

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
February 9, 2010**

The regular meeting of the Cheboygan County Board of Commissioners was called to order in the Commissioners Room by Chairperson Linda Socha at 9:35 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 Bolinger, seconded by Commissioner Mushlock, to approve the agenda as presented. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Mushlock, seconded by Commissioner Wallace, to approve the consent agenda as follows:

- A. Approve Monthly Finance Claims Finance = \$49,923.12 Prepays = \$1,042,172.80
- B. Budget Adjustments – Inter-budget Transfer (SAYPA) totaling \$1,898 which decreases the communications and employee training expenditure line items and increases the fringe and full time expenditure line item by \$975 and corrects an input error in the input decreases the full time expenditure line item and increases the miscellaneous expenditure line item by \$923; Inter-budget Transfer (County Fair) in amount of \$51 which decreases the carried forward fund equity expenditure line item and increases the fringe expenditure line item; Raise Revenues and Expenditures totaling 80,500 as follows: Fund 101 total budget increase of \$54,239; Fund 215 total budget increase of \$17,483; Fund 226 total budget decrease of \$2,432; Fund 249 total budget increase of \$4,557; Fund 292 total budget increase of \$840; Fund 509 total budget increase of \$314; Fund 588 total budget increase of \$635; Raise/Lower Revenues and Expenditures: For 2009 County Road – Fund 201 raises the revenue control line item and the withdrawal transfer expenditure line item by \$86,862.03; For 2010 General Fund 101 – *Dept. 229 Prosecutor's Office* raises the fund equity revenue line item and the expenditure control line item by \$925; *Dept. 301 Sheriff's Department* lowers the fund equity revenue line item and the Drug Investigation expenditure line item by \$140; *Dept. 301 Sheriff's Department* raises the fund equity revenue line item and the drug forfeiture activities expenditure line item by \$1,221; *Dept. 302 ORV Department* lowers the ORV enforcement grant revenue line item and the carried forward fund equity, fringe, part-time and mileage expenditure line items by a total of \$1,636; *Fund 114 Remonumentation Grant Fund* raises remonumentation grant revenue line item and the contractual survey services, peer group and admin fee expenditure line items by a total of \$6,000; *Fund 241 Brownfield Redevelopment Fund* lowers the EPA Grant revenue line item and the contractual services and travel expenditures line items in both the Hazardous Substance Department and the contractual services expenditure line item in the Petroleum Department by a total of \$234,067; and *Fund 558 Straits Regional Ride* raises the federal and state equipment revenue line items by \$117,377 and \$29,334, respectively and the equip buses and vehicles expenditure line item by \$146,721.
- C. Top O Michigan Outboard Racing Club Request of Waiver of "No Wake" Ordinance on July 31st and August 1st, 2010
- D. FY 2009 Program Policy Guidelines for Community Mental Health Services Program
- E. Correspondence:
 - 1. Allegan, Berrien, Isabella, Oceana, Charlevoix, Lake and St. Joseph Counties Resolutions in Support of Final Report of the Legislative Commission on Statutory Mandates
 - 2. Charlevoix, Gogebic and Schoolcraft Counties Resolutions Objecting to Election Management System License Renewal Fees
 - 3. Benzie, Iosco, Mecosta and Oscoda Counties Resolutions Urging Implementation of the State Substance Abuse Treatment & Prevention Allocation Formula
 - 4. Hillsdale County Resolution Regarding Michindoh Aquifer
 - 5. Isabella County Resolution Objecting to MERS Increase in Funded Level Requirements
 - 6. VanBuren County Resolution Supporting US Route 31 as a Heritage Route
 - 7. NLEA Letter of Thanks for Cheboygan County's Financial Investment for 2010

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F. Minutes:

