

**COUNTY BOARD OF COMMISSIONERS  
FINANCE/BUSINESS MEETING  
September 8, 2020**

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

Roll called and a quorum present

**Present:** Commissioners Mary Ellen Tryban, Richard Sangster, Michael Newman, Ron Williams, Roberta Matelski, John Wallace, and Steve Warfield.

**Absent:** None

**Also in attendance:** Louis Vallance, John Moore, Scott Swanson, Kortny Hahn, Sheriff Dale Clarmont, Treasurer Buffy J. Weldon, Kathy Morrow, Administrator Jeff Lawson, IT Director Dave Berg, Civil Counsel Bryan Graham, Gil Archambo and County Clerk Karen L. Brewster.

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

**Motion** by Commissioner Newman, seconded by Commissioner Tryban, approved the agenda as presented. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

**Motion** by Commissioner Sangster, second by Commissioner Wallace, to approve the consent agenda revising the Committee of the Whole Meeting Minutes of August 25, 2020 deleting Commissioner Gouine and adding the time that Ron Williams was sworn in; pulling the Williams Office Equipment billing from the consent agenda and adding it under "Old Business" and on page 7 change Commissioner Warfield's comments to "his" concerns.

- A. Approve Monthly Finance Claims (Finance Total = \$969,377.28; Prepaid Total = \$0.
- B. Budget Adjustments as follows:
  - 2020 Budget Transfer
  - 1. 509-792 to 509-752 totaling \$22,000
  - 2. 101-143 to 101-143 totaling \$2,500
  - 3. 588-599 to 588-599 totaling \$1,800
- C. Straits Regional Ride
  - 1. Letter of Understanding
- D. DHHS Contract Amendment 4 – Prosecutor's Office
- E. Correspondence
  - 1. Alcona County Resolution in Opposition to Continuing COVID Emergency Executive Orders from Lansing
  - 2. Alcona County Resolution Opposing Executive Directive 2020-9
  - 3. Leelanau County Resolution to Condemn Racism in Leelanau County
- F. Minutes:
  - 1. Finance/Business Meeting of August 11, 2020 and Committee of the Whole Meeting of July 28, 2020 and August 25, 2020
  - 2. City Council – 7/28/2020 & 8/11/2020

3. County Road Commission – 7/16/2020 & 8/13/2020
4. NEMCOG – 6/18/2020
5. NCCMH - 7/16/2020 & 8/20/2020
6. Planning Commission – 8/11/2020

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

### **CITIZENS COMMENTS**

Louise Vallance citizen of Grant Township commented on the Michigan Transportation Connection agreement with Straits Regional Ride. He noted that SRR would be operating after standard hours and he asked if they were going to be entering into contracts like this for after hours, to have the SRR regular schedule mirror their schedule. SRR users should expect to be given equal treatment. He was also concerned with the wording in Section nine (9) of the Rides to Wellness Agreement.

### **SCHEDULED VISITORS/DEPARTMENT REPORTS**

Outreach & Communications Coordinator Frances Whitney presented the Northeast Michigan Community Services Agency 2019 Annual Report. An abbreviated mission of the agency was to provide quality programs and services to strengthen and enhance the self-sufficiency of individuals, families and communities, focusing on those who were experiencing an economic hardship. NEMCSA has 11 core counties and touches a total of 22 counties in Michigan, which provides over 30 programs. The Early Childhood Programs is the largest division. NEMCSA has 750 employees with over 500 just in the Early Childhood Programs division alone. Community Base Care programs is partnered with the Aging Department, which allows NEMCSA to provide programs to the sun set of people's lives or the aging population a/k/a our seniors. Here in Cheboygan, NEMCSA has an office located in downtown Cheboygan, which has registered nurses and social workers that are on staff that provide in home health care services and nursing home placement along with a lot of other variety of programs for seniors. Services available include: food assistance, weatherization, homeless and homeless prevention assistance, payment assistance for primary hearing source utilities, as well as match savings, self-sufficiency supportive services, foreclosure prevention assistance, homebuyer education, and financial capabilities support. NEMCSA was just over 53% federal funded, 34.6% state funded and 11.7% local and in-kind funded. This varies from year-to-year, but not significantly. 94% of funding goes back into the programs and into the community. NEMCSA has a very low administrative cost. In 2019, NEMCSA provided services to: 2,971 children received early childhood services; 8,601 households received food boxes; 3,559 youth enhanced their academic careers; 14,182 seniors maintained independent living; 623,229 meals provided to seniors and home-bound individuals and 255,800 hours donated to agency programs. This was a very unique program that NEMCSA housed and was the only one in the State of Michigan, which was very successful. NEMCSA's four Poverty Educators have been staying busy providing Bridges Out of Poverty training throughout Northeast Michigan. In 2019 almost 600 people participated in the training, providing resources for individuals to utilize the information to develop an accurate mental model of poverty, middle class, and wealth. During COVID-19, the public offices have been closed with essential workers out providing in home health care and homeless services. A high percentage of workers have been working remotely. For the first time depending on the need, NEMCSA is providing a virtual Headstart preschool program to whatever the comfort level was of their family's needs. Since COVID-19, NEMCSA being a community action agency, they were always trying to keep on top of NEMCSA's promise to the county

