

CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
Finance/Business Meeting
November 14, 2017

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

Roll called and a quorum present.

Present: Commissioner Karen Johnson, Richard Sangster, Michael Newman, Cal Gouine, Roberta Matelski, John Wallace and Robert Bolinger.

Absent: None

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

Motion by Commissioner Bolinger, seconded by Commissioner Sangster, to approve the agenda. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Sangster, seconded by Commissioner Bolinger, to approve the consent agenda as follows:

- A. Approve Monthly Finance Claims (Finance Total = \$25,573.76: Prepaid Total = \$992,410.79)
- B. Budget Adjustments as follows:
 - 2017 Inter-budget Transfers
 - From 101-331 to 101-331 Totaling \$76
 - From 292-149 to 292-150 Totaling \$10,380
 - From 292-157 to 292-150 Totaling \$3,525.86
 - 2017 Raise Revenue/Expenditures
 - 1) Fund 101 Total Budget Increase Totaling \$1,376.90
 - 2) Fund 201 Total Budget Increase Totaling \$1,332,925
 - 3) Fund 230 Total Budget Increase Totaling \$2,169
 - 4) Fund 267 Total Budget Increase Totaling \$16,740.63
 - 5) Fund 276 Total Budget Increase Totaling \$60,000
 - 6) Fund 588 Total Budget Increase Totaling \$2,000
- C. Investment Report
- D. MSU-E 2018 Service Agreement
- E. Correspondence
 - 1. Alger County Resolution Supporting MI Senate Bill 400 & MI HB 4651 Amending the Emergency Telephone Services Enabling Act
 - 2. Alger County Resolution Opposing the Reduction of Federal Funding for the Great Lakes Restoration Initiative
 - 3. Missaukee County Resolution in Support of the Great Lakes Restoration Initiative
 - 4. Livingston County Resolution Opposing the Reduction of Federal Funding for the Great Lakes Restoration Initiative
- F. Minutes:
 - 1. Finance/Business Meeting of October 10, 2017 and Committee of the Whole Meeting of October 24, 2017
 - 2. NEMCSA – 10/6/17
 - 3. District #4 Health – 8/15/17 & 9/19/17
 - 4. Cheboygan City Council – 9/26/17 & 10/10/17
 - 5. Planning Commission Meeting – 9/6/17, 9/20/17 & 10/4/17
 - 6. ZBA – 8/23/17 & 10/16/17

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

Citizens Comments

Chuck Beckwith Chairman of the MTA and President of the Cheboygan Trailblazers Snowmobile Trail Grooming Club reported on the DNR closure of the bridge over the Little Black River in the City of

Cheboygan, on Trail 9, which was a multi-use trail within Cheboygan County. Mr. Beckwith attended a meeting in Houghton Lake where it was stated the bridge may be closed. On November 2, the bridge was closed by the Department of Natural Resources. An engineering firm out of Petoskey had done a study on the bridge and made the determination that the bridge was not safe for any traffic. The Trailblazers have tried several solutions as to how to get the bridge back open, even if it was just for snowmobile traffic. The grooming club has the ability to maintain the trail and keep the bridge open without driving a tractor across it, even though the DNR drove its tractors across the bridge all summer long. Mr. Beckwith was concerned about the economic impact closing of the bridge would have not only on Cheboygan County, but also Emmet County, if they can't find a way to keep the bridge open even just for snowmobiles. To date, they haven't been able to come up with a solution. On Monday, the grooming club found a portable bridge in Marquette that would serve the purpose. If the club was able to get the bridge down to Cheboygan and lay it across the existing bridge, the owners of the bridge would rent it to the groomers for \$400 a month for the four months, which the groomers were willing to pay. The groomers just need to get the permission from the DNR to allow the portable bridge to be put down. If a reroute cannot be done or a temporary fix for the four months just to keep this economic alive for both Cheboygan and Emmet County, it would be devastating. Snowmobilers like to make a loop and they do not like to dead end. If everything fails, the DNR was going to block it with a sign stating, "Snowmobilers could find their own alternative route." Administrator Lawson was going to contact the DNR to urge them to allow the groomers to rent the bridge and keep the trail open to snowmobiles.