1. Commissioners Finance/Business Meeting of January 12, 2010 and Committee of the Whole Meeting of January 26, 2010
2. North Country Community Mental Health Board – December 17, 2009
3. C.C.E. 9-1-1 Monthly Financial Report for December 2009; and Board of Directors Meeting of December 16, 2009
4. C.C.E. Office of Emergency Management Board of Directors Meeting of October 21, 2009
5. Health Board Meeting - December 15, 2009
6. Michigan Northern Counties Association – December 7, 2009
7. Cheboygan County Fair Board – January 4, 2010
8. Board Appointments & Procedures Committee – January 27, 2010
9. Jail Utilization Committee Meeting – September 16, 2009
10. Cheboygan County Airport Authority Board Meeting – October 1, 2009
11. Cheboygan County Road Commission – January 17, 2010 (2)
12. Cheboygan City Council – December 8, 2009, December 22, 2009 and January 12, 2010
13. Planning Commission Meeting – January 6, 2010 and January 20, 2010
14. ZBA Meeting – 10/14/09, 10/28/09 & 11/25/09

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

CITIZENS COMMENTS – None

SCHEDULED VISITORS – None

FINANCE DIRECTOR'S REPORT - Finance Director Kari Kortz noted the revised Check Register Report for December 2009 which was included with this month's finance reports and stated the revision was to include a transfer from the Road Commission. She also presented the Budget to Actual Semi-Annual Report, which provided a breakdown by line item of revenues and expenditures as of December 31, 2009. She also noted that these figures are unaudited and figures could change. She said that new line items were noted with an "X" in the third to last column with an explanation in the note column. Chairperson Socha thanked Ms. Kortz for the good, easy to follow reports.

COMMITTEE REPORTS

Commissioner Redmond presented recommendations from the Board Appointments and Procedures Committee. In regards to a vacancy on the Construction Code Board of Appeals, it was brought to the committee's attention that the current four member board could possibly encounter tie votes. He said following discussion the committee recommends changing the membership from four to five members.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to accept the recommendation from the Board Appointments & Procedures Committee to increase the number of members on the Cheboygan County Construction Code Board of Appeals from four to five members. Discussion was held. Motion carried with 7 yes, 0 no and 0 absent.

Motion, by Commissioner Redmond, seconded by Commissioner Wallace, to accept the recommendation from the Board Appointments & Procedures Committee to appoint Richard Kolb and Bobbie Christianson to the Cheboygan County Construction Code Board of Appeals for two year terms commencing January 1, 2010 through December 31, 2011. Motion carried with 7 yes, 0 no and 0 absent.

Commissioner Redmond distributed the Administrator's Annual Evaluation forms to each Commissioner and requested the completed forms be returned by March 2nd. Commissioner Redmond also reported attending the Cheboygan County Waterways Commission meeting and a Benton Townships Meeting. He reported the repairs to the electrical at the County Marina should commence in May or June with a completion timeline of 3 weeks.

Commissioner Makima reported attending the Board Appointments & Procedures Committee meeting, the Fair Board meeting, and a Road Commission meeting. He noted that the fair board spouses should be recognized for the volunteer work done in connection with the fair. He said he plans to attend the City Council meeting and noted that City Manager Scott McNeil has submitted his resignation. Chairperson

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Socha said behind every volunteer, no matter what group or function there's a spouse supporting that volunteer.

Commissioner Wallace said the 9-1-1 Board of Directors now has complete membership with the addition of City of Cheboygan Mayor Richard Sangster's appointment as liaison for cities and villages and also the new manager from the City of Petoskey.

Commissioner Bolinger said he attended a roundtable discussion on Drug Court, a DNR meeting on elk management, the Community Corrections 511 Board meeting the PRC meeting, the Michigan Northern Counties meeting, District #4 Health Board meeting, and AG and Tourism Committee meeting at MAC, a Forest and Walker Township meetings, and the Huron Pines meeting. He reported 310 elk permits were issued with 300 elk harvested. He noted a big issue at the Michigan Northern Counties meeting was state mandates without funding. Commissioner Bolinger said the new officers for District #4 Health include Commissioner Makima as Secretary/Treasurer, the Chairman is from Alpena County and the Vice Chair is from Montmorency County.