and the community to change people's lives, embody the spirit of hope, improve communities and make America a better place to live. NEMCSA applied for three (3) CARES Funding Grants and this has allowed them to add on even more programs to people in need including people in Cheboygan County that were negatively impacted by COVID-19. In an unfortunate event, these funds could help pay for someone's funeral or a memorial service for those who have lost their life due to the pandemic. NEMCSA has funding for anyone who has lost their job and needs to pay their water bill for example. This year NEMCSA has also been instrumental in helping with the 2020 Census. Ms. Whitney commented that she appreciated Commissioner Sangster being on the Board. Commissioner Sangster applauded this group for their professionalism. For more information please visit [www.nemcsa.org](http://www.nemcsa.org).

### **Finance Director's Report**

Finance Director Sue Buitenhuis presented the Revenue and Expenditure Report for the General Fund for the month ending July 31, 2020. She reported total year-to-date revenue of \$2,333,063.33, or 16.41%% of the budget compared to \$2,251,914.65, or 16.28% of the budget last year at this same time. Ms. Buitenhuis reported expenditures year-to-date of \$6,758,526.77, or 47.55% of the budget, compared to \$6,816,488.65 or 49.28%, last year as of the end of July 31, 2019.

**Motion** by Commissioner Tryban, seconded by Commissioner Newman to receive and file the Finance Reports. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

### **Administrator's Report**

Administrator Jeff Lawson reported on the CDBG COVID Grant. Staff has submitted initial qualifications documents to MEDC for CDBG COVID grant funding. Funding can be used for cost associated with response to COVID-19 not covered by other grant funding. CDBG funding requires a public hearing to be scheduled to provide an overview of grant funding and permit public comments. The public hearing will be scheduled for the September 22, 2020 Committee of the Whole Board Meeting to comply with CDBG notifications requirements. A draft copy of the County's Public Participation Plan will be provided to the Board at the September 8, 2020 Finance Business Meeting.

Administrator Jeff Lawson gave an update on the Marina Fuel System Replacement Project. The State has provided approval to continue with the Marina project. The engineering consultant has been directed to re-post bid packet information for a bid opening this fall. Once the bids are received and tabulated, the County will seek approval from the State for bid award. The project will most likely begin construction next spring.

Administrator Jeff Lawson gave an update on Treasurer's Office Wall Repair. The architect/engineer consultant is finalizing plans/specification to bid the repair of the Treasurer's Office vault wall. The existing outer wall will be fastened to the steel superstructure of the building. The project will remove the inner vault wall and door, opening the area up for office use. The project should be able to be completed over the winter contingent on the contractor's schedule. Discussion was held on the timeline of the repairs and temporary office space options.

Administrator Jeff Lawson an update on the Indigent Defense Compliance Plan. The Michigan Indigent Defense Commission has approved the County's 2021 Indigent Defense Compliance Plan, which provides indigent defendants in criminal cases with effective

assistance of counsel. An agreement to receive funding from the State for the program is currently being processed by the State and will be brought before the Board for approval once it is received.

## **COMMITTEE REPORTS**

Commissioner Matelski reported that her next Area on Agency Meeting this month was via telephonic.

Commissioner Warfield reported that he attended the Planning and Zoning meeting and the committee has moved forward with the Orion Solar Project.

## **OLD BUSINESS**

Commissioner Williams commented that his business Williams Office Equipment has been doing business with the County Building servicing and selling copy machines for over two decades. He disclosed a letter of transparency outlining the terms, a list of the different departments that he worked with and the amounts for the Board to review. Administrator Lawson stated that this was pursuant to Contracts of Public Servants with Public Officials Act, MCL.51.321, et seq, that specifies the procedures required, which was provided by Commissioner Williams.

