to the attorney-client privilege. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Re-entered closed session at 12:15 p.m. Returned to open session 12:35 p.m.

**Motion** by Commissioner Matelski, seconded by Commissioner Horrocks, to direct civil counsel to conduct the legal research necessary to analyze the alleged constitutional violations made by the Freedom from Religion Foundation in its letter dated January 13, 2011 and to provide the Board with further legal advice after completing this analysis. A roll call vote was taken. Motion carried with 6 yes, 1 no (Commissioner Gouine) and 0 absent.

**Motion** by Commissioner Matelski, seconded by Commissioner Horrocks, to request the Chairperson of the Board of Commissioners, pursuant to the authority expressly granted by MCL 46.3(5) to issue a subpoena to Dennis G. Lennox II, the Cheboygan County Drain Commissioner, compelling his attendance at a Cheboygan County Board of Commissioners meeting to report on subjects connected with the duties of his office, such subjects to be specified in the subpoena. Some discussion held

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regarding whether to proceed with this at time. Mr. Graham advised to get information on bills up front rather than waiting. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Overton outlined his understanding of the constitutional and legal position on religious displays stating personal items, including decorations, can be displayed in private office spaces.

**Motion** by Commissioner Matelski, seconded by Commissioner Wallace, to adjourn to the call of the Chair. Meeting adjourned at 1:03 p.m.

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Mary Ellen Tryban  
Cheboygan County Clerk/Register

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Linda Socha  
Chairperson