Commissioner Mushlock commented on her recent experience with ambulance service to Petoskey and number of Cheboygan County residents that she saw at the Petoskey Hospital there could be a need for an additional ambulance in the future. She reported attending an Inverness Township meeting where there was a presentation done by the assisted living development group. Chairperson Socha said the importance of the airport was shown as it was used for three medical flights in the last few days.

Commissioner Page advised that Northern Michigan Broadband Cooperative did not receive any first round grant money, a group, Merit, received most of the monies; however, unfortunately Cheboygan County has not been included with that group. He said the Co-op will apply for 2nd round of the grant money. He said NEMCSA is looking at possibly a 20% cut in budget and stressed the need to promote NEMCSA programs such as the weatherization program which is in the second year of a three year program, the income tax rebate money for energy saving appliances; as well as other programs for seniors. He said that census forms for snowbirds should be filled out in Michigan, and available jobs for census takers that pay \$11.75 per hour plus mileage. He asked if the county could put out a citizen alert on these things on county website. Administrator Overton said could possibly do a Facebook page for the county and post things like this. Chairperson Socha said there are ways word gets out on these types of things.

Commissioner Socha reported attending meetings of SANE, Emergency Management, NLEA, and Beaugrand, Munro and Hebron Townships. She reported the Drain Commissioner has proposed that Hebron and Carp Lake Townships form a lake improvement board, which would have authority to assess a special assessment on Paradise Lake property. This is very controversial and such a board would have a lot of control. She also reported attending the FEMA Flood Plan meeting and the Planning Commission Meeting. The Planning Commission has been finalizing a proposed zoning ordinance amendment relative to child care facilities which should be ready for this board's approval shortly.

OLD BUSINESS

Community Development Director Steve Schnell advised that the proposed Municipal Civil Infraction Ordinance was presented to the judges by Prosecutor Daryl Vizina, that Judge Barton would be willing to enforce the ordinance, and Sheriff Clarmont has no problem either. This ordinance would allow the county to have another enforcement option for the ordinances that have been adopted. Once this MCI ordinance is adopted, other ordinances that could benefit from this method of enforcement must be amended to reference this ordinance. Civil Counsel Bryan Graham said experience has demonstrated that using municipal civil infractions is a more cost-effective and faster enforcement mechanism for municipalities.

Motion by Commissioner Page, seconded by Commissioner Bolinger, to adopt Cheboygan County Ordinance #1 of 2010 Municipal Civil Infraction Ordinance (copy on file in County Clerk's Office), to be effective 30 days after publication. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

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Mr. Schnell presented a resolution of support for the EDC Strategic Plan as was requested at the January 26, 2010 Committee of the Whole meeting.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to adopt the following resolution:

RESOLUTION 10-08

WHEREAS, The Cheboygan County Economic Development Corporation (EDC) under authority of Public Act 338 of 1974 is charged with the responsibility of preventing unemployment, assisting and retaining local business, strengthening and revitalizing our economy, encouraging expansion of local businesses, promoting economic activity in forestry and agricultural sectors, encouraging export activity, protecting farm lands, and encouraging development of renewable energy facilities, and

WHEREAS, The County believes it is important to have a shared vision for economic development, and

WHEREAS, The County has charged its EDC with creating a shared vision, which includes creating economic development opportunities in the county, and

WHEREAS, The EDC has completed a thorough strategic planning process and gathered valuable public input, and

WHEREAS, The EDC has created an effective strategic plan which protects the natural resources of the county and meets the intent of the vision and mission of Cheboygan County, and

Therefore, be it resolved, that the Cheboygan County Board of Commissioners supports the EDC Strategic Plan of 2009 and the efforts of the County Economic Development Corporation, its board members, and the County's Economic Development partners.

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

NEW BUSINESS

Jacque Thompson of the Cheboygan Housing and Homeless Coalition presented the Emergency Solutions Grant for approval and signature. This grant offers financial assistance to public and non-profit organizations that are responding to the needs of the homeless population through a comprehensive community wide planning process and implementation strategy known as the 10 Year Plan to End Homelessness. The Grant will provide \$19,300.00 to assist Cheboygan residents in homeless prevention and rapid re-housing. Ms. Thompson said the money is used primarily for first month rent or loan arrearages.