**Motion** by Commissioner Sangster, seconded by Commissioner Warfield to postpone approval of check number 184723 in the amount of \$813.46 to Williams Office Equipment for equipment maintenance service until the September 22, 2020 meeting. A roll call vote was taken. Motion carried with 6 yes, 0 no, 0 absent and Commissioner Williams (abstained)

## **NEW BUSINESS**

Planning and Zoning Director Michael Turisk presented Zoning Ordinance Amendment #158 –an application submitted by Joe Antkowiak and David and Julie Clark to conditionally rezone property from Agriculture and Forestry Management (M-AF) to Commercial Development (D-CM). Section 24.2 of the Cheboygan County Zoning provides the procedure required for processing amendments to the zoning ordinance, including processing rezoning applications. The required procedure includes provisions for a public hearing to be held by the Planning Commission, public notice requirements and transmitting the Planning Commission's recommendation to the Board of Commissioners.

Included with this summary report is a rezoning packet containing the documents that create the official records for the rezoning application as follows: The original application; staff report; Findings of Facts and findings under each of 10 rezoning factors by the Planning Commission, including the final recommendations; approve minutes of the August 5, 2020 Planning Commission meeting; and Zoning Ordinance Amendment #158 documents.

The applicants request conditionally rezoning the subject parcel from Agriculture and Forestry Management (M-AF) to Commercial Development (D-CM) under Section 405 of the Michigan Zoning Enabling Act, MCL 125.3405 (P.A. 110 of 2006) (Use and development of land as condition to rezoning). The applicant request a conditional rezoning to D-CM as the initial procedural step in establishing a tool and die/machine shop land use via a special use permit review process. The staff report provides information regarding site conditions, neighboring property and consistency with the Cheboygan County Master Plan and Future Land Use Map.

The Planning Commission held a public hearing regarding the rezoning application on August 5, 2020. Two public comments were made per meeting minutes.

The Planning Commission developed General Findings and Findings of Facts relative to the 10 rezoning factors, and unanimously recommended approval of the conditional rezoning application. The Planning Commission found that the application to conditionally rezone to D-CM is in general conformance with the Cheboygan County Master Plan and Future Land Use Map. The Planning Commission also found that rezoning the subject property as is proposed to facilitate a future machine shop use would be appropriate given nearby D-CM zoning and mixed land uses.

**Motion** by Commissioner Sangster, seconded by Commissioner Matelski, to adopt following amendment to incorporate into the Board of Commissioners' record in this matter all Cheboygan County Planning Commissioner public hearing minutes and all documents submitted to the Planning Commission in connection with its consideration of the conditional rezoning request, and to adopt as its own the findings made by the Planning Commission as its meeting on August 5, 2020 on the rezoning factors considered by the Planning Commission regarding the rezoning.

**CHEBOYGAN COUNTY**  
**Zoning Ordinance Amendment #158**

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200

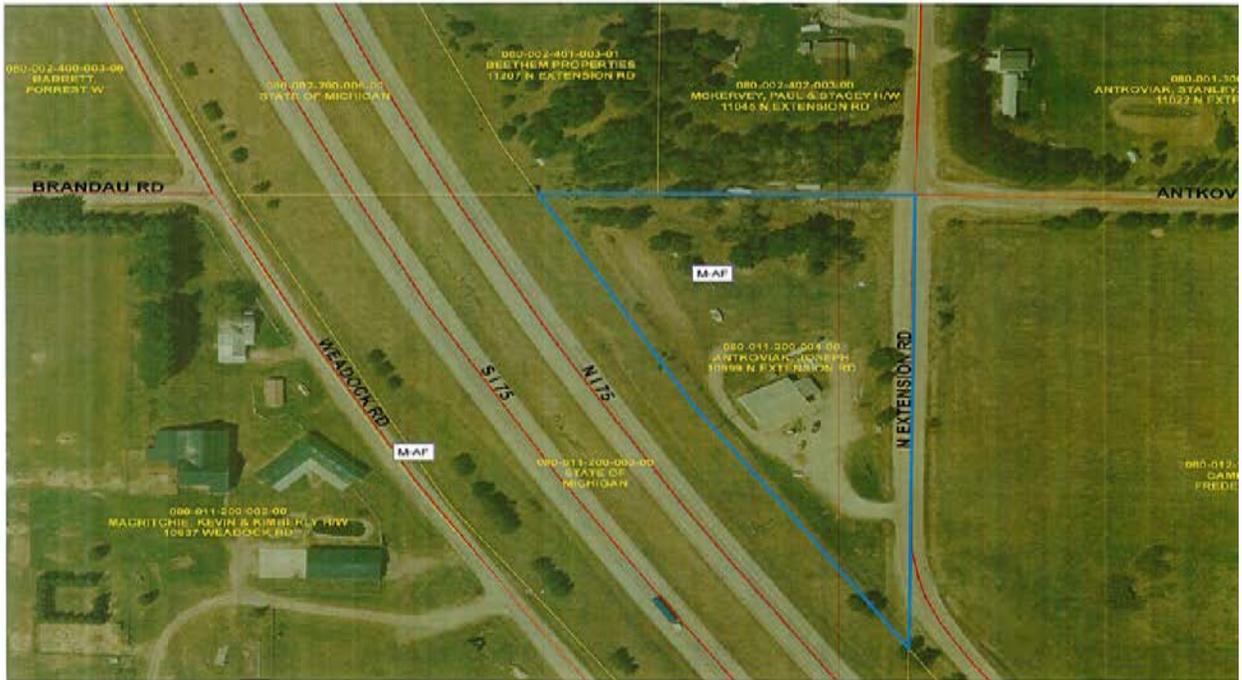
THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

**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 conditionally rezone property located in Munro Township, Cheboygan County from Agriculture and Forestry Management (M-AF) to Commercial Development (D-CM). The land to be rezoned is described as follows:

**Parcel #080-011-200-004-00**

E1/2 OF NE1/4, SEC 11, T37N, R3 W2, LYING NELY OF HWY I-75. 522/047



Map depicting the subject property prior to rezoning (*outlined in blue*).  
The entire graphic is shaded green and depicts Agriculture & Forestry Management (M-AF) zoning



Map depicting the subject property (*outlined in blue*) after rezoning entirely to Commercial Development (D-CM) (*shaded red*)

**Section 2 -- 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 3 -- 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 was taken. Motion carried with 7 yes, 0 no and 0 absent.

Planning and Zoning Director Michael Turisk presented Zoning Ordinance Amendment #159 – an application submitted by the Department of Planning and Zoning to rezone property in Tuscarora Township from Agriculture and Forestry Management (M-AF) and Commercial Development (D-CM) to entirely Commercial Development (D-CM). Section 24.2 of the Cheboygan County Zoning provides the procedure required for processing amendments to the zoning ordinance, including processing rezoning applications. The required procedure includes provisions for a public hearing to be held by the Planning Commission, public notice requirements and transmitting the Planning Commission's recommendation to the Board of Commissioners.

Included with this summary report is a rezoning packet containing the documents that create the official records for the rezoning application as follows: The original application; staff report; Findings of Facts and findings under each of 10 rezoning factors by the Planning Commission, including the final recommendations; approve minutes of the August 19, 2020 Planning Commission meeting; and Zoning Ordinance Amendment #159 documents.

The Department of Planning and Zoning requests rezoning the subject parcel from Agriculture and Forestry Management (M-AF) and Commercial Development (D-CM) to entirely D-CM. Staff report provides information regarding site conditions, neighboring properties and consistency with the Cheboygan County Master Plan and Future Land Use Map and the Tuscarora Township Master Plan.

The Planning Commission held a public hearing regarding the rezoning on August 19, 2020. No Public comments were made pursuant to the meeting minutes.

The Planning Commission developed General Findings and Findings of Facts relative to the 10 rezoning factors, and unanimously recommended approval of the conditional rezoning application. The Planning Commission found that the application to conditionally rezone to D-CM is in general conformance with the Cheboygan County Master Plan and Future Land Use Map. The Planning Commission also found that rezoning the subject property as is proposed to facilitate a future machine shop use would be appropriate given nearby D-CM zoning and mixed land uses.

**Motion** by Commissioner Warfield, seconded by Commissioner Tryban, to adopt the following amendment to incorporate into the Board of Commissioners' record in this matter all Cheboygan County Planning Commissioner public hearing minutes and all documents submitted to the Planning Commission in connection with its consideration of the conditional rezoning request, and to adopt as its own the findings made by the Planning Commission as its meeting on August 19, 2020 on the rezoning factors considered by the Planning Commission regarding the rezoning.