Scheduled Visitors

Attorney Rob Sickles from Sommers Schwartz P.C. presented an overview of the opioid epidemic litigation. Sommers Schwartz P.C. was one of five firms that were pursuing litigation against companies that manufactured and distributed opioid pain killers. He stated that 85 counties in Ohio, as well as units of government in Illinois, Kentucky, West Virginia and New Mexico were all a part of this litigation. This story travels from the board rooms of the biggest corporations through to the warehouse distributors in America to the offices of physicians and doctors all over the country. Some of which turned into pill mills. Evidence was seen every day, in terms of arrests of doctors who utilize their licenses and their offices that essentially become a funnel for drugs from the manufacturers to individuals. So the story goes on from there to the bedrooms and the medicine cabinets of millions and millions of individuals in America. The end result was horrible addiction, huge costs to governmental units in terms of law enforcement, incarceration, parole services, and other forms of human services including counseling and on the spot treatment for overdose victims. Many counties have equipped their Sheriff Departments with medicine for treatment to address this epidemic in the field when they have come across an individual who has overdosed and were on the brink of death. Many of these law enforcement officers were saving lives because they have been equipped with the medicines necessary to counter act the effects of opioids and heroin, which was part of this addiction. Prescription opioids were heroin in pill form. They were derived from the same basic substances and it has been a natural gradual progression for individuals who were addicted to opioids to seek heroin because it was cheaper to purchase.

It would be your obligation to litigate the companies that have fostered and have fueled the opioid epidemic. In this litigation, they were not suggesting to take opioids off of the market entirely because this was an acceptable treatment for cancer patients. There wasn't a role for chronic pain. For many years, opioid pain killers were prescribed very sparingly, but now were being distributed far too widely. One of the claims from the manufacturers in despite of the warnings that was put on the boxes of opioids, was that they were under cutting the message of the warnings with a media on slot telling physicians and the public that these medications were not addictive and for these consequence, we have ended up with a generation of addicts. This was the claim against the manufacturer. The claim against the distributors who were probably just as accountable was based on this. Distributors get a ticket from the federal government that allowed them to be distributors, but along with that ticket they were charged with an obligation to monitor sales of opioids and to make sure that these sales were not going to pharmacies and from there ending up in aliased illegal markets. The DEA passed all of these regulations to require the distributors to monitor their sales and then to report suspicious sales that were out of the norm. For years the distributors ignored the regulations and finally the DEA in February of this year, fined the McKesson Corporation, which was the 5th largest corporation in America \$150 million dollars for failure to comply with the monitoring. Many law firms around the country who have studied this with the

employment of scientists and former DEA agents have concluded that there was culpability on the part of the manufacturers and the distributors for the opioid epidemic. Unquestionably, some physicians share this, but to defend them, they were overwhelmed by a sea of misinformation regarding opioids. This was why he believed President Trump declared the opioid epidemic to be a national health care emergency. Sommers Schwartz Opioid Litigation Proposal for Cheboygan County was handed out and an explanation was given on the information. As of today, there were only two counties, Wayne and Oakland in the State of Michigan who have filed cases.

Attorney Lisa Esser stated they were working purely on a contingency plan with no out of pocket costs to the County. Information from a FOIA request that was submitted to the State of Michigan was received and stats were put together on the opioid sales in Cheboygan County for the first quarter in 2015. Ms. Esser stated that this gives a snap shot of what's happening in Cheboygan County, but it really was a state wide problem. This case was not about going after the addicts or doctors, but the distributors and the manufacturers. The goal was to provide resources for those people and for the community with your drug courts, law enforcement, mental health and groups of this nature. Also junctive relief would be provided. The County of Cheboygan was listed as number three (3) in the State of Michigan for the use of opioids and it gets worse the more north that you go.

Commissioner Sangster questioned if there was any failure on behalf of the federal government, it sounded like there should have been some oversight at this level to recognize these numbers. These DEA officers were supposed to be looking at any change of the numbers when ordering and it should have stood out so they would have been able to catch it. Mr. Sickles stated that the short answer was yes and the long answer was to talk to any former DEA agents who were incidentally involved. There have been DEA agents who visited Charlevoix, Cheboygan and Emmet County to talk with the Sheriff Departments about pill mills. One county who they spoke too several times was so frustrated by the refusal of top management to initiate actions against distributors. This county was very outspoken as to the failure of active policing of the DEA for political reasons and this was why it was so important that these civil actions go forward. Because this was an enforcement mechanism and it was not going to be compromised by the government.