Motion by Commissioner Page, seconded by Commissioner Wallace, to authorize the Chairperson to sign the proposal for Emergency Solutions Grant, name of continuum Cheboygan County Housing and Homeless Coalition. Motion carried with 7 yes, 0 no and 0 absent.

Straits Regional Ride Director Mike Couture presented the 2011 MDOT Annual Application. Mr. Couture noted that for 2011 the estimated State Funds total \$289,958, Federal Funds \$132,949, Local Funds \$411,721.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to approve and authorize the Chairperson to sign relative documentation for 2011 Annual Application, and to adopt Resolution 10-10 Intent to Apply for Financial Assistance for Fiscal Year 2011 (Copy on file in County Clerk's Office). A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Community Development Director Steve Schnell gave a PowerPoint presentation on a proposed rezoning of property along M-68 and County Line Road to General Industrial zoning district. The property to be rezoned includes the Moran Iron Works property and some surrounding property. Lengthy discussion was held.

Motion by Commissioner Redmond, seconded by Commissioner Bolinger, to adopt the following Zoning Ordinance Amendment and authorize the Chairperson to sign:

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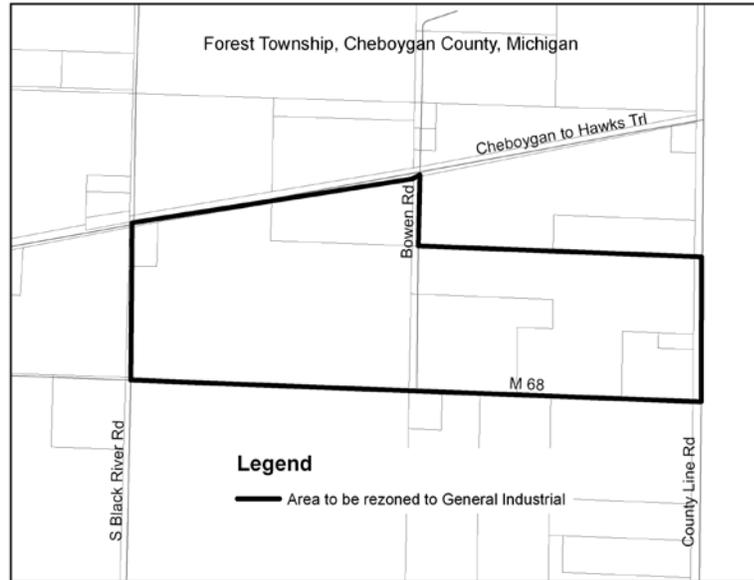
Zoning Ordinance Amendment #84
AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY
ZONING ORDINANCE #200.

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 the following described parcels in Forest Township, Cheboygan County, from Agriculture/ Forestry Management (M-AF), Lake and Stream Protection (P-LS), and Light Industrial Development (D-LI) to General Industrial Development (D-GI).

The properties to be rezoned as General Industrial Development (D-GI) is described as:



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

Chairperson Socha said Moran Iron Work has called all 25 employees who had been laid off back to work with an addition 1 or 2 employee with more hopefully to come.

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

RESOLUTION 10-09

SUPPORTING THE ATTORNEY GENERAL AND GOVERNOR OF MICHIGAN TO PURSUE REMEDIES TO STOP ASIAN CARP SPECIES FROM ENTERING LAKE MICHIGAN AND PROTECT WISCONSIN INTERESTS

WHEREAS, the State of Illinois constructed the Chicago Sanitary and Ship Canal over 100 years ago, connecting the Great Lakes Basin to the Mississippi River Basin in order to move Chicago's sewage away from Lake Michigan; and

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WHEREAS, the Chicago Sanitary Ship Canal, in addition to diverting billions of water from Lake Michigan each day, also opens up a channel of communication between Lake Michigan and the Lower Mississippi River Basin; and

WHEREAS, Asian carp, an invasive, non-native species, have migrated north-ward through the Mississippi River Basin, documented as advancing as close as 20 miles from Lake Michigan in the Chicago Sanitary and Ship Canal; and