**CHEBOYGAN COUNTY  
Zoning Ordinance Amendment #159**

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200

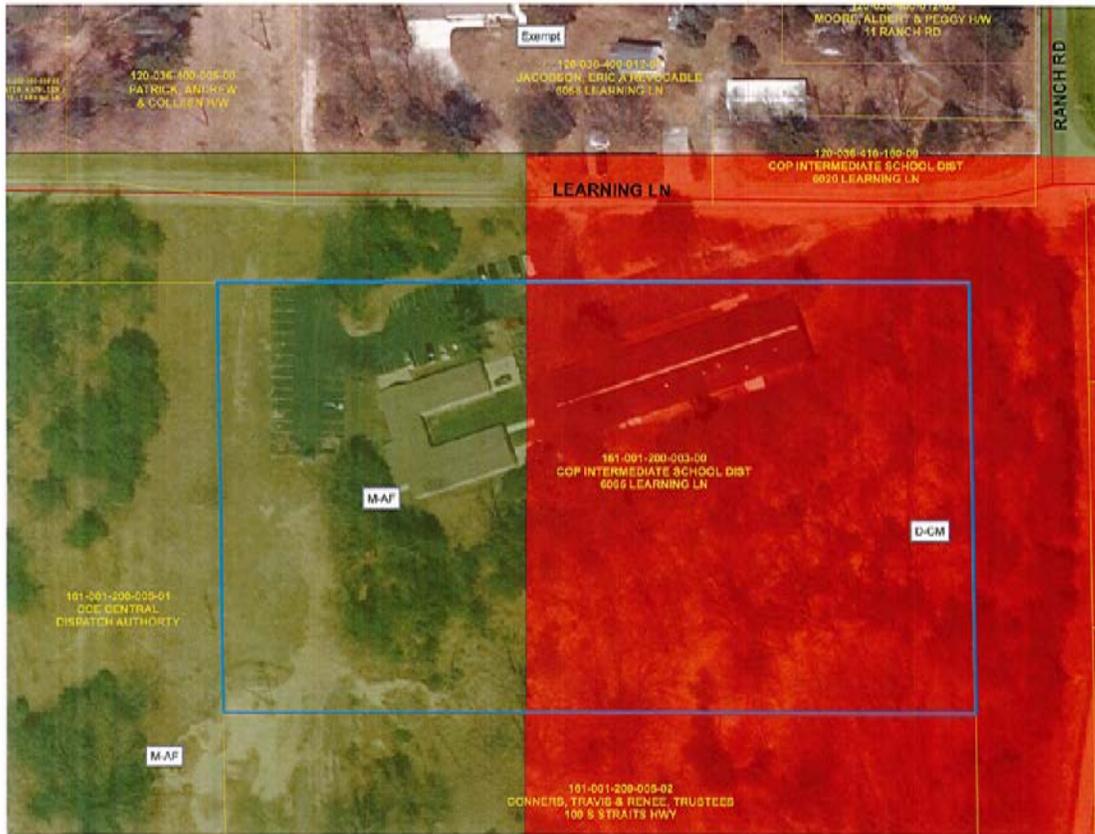
THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

**Section 1 -- Amendment of Section 3.9.1**

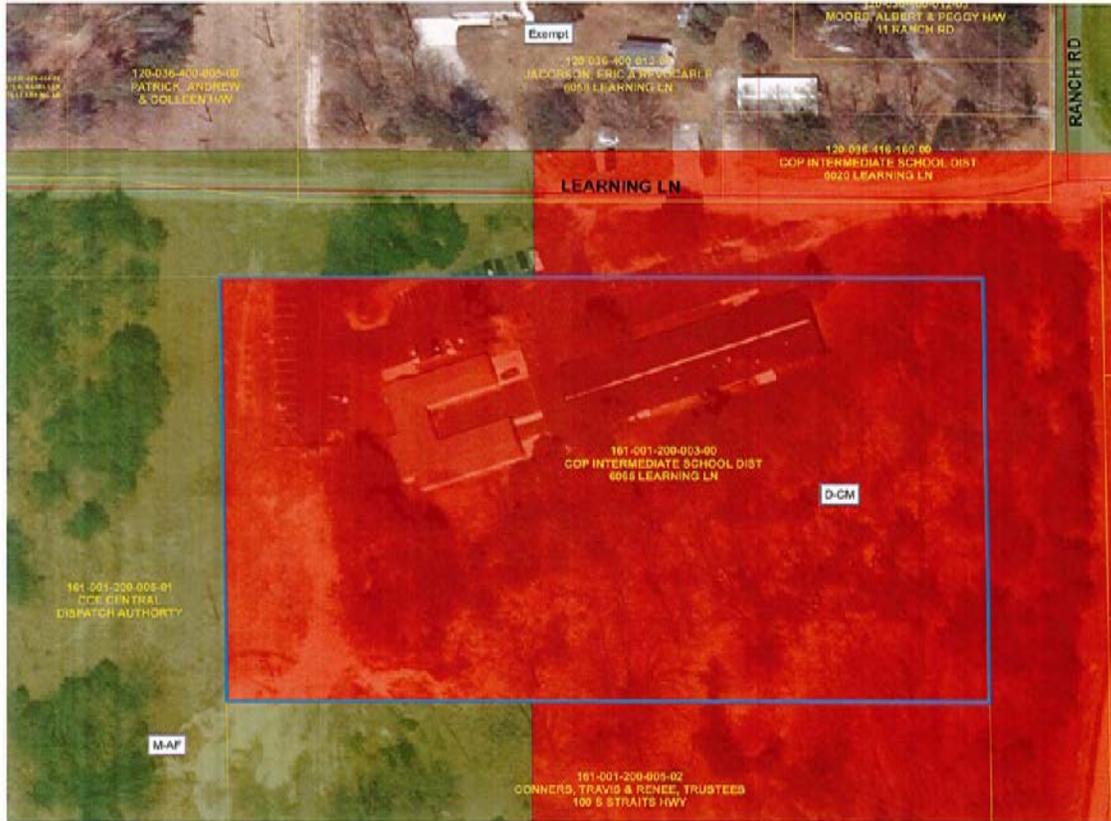
The zoning map incorporated into the Cheboygan County Zoning Ordinance No. 200 by Section 3.9.1 is hereby amended to rezone property located in Tuscarora Township, Cheboygan County from Agriculture and Forestry Management (M-AF) to Commercial Development (D-CM). The land to be rezoned is described as follows:

**Parcel #161-001-200-003-00**

COM NE COR SEC 1, T35N,R3W; TH W ALG N SEC LI 121.2 FT; TH S 0D 45M 30S E 33FT TO INTERSECTION OF R/W M-27 & OLD EAGLES NEST RD & POB; TH CONT S ALG WLY R/W M-27, 350FT; TH W 600FT; TH N 0D 45M 30S W 350 FT TO S R/W OLD EAGLES NEST RD; TH E ALG R/W 600FT TO POB, PT OF NE1/4 OF NE1/4.



Map depicting the subject property prior to rezoning (*outlined in blue*). Portion shaded green is zoned Agriculture & Forestry Management (M-AF) with Commercial Development [D-CM] zoning shaded red.



**Section 2 -- 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 3 -- 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 was taken. Motion carried with 7 yes, 0 no and 0 absent.

Treasurer Buffy Weldon presented the Property Foreclosures First Right of Refusal. There were 22 properties that were foreclosed upon in 2020. Before selling these properties at a public auction, the County Treasurer shall offer them to the DNR who has the right to purchase any and all properties at fair market value. Any properties remaining will be offered to the local municipality who has the right to purchase by paying a minimum bid as set by the County Treasurer. Any properties not purchased by the DNR or local municipalities will then be offered to the County who has the right to purchase by paying a minimum bid. Any property purchased by the local municipality or County must be used for public purposes. There will be an online auction held on October 2, 2020 [www.tax-sale.info](http://www.tax-sale.info) for Covid-19 related reasons.

**Motion** by Commissioner Sangster, seconded by Commissioner Williams, to authorize Chairperson John B. Wallace to sign the waiver of First Right of Refusal in accordance with Act 123. P.A. 1999. A roll call was taken. Motion carried with 7 yes, 0 no and 0 absent.

Treasurer Buffy Weldon presented the Michigan Rural Community Demolition Grant - RETRACTED. Property located at 324 North C Street, in the City of Cheboygan, was abandoned because of a house fire in 2016. The Cheboygan County Treasurer foreclosed on this parcel in 2019. The County Treasurer needs to move forward with the demolition of this property and use funds from the County foreclosure surplus. The Demolition Grant offered by the State Land Bank was an opportunity for the County to restore this land to a buildable site or a bigger yard for one of the neighbors to purchase while utilizing surplus funds from the State.

Merchant Excavating presented the lowest bid in the amount of \$11,880 for demolition of the burned structure on North C Street. The structure on this property needs to be removed so that the property can be “debris free” for the next Foreclosure Auction.

**Motion** by Commissioner Sangster, seconded by Commissioner Newman, to approve the expense of \$20,000 for demolition of the building located at 324 North C Street, Cheboygan, Michigan. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Jeff Lawson presented the Michigan Transportation Connection (MTC) Rides to Wellness Agreement. Michigan Transportation Connection (MTC) provides transportation funding to qualified clients to provide transportation to Wellness/Same Day Service. MTC would like to enter into a one (1) year agreement with automatic renewal with SRR to provide transportation to MTC’s qualified clients. MTC or associated grants along with State and Federal funds would provide payment for the rides.

**Motion** by Commissioner Newman, seconded by Commissioner Sangster, to approve Rides to Wellness Agreement with Michigan Transportation Connection upon final review by legal counsel, authorize the Chair to sign and authorize any necessary budget adjustments. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Finance Director Sue Buitenhuis presented the Adoption of Fiscal Year 2021 Straits Regional Ride Budget. Michigan Department of Transportation (MDOT) along with the County Auditor has recommended changing the fiscal year of Straits Regional Ride from December 31, to September 30, 2020.

**Motion** by Commissioner Tryban, seconded by Commissioner Matelski, to approve the fiscal year budget for Straits Regional Ride for the year ending September 30, 2021, with a total budget of \$1,670,615. A roll call vote was taken. Motion carried with 7 yeas, 0 no and 0 absent.

Finance Director Sue Buitenhuis presented the MERS Temporary Modification to Benefit Provisions. Cheboygan County has applied for the First Responder Hazard Pay premium Program through the Michigan Department of Treasury. This program was created by 2020 Public Act 123 to reimburse and/or pay for qualifying first responder hazard pay premiums provided to first responders who have performed hazardous duty or work involving physical hardship related to COVID-19 in an amount up to \$1,000 per eligible employee. As fringes related to this pay are not included as part of the grant, MERS has allowed temporary modification to benefit provisions to exclude COVID-19 related hazard pay from the definition of compensation.

**Motion** by Commissioner Warfield, seconded by Commissioner Tryban, to approve the Temporary Modification to Benefit Provisions to exclude bonuses, paid leave or additional pay

related to COVID-19 from the definition of compensation for purposes of determining wages and employer/employee contribution under Defined Benefit, Defined Contribution and Hybrid plans, 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 Septic System Permit Appeal - Galliher. Septic System permit applications are submitted to the District Health Department #4 for standards and approved by District Health Department #4 Staff. If a permit application does not meet site standards and/or fails to provide adequate information, the permit is denied by the Health Department. Once a permit is denied an appeal can be filed with the Board of Commissioners in the County where the property is located. A permit application was received and denied by District Health Department #4 staff for the Galliher property located at 1085 Temple Road, Indian River, MI 49749 due to the fact that the information provided by the applicant did not contain adequate information and therefore did not meet site approval standards. The applicant has submitted additional information as part of the appeal process. District Healthy Department #4 staff has received the attached information and has conducted a site visit to the property and has identified the sealed plans submitted by the applicant's engineer, which will meet the District Health Department #4 information and site standards to be approved with appeal approval by the Board of Commissioners.

**Motion** by Commissioner Newman, seconded by Commissioner Sangster, to approve the Galliher Septic Permit Appeal for property located at 1085 Temple Road, Indian River, MI 49749 based on the attached sealed plan information provided by Sorenson Engineering and attached correspondence received by the District Health Department #4 staff recommending approval. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent

**CITIZENS COMMENTS** - None

**BOARD MEMBERS COMMENTS**

Commissioner Wallace commented on the revised 2019-2020 Board Appointments Committee List and asked the Board to take a look at it to see if there were any adjustments that needed to be made, because he would be happy to look at it.

**Motion** by Commissioner Sangster, seconded by Commissioner Williams, to adjourn to the call of the Chair. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent. Meeting was adjourned at 10:59 a.m..

---

Karen L. Brewster  
Cheboygan County Clerk/Register

---

John B. Wallace  
Chairperson Board of Commissioner