Civil Counsel Peter Wendling questioned why his firm was recruiting at the county level instead of at the state level such as with Attorney General Bill Schutte or someone else who would be a bigger plaintiff, instead of trying to collect from 83 other counties. Cheboygan County was an Eastern District federally so to get the DEA to take action against what they perceived was seen as a small problem in Cheboygan, which was often times very huge and who was competing with problems closer to the courthouse steps in Wayne County. Mr. Sickle stated that Mr. Schutte had issued some press releases stating that he was analyzing this challenge, but this has been going on for a long time. Mr. Schutte was the architect of the bill in Michigan that attorney's call the Drug Immunity Law. Essentially, it immunizes manufacturers from civil liability if their formulations and their warnings conform to FDA guidelines and were approved by the FDA. The negligence and warranty claims against manufacturers in Michigan would be quite difficult because of this law. Many legal authorities think that this lawsuit was going to be the next tobacco resolution because millions of dollars were paid by the people who manufactured and sold cigarettes and the settlement monies went into the general fund and never got paid down to treat the problems at the community level. The opioid epidemic really has a more specific impact on local communities especially counties who bear the financial brunt of dealing with the crisis and, therefore, it makes much more sense for the counties themselves to be the parties in the litigation. Counties like Cheboygan should make a statement and get involved now. This litigation was going to go on for years.

Mr. Sickles stated that all these cases around the country would be consolidated in front of one court. He stated that his group filed a petition for the consolidation process and there was going to be a hearing in St. Louis on November 30, 2017 so that one judge could monitor the cases and oversee the discovery process for all of these cases.

Civil Counsel Peter Wendling questioned how damages were going to be calculated as far as Cheboygan County would receive and what the retroactive time period that they were looking at for these damages. Mr. Sickles stated that there were statute of limitations issues. Ultimately there would be a model developed in the multi-district litigation, which may be based on population or based on the number of

pills that may have come into the county. Short of a settlement or resolution, an economist would come in to evaluate the counties budget and make some sort of assessment as to what the added costs have been for incarcerations, human services, etc... This was why this litigation was going to be enormously expensive.

Finance Director's Report

Finance Director Kari Kortz presented the General Fund Revenue and Expenditure Report for September 30, 2017. She reported total year-to-date revenue of \$5,322,947.63, or 43.71% of the budget, compared to \$6,274,601.79, or 52.55% of the budget last year at this same time. She also reported on the total year-to-date expenditures of \$8,049,370.32, or 66.10% of budget, compared to \$7,884,568.51, or 65.97% last year as of the end of September 30, 2016. An explanation of the deficit balance accounts was given and a report on the Cash Summary by Fund with a beginning balance as of September 1, 2017 of \$21,325,696.07 and an ending balance as of September 30, 2017 of \$25,263,628.21. An explanation of the quarterly fund balance report as of September 30, 2017 of \$21,662,815. An explanation of the summary of expenses by category was given with a beginning balance as of September 30, 2016 of \$7,884,569 and an ending balance as September 30, 2017 of \$8,049,370.

Motion by Commissioner Wallace, seconded by Commissioner Bolinger to receive and file the correction of the dates on the Summary of Expenses by Category. Motion carried with 7 yes, 0 no and 0 absent.

Administrator's Report

Administrator Lawson reported attending the Inverness Township Board Meeting on November 7, 2017 to answer questions concerning the County's offer to organize mediation between the two parties. He reviewed the preliminary outline of the process and identified that the County would provide a list of mediators for both parties to review to come to an agreement on the mediator. After several questions from the Township Board and discussion, the consensus was to move forward with the process.

A key issue between the two units was related to the existing sewer agreements. The City would like to discuss issues related to the agreements, while the Township would like to keep negotiations to water only. The City of Cheboygan had sent a letter to the County asking the County to asking the County to intervene in the issue due to the fact that the County was party to the original sewer agreements associated with the Inverness sewer system. Mr. Lawson had suggested to both parties that the concerns of each unit be identified and that once this information was documented each item could be looked at individually.