WHEREAS, an invasion of Asian carp into Lake Michigan would devastate the Lake Michigan ecology and cause incalculable economic loss and irreversible damage to recreational fishing on the Great Lakes and the resulting tourism industry; and

WHEREAS; Asian carp would infest Lake Michigan tributary streams for purposes of spawning and rearing; and

WHEREAS; the well documented threat of invading Asian carp has been known to the U.S. Army Corps of Engineers and state officials in Illinois for years; and

WHEREAS; the state of Illinois has constructed an inadequate and ineffective electric barrier to prevent Asian carp from migrating through the Chicago Sanitary and Ship canal; and

WHEREAS; the Chicago area navigational locks on the Chicago Sanitary and Ship Canal are the final barrier from which Asian carp can gain access to the Great Lakes Basin; and

WHEREAS; it is imperative that aggressive action be taken to safeguard the eco-logical and economical integrity of the Great Lakes; and

WHEREAS; the United States Supreme Court denied the States of Michigan and Wisconsin's request for emergency relief aimed at preventing the invasion of Asian carp species into Lake Michigan;

NOW THEREFORE BE IT RESOLVED, that the Cheboygan County Board of Commissioners does support the Michigan Attorney General as he continues to pursue legal remedies to stop Asian carp species from entering Lake Michigan and protect Cheboygan Counties interests.

BE IT FURTHER RESOLVED, that the Cheboygan County Board of Commissioners urges the Governor of Michigan to convince the President of the United States and the United States Congress to provide emergency relief by ordering to close the navigational locks in the Chicago Sanitary and Ship Canal, and support a study to investigate means of biologically separating the Chicago Sanitary and Ship Canal from Lake Michigan

FURTHER RESOLVED, by the Cheboygan County Board of Commissioners that the County Clerk shall forward a copy of this resolution to the Governor of the State of Michigan, Cheboygan County's Legislative Representatives, and the Michigan Counties Association.

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

Finance Director Kari Kortz presented the agreement between Cheboygan County and Presque Isle County for Joint County Financing of the 89th District Court Judge's Salary and Fringe Benefits.

Motion by Commissioner Page, seconded by Commissioner Mushlock, to approve the Cheboygan and Presque Isle County Agreement for Joint County Financing of the 89th District Court Judge position, approve the necessary budget adjustments and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Sheriff Clarmont presented a proposal to create a new position of Detective Lieutenant position within the Sheriff's Department at an overall cost savings to the county. He said creation of this position would allow, through attrition, the elimination of three Road Patrol Sergeant positions, these positions would revert to Road Patrol Deputy positions at an annual overall savings for fiscal year 2010 of approximately \$7,327 and an annual savings of approximately \$13,107 each year after. Sheriff Clarmont said this has been discussed with the union. Chairperson Socha and Commissioner Page commended the Sheriff and his staff.

Motion by Commissioner Page, seconded by Commissioner Bolinger, to accept the recommendation of the Cheboygan County Sheriff and as co-employers of the Cheboygan County Sheriff Department approve the creation of a Detective Lieutenant position within the Cheboygan County Sheriff Department.

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The Detective Lieutenant position will be an appointed (at the discretion of the Sheriff) , non-union, salaried position with a salary of \$50,450 for 2010 with the same benefit package as other appointed sheriff staff, effective immediately and authorize all necessary budget adjustments. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

CITIZENS COMMENTS – Waverly Township Clerk Eunice Hart said the Steve Schnell has agreed to do a presentation for Waverly, Forest and Nunda Townships. She also spoke regarding Census jobs having worked on the last census, she said they prefer to hire those who would be available to work full time. Gail Southwell, Walker Township Trustee, said the mileage rate for census workers is .55 per mile and a sample test can be viewed on the Census 2010 website.

BOARD MEMBER COMMENTS – Commissioner Bolinger said that Kathy Orbin from District #4 Health will be retiring the 1st of June.

Motion by Commissioner Wallace, seconded by Commissioner Makima, to adjourn to the call of the Chair. Meeting adjourned at 11:07 a.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson