

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
FEBRUARY 10, 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 Wallace gave the invocation and led the Pledge of Allegiance.

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

Motion by Commissioner Brown, seconded by Commissioner Wallace, to approve the agenda as presented and to approve the consent agenda as follows:

- A. Approve Monthly Finance Claim (Finance = \$21,822.05; Prepaids = \$1,368,309.03)
- B. Budget Adjustments
- C. Investment Report
- D. Top O Michigan Outboard Racing Club Request for Waiver of "No Wake"
- E. Housing Loan Projects H14-348, H14-349 & H14-354
- F. Correspondence
 - 1. NEMCOG Program Highlights July 1, 2014 – December 31, 2014
- G. Minutes
 - 1. Finance/Business Meeting of January 13, 2015 and Committee of the Whole Meeting of January 27, 2015
 - 2. Health Board – 12/16/14
 - 3. NEMCSA – 1/15/15
 - 4. C.C.E. 9-1-1 Board Packet – Board of Directors – 12/17/14; 4th Quarter Financial Report; Director's Report 1/21/15; and TAC Minutes – 11/11/14
 - 5. NLEA January – February 2015 Newsletter and January President's Report
 - 6. North Country Community Mental Health – 12/18/14
 - 7. Community Corrections Advisory Board – 9/12/14
 - 8. Board Appointments and Procedures – 1/29/15
 - 9. County Department of Public Works – 1/29/15
 - 10. Cheboygan County Fair – 12/1/14 & 1/5/15
 - 11. Cheboygan City Council – 12/23/14 & 1/13/15
 - 12. Planning Commission Meeting – 12/17/14, 1/7/15 & 1/21/15

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

CITIZENS COMMENTS

Carl Muscott, a citizen of Mullett Township, thanked the Board for their professionalism and addressed the Board regarding being cognizant of organizations like NEMCOG.

SCHEDULED VISITORS – None

FINANCE DIRECTOR'S REPORT – Finance Director Kari Kortz stated that a December Financial Report will not be presented until the audit is completed. Ms. Kortz presented the Budget Adjustment Report summarizing all budget adjustments from 7/1/14 through 12/31/14.

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ADMINISTRATOR'S REPORT

Administrator Lawson updated the Board on several items. He stated that Melissa Hokans has been promoted as Interim Veterans Affairs Director, with the intent to review her qualifications and promote her permanently and that once the Director's position is filled that the County will advertise for a support staff individual to make the office fully staffed. Mr. Lawson stated that staff time is being shifted to accommodate for an increased volume in recycling and hazardous waste deposits. Mr. Lawson stated that the Animal Shelter Project Architect is preparing specifications for bidding of Phase II improvements to the shelter set to begin this spring. Mr. Lawson stated that the Health Department is reviewing septic system plans for the Sand Road Senior Center set to be replaced this spring.

COMMITTEE REPORTS

Commissioner Gauthier presented recommendations from the Board Appointments & Procedures Committee. The Committee decided to advertise for one more month for the Zoning Board of Appeals vacancy.

Motion by Commissioner Gauthier, seconded by Commissioner Wallace to appoint Wendy Dixon to the Cheboygan County Waterways Committee for a three-year term commencing January 1, 2015 through December 31, 2017. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Gauthier, seconded by Commissioner Brown to appoint Bryan Casper to the Cheboygan County Airport Authority for a three-year term commencing January 1, 2015 through December 31, 2017. Motion carried with 7 yes, 0 no and 0 absent.

Mr. Gauthier stated that the County Administrator Evaluation Packets have been distributed and they are to be returned before the next Committee of the Whole Meeting for the Board Appointments and Procedures Committee to review. Mr. Gauthier attended an NLEA meeting and a Top O Michigan Trails Council meeting and a City Council meeting.

Commissioner Gouine attended a Mullett Township meeting and a Fair Board meeting.

Commissioner Matelski attended a Waterways Commission meeting, two Planning Commission meetings and an Aloha Township meeting. Commissioner Matelski said dredging from the Cheboygan River is being barged out into the lake and wondered why the DEQ would allow this.

Commissioner Brown attended a City Council meeting, the Board Appointments & Procedures Committee meeting, and an Airport meeting. He talked with the Hebron Township Supervisor regarding the condition of Hebron Townhall Road. Although there are no persons residing on that road it is an important thoroughfare in the township. The township is looking for state funding to improve this road.

Commissioner Wallace attended a Northern Michigan Regional Entity meeting, a NEMCOG meeting, an Ambulance meeting and a township meeting. He distributed an expenditure report for the Office of Community Corrections.

Commissioner Allor attended a Michigan Northern Counties Association meeting, a Planning Commission meeting, a Pigeon River Advisory meeting, an Area Agency on Aging meeting, a LEPC meeting, a North Country Community Mental Health meeting, a District No. 4 Health Department meeting, a Nunda Township meeting, a Forest Township meeting, and a Wilmot Township meeting. She noted a recent email from NACO regarding opposition to how the EPA classifies waters of the U.S. and suggested all read this email.

Commissioner Redmond attended an Emergency Management organizational meeting in Petoskey where he was elected Chair, a District No. 4 Health Board meeting, a Straits Regional Ride meeting, a Waterways Commission meeting, a SANE meeting, and the Benton Township meeting. He stated the Waterways Commission questioned the County Recreation Plan. Administrator Lawson said the state

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requires marinas to put capital into parks and recreations, and advised that county's revised recreation plan which will be drafted by the Community Development Department in time for the next grant cycle.

OLD BUSINESS – None

NEW BUSINESS

Straits Regional Ride Director Mike Couture presented and reviewed the Straits Regional Ride 2016 MDOT Annual Application. He stated the application is asking for \$322,414 State Funds, \$141,634 Federal Funds and \$423,167 Contract, Fare Box and Local Funds, totaling \$887,215; additionally requesting \$989,000 in Capital Funds for 8 new buses. Discussion was held.

Motion by Commissioner Gouine, seconded by Commissioner Gauthier to approve Cheboygan County Resolution 15-03, a Resolution of Intent for the 2016 Fiscal Year MDOT Application for funds, and authorize the Chairperson to sign documentation for the 2016 MDOT Annual Application as reviewed by Civil Counsel. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Community Planner Scott McNeil presented Zoning Ordinance Amendment #125 regarding signs. Discussion was held.

Motion by Commissioner Gauthier, seconded by Commissioner Brown to adopt Zoning Ordinance Amendment #125 based on the Planning Commission recommendation:

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY
ZONING ORDINANCE No. 200 TO PROVIDE DEFINITIONS, REGULATIONS AND STANDARDS FOR
SIGNS.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS

Section 1. Amendment of Purpose Statement under Section 17.19.

The Purpose Statement under Section 17.19. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

The purpose of this section is to regulate the size, location, number, and types of signs that are constructed or reconstructed within the County. These regulations are intended to promote the health, safety and welfare of the general public, and protect the economic value of land within and the aesthetic quality and character of Cheboygan County. In addition, these sign regulations are intended to be a comprehensive system of reasonable, content-neutral, time, place, and manner restrictions for signs that are designed to accomplish all of the following:

- To allow for adequate and effective signage for business identification and other commercial speech.
- To provide for the dissemination of public information, including but not limited to public safety information and notification as required by law.
- To promote safety by providing that signs do not create a hazard from collapse, fire, collision, decay or abandonment, obstruction of police and fire services, and vehicular and pedestrian traffic impairments.
- To protect the public right to receive messages, especially non-commercial types such as religious, social, political, economic, and others protected by the 1st Amendment of the U.S. Constitution.

Section 2. Amendment of Section 17.19.1.

The following definitions within Section 17.19.1 of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in its entirety as follows:

OFF-PREMISE SIGN

A sign which carries a message which is not exclusively related to an activity on the property on which the sign is displayed.

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SIGN

A structure, including its base, foundation and erection supports upon which is displayed any words, letters, figures, emblems, symbols, designs, or trademarks by which any message or image is placed or displayed upon any structure, building, parcel of land, and afforded public visibility from out of doors on behalf of or for the benefit of any product, place, activity, individual, firm, corporation, institution, profession, association, business or organization.

