

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS  
FINANCE/BUSINESS MEETING  
August 10, 2010**

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 Socha, Makima, Redmond, Mushlock, Page, Wallace and Bolinger

**ABSENT:** None

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

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

**Motion** by Commissioner Mushlock, seconded by Commissioner Makima, to approve the consent agenda as presented:

- A. Approve Monthly Finance Claims: Finance = \$31,875.63 – Prepaids = \$1,127,212.84
- B. Budget Adjustments: Budget Adjustment transferring \$200 from the Carried Forward Fund Equity line item to the Travel/Lodging & Meals expenditure line item in the CCE 9-1-1 Department; Budget Adjustment transferring \$8,000 from the Carried Forward Fund Equity line item to the Childcare – Probate Court #292 Appropriation line item; Budget Adjustment transferring funds from the Family Care Private Foster Care Provider line item to the Direct Supervision by DHS Foster Care and Non-scheduled Payments line items and from the Institutional Foster Care line item to the Other County and Other State Institutional Care line item in the total amount of \$24,700; and, Raise Revenues and Expenditures: Fund 292 Childcare Fund total budget increase of \$16,000, Fund 561 County Fair total budget increase of \$947.80
- C. Cheboygan County Drug Court Program –On-site Review Summary
- D. Investment Report
- E. Correspondence:
  - 1. 4-H Challenge Riders Thank You
  - 2. Antrim County Resolution in Opposition to House Bill 5882 Regarding Funding Juvenile Residential Facilities
  - 3. Hillsdale County Resolutions in Opposition to House Bill 6154 Binding Arbitration for Correction Officers and in Support to Amend Senate Bill 1072 to clarify the Provision to not Expand Binding Arbitration
  - 4. Huron County Resolutions in Opposition to House Bill 6154 Binding Arbitration for Correction Officers and in Support to Amend Senate Bill 1072 to clarify the Provision to not Expand Binding Arbitration
  - 5. Jackson County Resolution and Correspondence Regarding Adoption of Senate Bill 449 as Written by the House of Representatives
  - 6. Lenawee County Resolution in Support to Stop the Migration of Asian Carp into Great Lakes
  - 7. Livingston County Resolutions in Opposition to House Bill 6154 Binding Arbitration for Correction Officers and Senate Bill 1072 to clarify the Provision to not Expand Binding Arbitration ; and in Support of the Adoption of Senate Bill 449 as Written by the House of Representatives
  - 8. Oceana County Resolution Regarding Implementation of the State Substance Abuse Treatment and Prevention Allocation Formula
  - 9. VanBuren County Resolution in Opposition to House Bill 6154 Binding Arbitration for Correction Officers; and in Support of the Adoption of Senate Bill 449 as Written by the House of Representatives
- F. Minutes:
  - 1. Commissioners Finance/Business Meeting of July 13, 2010
  - 2. Health Board Meeting – May 18, 2010 and June 15, 2010
  - 3. North Country Community Mental Health Board – June 17, 2010

## Finance/Business Meeting – August 10, 2010

4. NMSAS Board of Directors – May 3, 2010
5. C.C.E. 9-1-1 Director's Report July 21, 2010; Board of Directors March 17, 2010; Board of Directors Special Meeting April 28, 2010; and June 2010 Financial Report
6. Cheboygan County Fair Board – June 7, 2010
7. Cheboygan County Road Commission – July 1, 2010 and July 15, 2010
8. Planning Commission Meeting – July 7, 2010 and July 21, 2010
9. ZBA – June 23, 2010

A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

**CITIZENS COMMENTS** – Mentor Township Resident Cyndi Kress commented on oil and gas drilling in Cheboygan County. She said these companies have an exemption from the Clean Water Act, and clean water is a key to economic success and should be protected.

City of Cheboygan Resident Karen Martin supported Ms. Kress' statement and said the people depend on boards to act on oil and gas drilling and should give serious thought to this matter.

Grant Township Resident Brenda Archambo also addressed the board regarding nation gas leases in the area and its potential effect on the area. She stressed the importance of strict oversight and asked what the county is doing to protect our environment and national resources. Chairperson Socha said this matter would be further discussed under Board Member Comments and advised that the board is aware of this matter and is gathering information.

Walker Township Resident Gail Southwell spoke regarding the purposed pool issue. As there are several pools available in the area, a community pool would be a monetary loss for businesses in the area and a large cost to taxpayers. Mrs. Southwell said she disagrees with resubmitting the road millage to the voters in November. Chairperson Socha said the pool proposal is not a county project, but a project involving the City of Cheboygan.

Cheboygan County Road Commission Chairman, Ken Paquet, said the road commission has done a lot to promote the necessity of a road millage and thanked everyone who voted for the millage. He said many surrounding counties have a similar millage for roads and noted the only revenue source for the road commission comes from gasoline tax and vehicle registrations. Mr. Paquet said the CCRC faces a \$100,000 deficit this year and a reduction in state revenue next year.

**SCHEDULED VISITORS** – None

**FINANCE DIRECTOR'S REPORT** – Accountant James Manko presented the revenue and expenditures report for the General Fund for the month ended June 30, 2010. She reported total year-to-date revenue of \$2,277,575.56 versus \$2,383,344.74 last year at that time. Mr. Manko reported expenditures year-to-date of \$4,819,472.07, or 42.53% of budget, compared to \$5,154,480.69 last year as of the end June. He reviewed the Fund Balance quarterly report and Summary of General Fund Expenses by Category, which also is a quarterly report.

### **ADMINISTRATOR'S REPORT**

Administrator Overton spoke regarding the Office of Emergency Management. He said the Director of OEM, Jack Messer, left this position a few months; and Greg Williams from Monroe County will be hired to fill this position. He will start September 8, 2010. Mr. Messer left to take a position in Charlevoix County working as Director of Senior Citizens. Chairperson Socha said it's important to have someone with experience and training in emergency management. For the benefit of the audience Commissioner Socha briefly explained the required emergency management training mandated for members of the County Board of Commissioners.

### **COMMITTEE REPORTS**

Commissioner Makima attended the Health Board Meeting, a Straits Regional Ride meetinh, Cheboygan City Council meeting and the Road Commission meeting. He reported the City approved a microbrewery

## Finance/Business Meeting – August 10, 2010

to be built at the corner of Main and Pine streets. The brewery should be up and running by March of next year.

Commissioner Wallace said from a 9-1-1 prospective, there is a move on throughout the state to regionalize the dispatch centers. He said the C.C.E. 9-1-1 Board has gone on record in opposition to any regionalization.

Commissioner Redmond attended the Straits Regional Ride meeting.

Commissioner Mushlock attended the Inverness and Mullett Township meetings and the Fair Board meeting. She reminded everyone that the fair is up and running this week.

Commissioner Page attended a NEMCSA meeting. He reported that NEMCSA is the sponsor of the Michigan Prisoner Re-entry Initiative Program through Michigan Works. Through this program they have achieved a 13% recidivism rate, which is quite good; the recidivism rate for prisoners without transition assistance is 48%. He also reported the cost to house a prisoner is \$38,000 per year. Senior citizen programs have seen 18% in fund for services in 2009 and 2010. There appears to be more serious reduction in funding yet to come. According to a report it is estimated there are about ¼ of million people in the State of Michigan with dementia; with caregivers average of 1 per dementia patient there are approximately a half million people affected by dementia. A recent needs assessment done by NEMCSA shows important needs to those client participants in the survey were food assistance, medical/hospital services and prescription drug assistance. According to churches and elected officials there were changes such as the need for jobs that pay well, medical/hospital services and affordable housing/rentals. Commissioner Page also reported intake at the Humane Society is up, with 140 animals taken in during July and only 25 adopted out. They need help, in particular improvements to the building. He said there are several upcoming fundraisers scheduled including a formal dinner at the Eagles in Cheboygan on October 23, 2010. Commissioner Wallace pointed out the county contracts with the Humane Society for animal control and provides the building; the Humane Society is a volunteer organization.

Commissioner Page said he has been researching the fracking issue involved in oil and gas drilling. Federally the oil and gas industry is exempt from the Clean Water Act. There is some concern that the State of Michigan has control over the drilling. He suggested this board either put this on the agenda for a future meeting, or at a minimum ask the governor and DNRE what there plans are for overseeing the drilling and protecting the ground water in this county. Chairperson Socha said the county has no jurisdiction over this but should ask the State in regards to their plan. Lengthy discussion was held. Administrator Overton was directed to draft a letter to the State of Michigan regarding plans the state has to oversee oil and gas drilling in the state.

Commissioner Socha reported attending a NLEA Board meeting, a Planning Commission meeting, Hebron and Mackinaw township meetings, and two NLEA subcommittee meetings regarding Mackinac County joining NLEA. She said she, along with the Administrator, met with Tom Moran of Moran Ironworks regarding how the construction and permit processes work. She also attended a SANE meeting, and noted statistics show cocaine usage is up, meth labs are more prevalent and felony charges also are up. She said SANE has been a cost savings to this county.

**OLD BUSINESS** - None

### **NEW BUSINESS**

Road Commissioner Manager/Engineer Luke Houlton presented a resolution to place the road millage issue on the ballot in the general election in November. He said the township distribution has been defined since this matter was before the board earlier this year. Each township would receive at least \$5,000 and anything above would be distributed proportionately based on taxable value. Discussion held. Commissioner Bolinger said as part of our infrastructure, good roads are essential to the county and to have good roads they have to be paid for. Commissioner Wallace commented he believed more people would support a road millage if an outline of the roads to be worked and when they would be worked was available.

**Finance/Business Meeting – August 10, 2010**

**Motion** by Commissioner Page, seconded by Commissioner Bolinger, to adopt the following resolution:

**Resolution No. 21 of 2010**

A RESOLUTION TO APPROVE THE BALLOT LANGUAGE FOR A MILLAGE PROPOSAL TO PROVIDE FUNDS FOR ROAD MAINTENANCE AND REPAIRS WITHIN THE COUNTY AND TO SUBMIT THE PROPOSAL TO THE ELECTORATE AT THE NOVEMBER 2, 2010 GENERAL ELECTION

**Recitals** Section 20b of the general highway law, being MCL 224.20b, expressly authorizes the Board of Commissioners for the County of Cheboygan to submit to the electorate of the county the question of a tax levy for highway, road and street purposes.

- A. The County of Cheboygan desires to submit to the electorate of the county the question of a tax levy for highway, road and street purposes within the county.
- B. The Cheboygan County Board of Commissioners, therefore, desires to obtain voter approval for up to 1 mill to provide funds for road maintenance and repairs within the county.
- C. Because a county-wide general election is scheduled on November 2, 2010, the Cheboygan County Board of Commissioners finds it appropriate to submit this millage proposition to the electorate at this general election.

**Resolution**

NOW, THEREFORE, THE CHEBOYGAN COUNTY BOARD OF COMMISSIONERS HEREBY RESOLVES that:

- 1. The following proposal, the language of which is hereby approved by the Cheboygan County Board of Commissioners and certified to the Cheboygan County Clerk, shall be submitted to the electors of Cheboygan County for a vote at the November 2, 2010 general election:

**CHEBOYGAN COUNTY**

**Countywide Road Millage Proposal**

*This proposal will permit the County to levy up to 1 mill for the purpose of providing funds for the maintenance and repair of roads within the county in the years 2010-2015, inclusive.*

Shall the tax limitation upon the total amount of general ad valorem taxes imposed upon real and tangible personal property for all purposes in any one year under the Michigan Constitution be increased in the County of Cheboygan, Michigan by up to 1.00 mill (which is equal to \$1.00 per \$1,000.00 of taxable value of all such property) for a period of 6 years, 2010 through 2015, inclusive, for the purpose of providing funds exclusively for the maintenance and repair of roads in accord with MCL 224.20b within the Cities and Villages and unincorporated areas of the County of Cheboygan, and shall the County of Cheboygan be authorized to levy such millage for these purposes? The proposed millage is a new additional millage. The amount of revenue the County of Cheboygan will collect if the millage is approved and levied by the County is estimated to be \$1,370,613.00 in the first calendar year.

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

Straits Regional Ride Director Mike Couture requested approval of the Transportation Agreement with Straits Regional Ride for Cheboygan-Otsego-Presque Isle for the regular school year. This agreement has been reviewed by civil counsel and was not changed from last year. The contract calls for \$62,277.44 annually with quarterly installments of \$15,569.35.

**Motion** by Commissioner Redmond, seconded by Commissioner Makima, to approve the Transportation Agreement between Cheboygan County on behalf of Straits Regional Ride and Cheboygan-Otsego-Presque Isle Educational Service District effective September 1, 2010 and ending June 30, 2011, totaling \$62,277.44 annually to be paid in quarterly installments of \$15,569.35, and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

**Motion** by Commissioner Redmond, seconded by Commissioner Bolinger, to approve the draft Project Authorization Cheboygan County Board of Commissioners FY 2010 Section 5311 Capital/Economic Development Fund – Category D, Agreement No. 2007-0191 Authorization No. Z13, authorize the Chairperson to sign the final agreement following approval of the final agreement by civil counsel and authorize any necessary budget adjustments. Motion carried with 7 yes, 0 no and 0 absent.

**Finance/Business Meeting – August 10, 2010**

Community Development Director Steve Schnell presented Zoning Ordinance Amendments #87 and #88 for approval. He explained that Amendment #87 clarifies what is allowed and not allowed in setbacks and also includes new definitions of setbacks, lot lines and yards. Effect of these changes provide clarity to the homeowner and builder and reduce the need for variances. Discussion held on waterfront property fences, current status of fences is opened and have not had issues.

**Motion** by Commissioner Redmond, seconded by Commissioner Page, to approve the following:

**Zoning Ordinance Amendment # 87**

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 TO AMEND THE DEFINITIONS FOR SETBACKS, LOTS, AND YARDS AND TO CLARIFY WHICH BUILDINGS OR STRUCTURES MUST MEET SETBACK REQUIREMENTS.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

**Section 1. Amendments to Article 2.**

Article 2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to delete the definitions of Lakefront Lot: Front, Lakefront Lot: Rear, Lot: Corner, , Lot: Interior, Lot: Through, Lot Lines, Setback, Yard, Yard: Corner Side, Yard: Front, Yard: Interior Side, Yard: Rear, Yard, Rear, Yard: Side, Yard: Waterfront.

**Section 2. Amendments to Article 2.**

Article 2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definitions, in their applicable alphabetical locations, which definitions shall read in their entirety as follows:

**LOT, CORNER**

A lot located at the intersection of two (2) public or private roads, or a lot bounded on two (2) sides by a curving public or private road, any two (2) sides of which form an angle of one hundred thirty-five (135) degrees or less.

**LOT DEPTH**

The distance measured from the front lot line to the rear lot line. In cases where the front and rear lot lines are not parallel or there is a change in bearing along a front or rear lot line, the lot depth shall be measured by drawing imaginary lines from the front lot line to the rear lot line perpendicular to the front lot line at ten (10) foot intervals and averaging the length of these imaginary lines.

**LOT, INTERIOR**

A lot other than a corner lot with only one (1) lot line fronting on a public or private road.

**LOT, THROUGH**

Any interior lot having frontage on two (2) more or less parallel public or private roads.

**LOT, WATERFRONT**

A lot having a lot line abutting the shore of a lake or river.

**LOT LINES**

The property lines as defined in this Ordinance bounding a lot, or two or more lots used as one development site.

**LOT LINE, FRONT**

In the case of a corner lot, through lot, or waterfront lot in the D-GI, D-LI, D-CM, or D-VC zoning districts it is that line separating said lot from the street which is designated as the front street in the plat and in the application for a building permit or occupancy permit. In the case of an interior lot it is the line separating the lot from the abutting public or private road right-of-way. In the case of a waterfront lot in the P-LS and P-NR zoning districts it is the ordinary high water mark.

**LOT LINE, REAR**

The lot line opposite and most distant from the front lot line. In the case of a lot irregularly shaped at the rear it is an imaginary line parallel to the front lot line, not less than ten (10) feet long, lying farthest from the front lot line and wholly within the lot.

**LOT LINE, SIDE**

A lot line other than a front lot line or a rear lot line. A side lot line separating a lot from an abutting public or private road right-of-way is a street side lot line. A side lot line separating a lot from another lot is an interior side lot line.

## Finance/Business Meeting – August 10, 2010

### SETBACK

The minimum horizontal distance from an applicable lot line within which no building or structure can be placed, except as otherwise provided in this Ordinance.

### SETBACK, FRONT

The required setback measured from the front lot line.

### SETBACK, REAR

The required setback measured from the rear lot line.

### SETBACK, SIDE

The required setback measured from a side lot line.

### YARD

The space between a principal building, excluding steps, and a lot line.

### YARD, FRONT

The yard between the principal building and the front lot line extending across the entire width of the lot.

### YARD, REAR

The yard between the principal building and the rear lot line extending across the entire width of the lot.

### YARD, SIDE

The yard between the principal building and a side lot line extending between the front yard and the rear yard.

### **Section 3. Amendment to Article 3.**

Article 3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to delete Section 3.3.3.

### **Section 4. Amendment to Article 3.**

Article 3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to delete Section 3.3.7.

### **Section 5. Amendment to Article 17.**

Section 17.2.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

#### **17.2.2 Setbacks – General requirements**

Except as provided herein, no building or structure shall be located within any required setback. Provided, however, the following buildings and structures may be located in a required setback under the terms and conditions specified herein:

- a. Telephone, gas, electrical, and fire suppression equipment shall be permitted within any required setback.
- b. Decks, covered porches, or similar structures, including attached railings, which provide ingress and egress from a building and which are no larger than nine (9) square feet in area shall be permitted within any required setback.
- c. Stairways, including any railings, and powered lifts used to traverse up and down a steep slope to the shore of a lake or river shall be permitted within the waterfront setback.
- d. Except as provided herein, fences that are no taller than 8 feet (measured from the surface of the ground to the top of the fence posts) shall be permitted in any required setback. Provided, however, a fence within a waterfront setback shall meet all of the following requirements:
  - 1) Except as provided in subsection 2) below, fences located in a required waterfront setback shall have an opacity of no more than fifty percent (50%) of the fence surface area (the area calculated between the surface of the ground and the top of the fence posts) as determined within each eight (8) feet segment of the fence.
  - 2) Fences with an opacity of fifty percent (50%) or more of the fence surface area (the area calculated between the surface of the ground and the top of the fence posts) as determined within each eight (8) feet segment of the fence may be located in a required waterfront setback along the side lot line if and only if a building greater than 150 square feet in area is located on the adjacent lot or within 100 feet of the side lot line, whichever results in the

## Finance/Business Meeting – August 10, 2010

lesser distance, but such fence shall be located no closer to the ordinary high water mark than the distance the adjacent building is from the ordinary high water mark.

- e. Ramps and similar structures built according to Americans with Disabilities Act design standards and as required by the adopted Michigan Building Code shall be permitted in any required setback.
- f. Decks or decking material, without railings, no more than thirty (30) inches in height as measured from the surface of the ground, whether portable or permanently attached to the ground, shall be permitted in the required waterfront setback if the deck or decking material is less than 8 feet in width.
- g. Architectural features such as chimneys, flues, cornices, eaves, gutters and similar features shall be permitted to project into any required setback a maximum of twenty-four (24") inches.
- h. Retaining walls used as landscaping shall be permitted in any required setback.
- i. Accessory buildings shall be permitted in any required setback if the accessory building meets all of the following requirements:
  - 1) The accessory building is no more than one hundred fifty (150) square feet in floor area and is no more than twelve (12) feet in height.
  - 2) The accessory building is not constructed on a permanent foundation.
  - 3) The accessory building is used exclusively for residential storage purposes.
  - 4) No more than two (2) accessory buildings are located on the same lot within any required setback.
  - 5) On corner lots the accessory building is setback no less than thirty (30) feet from both abutting road rights-of-way.
- j. Outdoor seating for restaurants shall be permitted in any required setback when approved through site plan review or special use permit application process as applicable.
- k. Accessory buildings authorized under Section 3.3.1 shall be permitted in any required setback, but shall be removed upon completion of the principal building or buildings upon the lot.
- l. Permanent in-ground private pools shall be allowed in any required setback, except the required setback from a road right-of-way, if the pool is located on the lot such that the outside pool wall is no less than six (6) feet from the property line.
- m. On waterfront lots permanent above-ground private pools shall be permitted in the waterfront setback but no closer than twenty-five (25) feet from the ordinary high water mark.
- n. Buildings or structures which have been approved as part of a Planned Unit Development according to Section 19 of this Zoning Ordinance shall be permitted in any required setback.
- o. Approved signs which conform to the sign placement requirements of Section 17.19 shall be permitted in any required setback.

### **Section 6. Amendment to Article 17.**

Article 17 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to delete Section 17.2.4.

### **Section 7. 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 8. 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.

**Motion** by Commission Redmond, seconded by Commissioner Wallace, to request the Planning Commission to review the fences in the waterfront setbacks in Zoning Ordinance Amendment #87. Motion carried with 7 yes, 0 no and 0 absent.

**Finance/Business Meeting – August 10, 2010**

Mr. Schnell said the Zoning Ordinance Amendment #88 would streamline the process of reviewing many similar types of retail establishments in the Commercial (D-CM) zoning district. This amendment reduces the number of different retail uses listed and creates general retail categories; and should reduce the potential for unnecessary site plan reviews and reduce the time and expense to the business owner.

**Motion** by Commissioner Page, seconded by Commissioner Redmond, to adopt the following:

**Zoning Ordinance Amendment # 88**

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 TO ADD RETAIL SALES ESTABLISHMENTS, GENERAL, RETAIL SALES ESTABLISHMENTS, HOUSEHOLD, RETAIL SALES ESTABLISHMENTS, SPECIALTY AND RETAIL SERVICES ESTABLISHMENT AS PERMITTED USES IN THE COMMERCIAL DEVELOPMENT (D-CM) ZONING DISTRICT AND REMOVE SOME USES FROM THE COMMERCIAL DEVELOPMENT (D-CM) ZONING DISTRICT AND TO RENUMBER THE PERMITTED USES.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

**Section 1. Amendment to Section 6.2.**

Section 6.2 of the Cheboygan County Ordinance No. 200 is hereby amended to read in its entirety as follows:

- 6.2.1. Any use permitted in the D-MR, Mixed Residential District.
- 6.2.2. Automobile, boat, equipment, and farm machinery sales, repair, rental and washing establishments.
- 6.2.3. Bars and taverns.
- 6.2.4. Bed and Breakfast (Rev. 10/25/09, Amendment #80)
- 6.2.5. Bowling alleys, pool or billiard parlors and clubs.
- 6.2.6. Cabinet making shops.
- 6.2.7. Dance, music, voice studios.
- 6.2.8. Dress making, millinery, clothing stores.
- 6.2.9. Drive in eating establishments, fast food establishments, and restaurants. (Rev. 04/12/07, Amendment #67)
- 6.2.10. Farm product stands.
- 6.2.11. Funeral homes, undertaking establishments.
- 6.2.12. Hotels, motels.
- 6.2.13. Laboratories.
- 6.2.14. Nurseries for flowers and plants.
- 6.2.15. Offices.
- 6.2.16. Parking lots, buildings and garages.
- 6.2.17. Retail sales establishment, General
- 6.2.18. Retail sales establishment, Household
- 6.2.19. Retail sales establishment, Specialty
- 6.2.20. Retail lumber yards.
- 6.2.21. Retail services establishment
- 6.2.22. Rifle or pistol ranges when in completely enclosed buildings.
- 6.2.23. Theaters (excluding drive in theaters).
- 6.2.24. Wholesale sales and storage when in completely enclosed buildings.

**Section 2. Amendment to Section 6.3**

Section 6.3 of the Cheboygan County Ordinance No. 200 is hereby amended to add a new subsection 6.3.13, which shall read in its entirety as follows:

- 6.3.13 Boat Storage

**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.

Accountant James Manko presented the 2011 Budget Process Timeline.

**Finance/Business Meeting – August 10, 2010**

**Motion** by Commissioner Redmond, seconded by Commissioner Bolinger, to approve the 2011 Budget Process Timeline. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Overton said that bids were sought for vehicle maintenance, repair and tire contract with only one bid received. Wheeler Motors submitted the bid and has held the contract for the last two years. The bid submitted has an hourly labor increase of \$5.95, but a reduction of \$5.95 for oil changes. Based on last year's usage, the annual increased cost would be approximately \$1,000.

**Motion** by Commissioner Page, seconded by Commissioner Mushlock, to approve the contract between the County of Cheboygan and Wheeler Motors, Inc. effective August 1, 2010 to July 31, 2012 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Chairperson Socha presented the recommendation from the County Tax Allocation Board to place the separate tax limitation proposal on the November ballot. She said the purpose of the vote is to set the distribution of the allocated millage for the county, townships and intermediate school district. The same allocation has been in existence for many years. If approved by the voters the County Tax Allocation Board would not have to hold a series of meetings annually to allocate these mills. Lengthy discussion held on the need to education township officials as well as the public.

**Motion** by Commissioner Mushlock, seconded by Commissioner Bolinger, to adopt the following resolution:

**Resolution 10-22**

A RESOLUTION TO SUBMIT THE QUESTION OF PROVIDING SEPARATE TAX LIMITATIONS TO THE REGISTERED AND QUALIFIED ELECTORS OF CHEBOYGAN COUNTY AT THE NOVEMBER 2, 2010 STATE GENERAL ELECTION

**Recitals**

- A. Article 9, § 6 of the Michigan Constitution of 1963 provides that separate tax limitations for the county and for the townships and intermediate school districts within the county, the aggregate of which shall not exceed 18 mills, may be adopted by the vote of the majority of the qualified electors of the county.
- B. Section 5c of the state Property Tax Limitation Act, being MCL 211.205c, provides that a petition to submit separate tax limitations to the electors of the county may be initiated by a resolution of the County Tax Allocation Board.
- C. The County Tax Allocation Board has submitted a petition requesting that the question of establishing separate tax limitation millage rates for the county and for the townships and intermediate school district within the county be submitted to the voters of the county.
- D. The state general primary election scheduled on November 2, 2010 will be held more than 49 days from the date this resolution is adopted.

**Resolution**

NOW, THEREFORE, THE CHEBOYGAN COUNTY BOARD OF COMMISSIONERS HEREBY RESOLVES that:

- 1. The following proposition, the language of which is hereby approved by the Cheboygan County Board of Commissioners and certified to the Cheboygan County Clerk, shall be submitted to the registered and qualified electors of Cheboygan County at the November 2, 2010 state general election:

Shall separate tax limitations be established for a period of four (4) years, 2011 through 2014, inclusive, for the County of Cheboygan and the townships and intermediate school district within the county, the aggregate of which shall not exceed seven (7) mills as follows:

County of Cheboygan	5.74 mills
Townships within the County	1.00 mills
COP Education Service District, f/k/a	
COP Intermediate School District	<u>.26 mills</u>
TOTAL	7.0 mills

A roll call vote was taken. Motion carried with 6 yes, 1 no (Commissioner Page) and 0 absent

**Finance/Business Meeting – August 10, 2010**

Human Resource Director Tim Gengle presented several existing County Policies for Board approval. Chairperson Socha said Tim has been putting in a tremendous amount of time on county policies; and the first and foremost part of the Commissioners' job is to set policy. Discussion held on Policy 100-17 County Personnel Policies as Pertains to Elected Officials. The second sentence in the second paragraph of this policy should read as follows "County-wide policies require the approval of the Board of Commissioners and of the Elected Officials."

**Motion** by Commissioner Wallace, seconded by Commissioner Redmond, to adopt the following county policies:

- |        |   |
|--------|---|
| 100-17 | County Personnel Policies as Pertains to Elected Officials; |
| 100-18 | Statement On Management Principles                          |
| 100-19 | Fair Labor Standards Act (FLSA)                             |
| 100-20 | Equal Pay Act of 1963 (EPA)                                 |
| 100-21 | Age Discrimination in Employment Act (ADEA)                 |
| 100-22 | Federal Insurance Contributions Act (FICA)                  |
| 100-23 | Title VII, Civil Rights Act of 1964                         |
| 100-24 | Cheboygan County Mailroom                                   |
| 100-25 | Adherence to Cheboygan County Policy                        |

as presented, with the above change to Policy 100-17, and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

**CITIZENS COMMENTS** – None

**BOARD MEMBER COMMENTS** – None

**Motion** by Commissioner Redmond, seconded by Commissioner Makima, to adjourn to the call of the Chair. Meeting adjourned at 12:15 p.m.

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Mary Ellen Tryban  
Cheboygan County Clerk/Register

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Linda Socha  
Chairperson