Section 3. Amendment of Section 17.19.1.

Section 17.19.1. 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:

NEIGHBORHOOD IDENTIFICATION SIGN

A sign which provides a display for apartment dwellings, subdivisions, property owner's associations, condominium dwellings, site condominium or similar developments. A neighbor identification sign may display the name of property owners within such development on the sign.

WINDOW SIGN

A sign affixed to, etched or painted onto, or placed in or immediately adjacent to a window of a building that is intended to be viewed from a street or from adjacent property.

Section 4. Amendment of Section 17.19.2.

Section 17.19.1. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

17.19.2. SIGNS NOT REQUIRING A ZONING PERMIT

The following signs may be placed in any zoning district without a zoning permit, provided such signs are established in a lawful manner and do not create a nuisance or safety hazard.

- A. Incidental signs not exceeding 3 square feet of sign surface area.
- B. Temporary Signs that are located on a lot for no more than 30 days in a calendar year, do not exceed 8 square feet of sign surface area, and do not exceed 4 feet in height. Temporary signs relating to an event shall be removed within 5 days after such event.
- C. Governmental Signs.
- D. One (1) dwelling owner or occupant name plate per use which is not illuminated and does not exceed an area of two (2) square feet of sign surface area, and may be in addition to any other permitted sign.
- E. One (1) Neighborhood Identification sign, not exceeding 18 square feet of sign surface area.
- F. Signs that have been approved in conjunction with a valid site plan or PUD.
- G. Real estate signs not exceeding 32 square feet of sign surface area.
- H. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- I. Signs on motor vehicles not used primarily for advertising purposes.
- J. A sign not exceeding eight (8) square feet of sign surface area and not exceeding six (6) feet in height that contains a non-commercial message.
- K. Political Signs not exceeding thirty two (32) square feet of sign surface area and not exceeding six (6) feet in height. Political Signs shall be removed within ten (10) days after the election.

Section 5. Amendment of Subsection 17.19.6.

Subsection 17.19.6. of the Cheboygan County Zoning Ordinance No 200 is hereby amended to read in its entirety as follows:

17.19.6 SIGNS IN EXISTENCE ON OR BEFORE SEPTEMBER 25, 2014 AND NONCONFORMING SIGNS

- A. Purpose. It is often difficult to determine whether a sign that does not comply with the current zoning ordinance sign regulations was erected lawfully at the time and thus constitutes a lawful nonconforming sign or whether the sign was erected at the time in violation of the zoning ordinance sign regulations. In an effort to more effectively enforce sign regulations in the future the Zoning Administrator conducted an inventory of those signs that existed on or before September 25, 2014 which did not comply with the sign regulations in effect on that date. The

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purpose of this subsection is to classify those signs that existed on or before September 25, 2014 which do not comply with the zoning ordinance sign regulations in effect on that date as nonconforming signs regardless of whether those signs were lawful when first erected. It is further the purpose of this subsection to enforce zoning ordinance sign regulations against signs that were erected after September 25, 2014 in violation of the sign regulations in effect at the time the sign was erected.

- B. **Nonconforming Sign Status.** Any sign in existence on or before September 25, 2014 that did not comply with the zoning ordinance sign regulations in effect on that date shall be deemed a nonconforming sign for purposes of this section, regardless of whether that sign was lawful when first erected.
- C. **Sign Conformity Requirement.** Any sign erected after September 25, 2014 that did not comply with the zoning ordinance sign regulations in effect on that date shall be subject to enforcement action under Section 21.9 of this Ordinance.
- D. **Nonconforming Sign Regulations.**
 - 1. Any nonconforming sign may be altered or repaired and may be replaced by a different sign in the same location, provided that the sign nonconformity, including but not limited to sign surface area, sign height, or setback, is not increased.
 - 2. Any nonconforming sign that is moved to a new location and any nonconforming sign that is replaced with a different sign by the owner in a different location, either on the same lot or a different lot shall be considered a new sign and shall comply with all zoning ordinance sign regulations in effect at that time.

Section 6. Amendment of Subsection 17.19.7.A.

Subsection 17.19.7.A. of the Cheboygan County Zoning Ordinance No 200 is hereby amended to read in its entirety as follows:

A. Except for the signs allowed without a zoning permit under Section 17.19.2, a person who desires to erect or display a sign shall obtain a zoning permit for a sign. All sign permit applications shall be submitted to the Zoning Administrator on the appropriate form.

Section 7. Amendment of Section 17.19.8

Section 17.19.8 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

17.19.8. SIGN REGULATIONS AND STANDARDS

RS	Residential	LI	Light Industrial	
D-RC	Rural Character/Country Living	GI	General Industrial	
CM	Commercial	AF	Forestry/Agriculture	P= Permitted, no zoning permit for sign required
VC	Village Center	LS	Lake & Stream Protection	S= Zoning permit for sign required
VC-IR	Village Center Indian River	P-RC	Resource Conservation	required
VC-IR- O	Village Center Indian River	NRP	Natural Rivers Protection	N= Not Permitted
VC-T	Overlay			NA= Not Applicable
VC-T-O	Village Center Topinabee			
	Village Center Topinabee			
	Overlay			

	RS	D-RC	CM	VC ³	VC-IR	VC-IR-O	VC-T	VC-T-O	LI	GI	AF	LS	P-RC	NRP ⁴
Freestanding	S	S	S	S	S	N	S	N	S	S	S	S	S	S
Banner ¹	N	N	P	N	N	N	P	P	P	P	P	N	N	N
Canopy	S	S	P	P	P	P	P	P	P	P	S	S	S	S
Marquee	N	N	S	S	S	S	S	S	S	S	N	N	N	N
Portable	N	N	P	S	S	N	S	N	P	P	N	N	N	N
Projecting	S	S	P	S	S	S	S	S	P	P	S	S	S	S
Roof	N	N	S	N	N	N	N	N	S	S	N	N	N	N

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Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wall	S	S	P	P	S	S	S	S	P	P	S	S	S	S
Window	N	N	P	P	P	P	P	P	P	P	P	P	N	N

Freestanding Sign Requirements

	RS	D-RC	CM	VC ³	VC-IR	VC-IR-O	VC-T	VC-T-O	LI	GI	AF	LS	P-RC	NRP ⁴
Maximum Sign Surface Area (sq. ft.)	8	8	80	32	32	NA	32	NA	120	120	18	8	8	8
Maximum Height (ft.)	6	6	25	15	15	NA	15	NA	25	25	12	6	6	6
Minimum Setback ² (ft.)	4	4	0	0	0	NA	0	NA	0	0	5	4	5	5
Max. number per Parcel	1	1	3	1	1	NA	1	NA	3	3	1	1	1	1

Window Sign Requirements

Non-illuminated – No maximum number and no maximum sign surface area

Illuminated – Maximum of 2 per structure and maximum of 10 sq. ft. of sign surface area each.

Building Sign Type Regulations

In addition to the Freestanding signs and Window signs as may be permitted, parcels may include signs from up to two (2) of the following categories, as permitted.

	Maximum Number Permitted ⁴		Maximum Sign Surface Area		
Banner ¹	2 per parcel	VC-T 3 per parcel VC-T-O 1 per parcel	18 sq. ft.	VC-T 36 sq. ft. VC-T-O 12 sq. ft.	
Canopy	2 per structure		NA		
Marquee	1 per parcel		40 sq. ft.		
Portable	1 per parcel		32 sq. ft.		
Projecting	1 per structure		18 sq. ft.		
Roof	1 per parcel		40 sq. ft.		
Temporary	1 per parcel		18 sq. ft.		
Wall	No Maximum		D-CM, D-LI, D-GI	VC-IR, VC-T, VC-IR-O VC-T-O	All other zoning districts
			2 per structure or one (1) per individual business up to 40 square feet each or 10% of structure wall area facing a public road or street, whichever is greater. The total aggregate area of wall signs shall not exceed three hundred (300) sq. ft.	18 sq.ft. for first 25 feet of street frontage ⁵	18 sq. ft.

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¹ See Section 17.19.3.F, ² See Section 17.19.3.D., ³ See Section 17.19.5., ⁴ See Section 11.7,

⁵ Additional sign surface area according to the following: One (1) additional sq.ft. of sign surface area for each additional one (1) foot of street frontage above twenty five (25) with a maximum sign surface area of 32 sq. ft.

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 with 7 yes, 0 no and 0 absent.

Commissioner Wallace presented the Up North Prevention 2015 Social Host Awareness Proclamation from Northern Michigan Regional Entity. The proclamation urges citizens not to provide alcohol to under age persons. Discussion was held.

Motion by Commissioner Gauthier, seconded by Commissioner Allor to proclaim April 2015 as Social Host Awareness Month and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Finance Director Kortz presented a Sole Vendor List 300-2A Revision. The following were added as Sole Vendors: CM Rubber Recycling, LLC, Drug & Laboratory Disposal, Emmet County DPW, KERIF Night Vision, Republic Services, and Valley City Environmental Services. All of these vendors are for recycling services, with the exception of KERIF Night Vision being a provider of safety in cars.

Motion by Commissioner Matelski, seconded by Commissioner Allor to adopt and revise the Sole Vendor Listing 300-2A to become effective February 10, 2015. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Lawson presented the three-year Information Technology Director Employment Agreement with Dave Berg.

Motion by Commissioner Allor, seconded by Commissioner Brown to approve the Employment Agreement with Dave Berg for the Information Technology Director position and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Clerk/Register Mary Ellen Tryban presented the Cheboygan County Remonumentation Agreements. The 2015 Remonumentation Grant is \$60,304.

Motion by Commissioner Matelski, seconded by Commissioner Gouine to approve the professional service agreements between Cheboygan County and Granger & Associates, Fulford Surveying & Mapping, and Ecker Surveying Incorporated for remonumentation beginning January 1, 2015 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Matelski, seconded by Commissioner Brown to approve the individual remonumentation peer groups services agreement between Cheboygan County and Ronald Brand, Carl Kiiskila, Brian Fulford, Alan Granger, and Jeff Ecker for the period beginning January 1, 2015 and ending December 31, 2015 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Matelski, seconded by Commissioner Allor to approve the administrative staff services agreement between Cheboygan County and Granger & Associates Inc. for the period beginning January 1, 2015 and ending December 31, 2015 and authorize the Chairperson to sign the agreement. Motion carried with 7 yes, 0 no and 0 absent.

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CITIZENS COMMENTS - None

BOARD MEMBER COMMENTS

Commissioner Matelski commented regarding NASA reporting that October was the hottest recorded weather, then it was discovered that September's weather data was entered for October. He also stated that two more oil refineries have gone on strike for more money and better health insurance, apparently they have not heard of Obamacare.

Commissioner Gouine stated the board may hear criticism for placing a non-veteran as the Veteran Director.

Commissioner Brown commented that the Port Commission wants to promote growth, but look at the terrible condition of the roads heading out of the county. He said the oil company should be held responsible, not the taxpayers, for fixing the road damage caused by the oil tankers hauling oil out of the county.

Commissioner Redmond said the Administrator has been working on scheduling a board training session for Commissioners. He also read from the St, Ignace newspaper regarding Line 5 pipeline under the Straits of Mackinac. To haul with tanker trucks it would take a convoy of 1,982 trucks across the bridge, stretching almost 52 miles. To haul by rail it would take 763 railroad tank cars, stretching 9 miles long. Commissioner Gauthier said the pipeline is safer than trucking or railing. Commissioner Redmond said copies of the article are available if anyone would like one.

Motion by Commissioner Matelski, seconded by Commissioner Gauthier to adjourn this meeting to the call of the chair. Motion carried with 7 yes, 0 no and 0 absent. Meeting adjourned at 11:07 a.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Pete Redmond
Chairperson