Administrator Lawson gave an update on the Gold Front demolition that staff had obtained bids from qualified environmental engineers to identify environmental hazards in the buildings for removal by certified waste removal companies prior to final demolition. The environmental review would be awarded to Mackinac Environmental in the amount of \$2,985. Mackinac Environmental was the lowest bidder. Staff also solicited bids for the completion of a structural demolition plan. Only one bid in the amount of \$20,500 was received by Fieldstone Architect and Engineering who recently opened an office in Downtown Cheboygan. It was important to contract with an engineering firm because this building has two (2) common walls with two (2) other buildings. A review of Fieldstone's proposal had identified that the liability limit stated in the agreement did not meet the County's coverage standard. Staff was currently discussing this issue with the state to clarify some of the language and determine if it could move forward with this part of the project, if it needed to increase the liability for the company, or if the review needed to be moved to the demolition contractor. Mr. Lawson stated that if this could not be resolved, he was hoping the State would allow the County to have the company do the RFP for the demolition of the building. The contractor who demolishes the building would also then have to sign off on the contract, as it had been prepared. If the State allowed that part of the review of the contractor, that contractor would need to hold a minimum of \$2 million in liability insurance coverage. According to the provisions of the grant, the County had to have the building down by next August. The City of Cheboygan has some utility work scheduled in the area of the Gold Front around the same time of the demolition of the building. The County would need to work together with the City of Cheboygan as to not disrupt either project.

Administrator Lawson reported on the jail expansion/storage project that staff met with the project architect to review soil engineering information and preliminary construction prints. The soil report identified there was poor soil conditions (clay) under the jail addition area that would require either pilings or a Geofoam footing support system for the addition. After additional research, the architect and soils engineer were recommending that the building be placed on a Geofoam system, which had an estimated additional cost of approximately \$50,000 as compared to a standard footing and foundation system. This system was less costly than a piling system, which was estimated at approximately \$125,000 of additional costs. The architect would provide an updated estimate for the project reflecting the footing and foundation change as well as an increase of 1,000 sq. ft. of space in the storage building to accommodate the Sheriff Department's equipment. This information would be provided in the December 12, 2017 Administrator's Report. The Architect was also in the process of completing the final construction drawings and bid documents to place the project out for bid in January 2018.

Administrator Lawson gave an update on the District Health Department remodeling stating that the staff had sent bids out for painting interior walls. Three or four firms were contacted with only one responding. Authorization was given to contract with Deroshia Painting who would start painting the west office areas of the building. Maintenance would continue work in the primary office area on the east side of the building. Mr. Lawson reported that there has been several contractors take a look at the leak in the roof, which was replaced approximately 3 ½ years ago. There was one hip portion of the roof that had been leaking over the years. These same contractors have not been able to find the leak. This last contractor stated that they would be able to fix it, but it would require moving part of the shingles. This would be a weather element issue.

Administrator Lawson reported that the position of Planning and Zoning Director had been advertised to receive resumes for review. The position would remain open until filled with the first review of resumes identified for December 11, 2017.

Administrator Lawson reported that staff was gathering information to complete the resolution to support the reopening of the Cheboygan Armory and the resolution would be placed on the November 28, 2017 agenda for the Board of Commissioners consideration.

Committee Reports

Commissioner Sangster attended the Northern Michigan Pitch Night Event sponsored by NLEA at the Opera House, which was amazingly successful and well attended.

Commissioner Gouine commented that Sheriff Clarmont who was the Master of Ceremonies had done an excellent job at the third annual dinner to honor local veterans. He thanked all of the volunteers including the ones who helped the veterans get in and out of their vehicles.

Commissioner Wallace commented that Greg Clark, acting Director for CCE 911 was in attendance in case any of the Commissioners had any questions. The CCE 911 was in search of a new Director with interviews to be starting sometime in early January. A hand out from MI Works was given out on what was happening this last month and an individual's comments on gun control laws.

Old Business

Administrator Lawson presented the recycling lease agreement. The County leases property for recycling drop-off sites from Aloha and Tuscarora Townships. The County entered into lease agreements with both Townships in 2014. The original leases were for a three (3) year term with a provision to renew the lease for an additional three (3) year term. Legal Counsel had prepared a lease renewal for consideration. Tuscarora Township has been discussing relocating the recycling sites and their agreement might have to be amended in the future.

Motion by Commissioner Sangster, seconded by Commissioner Gouine, to approve the lease agreements with Aloha and Tuscarora Townships to maintain recycling drop-off facilities and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

New Business

Scott McNeil presented the Zoning Ordinance Amendment #142 to establish the Lake and Stream Protection Shelter Overlay (P-LS-SO) zoning district. Consideration of this amendment began from discussion regarding variance applications for boathouse and boat shelters coming before the Zoning Board of Appeals. Land located 500 feet from a lake, river or perineal stream was in the Lake and Stream Protection zoning district. Currently there was 40 foot standard water from setback from the high water mark for any structure in the Lake and Stream Protection zoning district. Due to this setback requirement structures such as boathouses cannot be built or replaced without a variance granted by the Zoning Board of Appeals.

The Planning Commission reviewed variance applications that had been submitted to the Zoning Board of Appeals in the past regarding boathouses and boat shelters along with review of existing boathouses and boat shelters along the Cheboygan River, Indian River and Lower Black River. A copy of a map of existing boathouses and boat shelters based on an aerial photo survey was included with this report.

The Planning Commission also conducted a survey of property owners along the Cheboygan River, Indian River and Lower Black River relative to the desirability of boat shelters. A copy of the survey results and memo regarding the same was also included with this report.

As a result the Planning Commission was recommending the attached proposed zoning ordinance amendment, which would allow for the construction of boat shelters in the water front setback for properties located on the Cheboygan River, Indian River, and Lower Black River and any canals connected to them. Conditions and requirements for boat shelters were provided.

Discussion was held on the clarity of Section 10A.3.2.3 when property owners do not own as much frontage for the construction of a new boat shelter over an existing boat well.

Motion by Commissioner Gouine, seconded by Commissioner Sangster to remand Zoning Ordinance Amendment #142 back to the Planning Commission for clarification of the wording in Section 10A.3.2.3 regarding the width of the boat shelter expectation of the eaves as measured. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Lawson presented the senior millage appropriation agreements with Cheboygan County on Aging, MSUE Project Fresh and Wawatam Area Senior Citizens Inc. A notice of appropriation must be published in the local newspaper within 10 days after the agreements were approved by the Board. The statute authorizing the appropriations for senior citizen services requires this publication.

Motion by Commissioner Sangster, seconded by Commissioner Johnson to approve the Senior Millage Appropriation Agreement for \$560,975, MSUE Project Fresh for \$8,000 and Wawatam Senior Citizens, Inc. for \$59,892 and authorize the Chairperson to sign agreements. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Director of Juvenile Services Kyle Culbertson presented the Independent Contractor Agreement – From Decisions to Actions. The Circuit Court – Family Division was seeking renewal of a contract between Cheboygan County and Charles H. Brown to provide From Decisions to Actions for the SAYPA Program. This program has been funded through the SAYPA budget since October 2012. Civil Counsel had reviewed the contract. Mr. Culbertson explained the From Decisions to Actions program, which was a 10 weeks program that was offered three (3) times a year. They take almost every juvenile that was appropriate such as neglect and abused children and also children that the High School recommended from ages 11 to 17 years of age. This program goes from 7 to 9 P.M. on Wednesday nights with mentors, moderators, the parents and the child. If there was a juvenile recommend, Mr. Brown would take the whole family. This program really helps reduce the amount of offenses, teaches consequences and creates a supportive environment for a parent to be able to have a sounding board with other parents and other moderators. It greatly improves the youth's decision making skills and probably the biggest benefactor was that it reduces repeat offenders. This was a program implemented around the state and it was one of the best.

Motion by Commissioner Sangster, seconded by Commissioner Newman to approve the Independent Contractor Agreement – From Decisions to Actions for \$26,385 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Lawson presented review of the indigent defense compliance plan/grant application. He stated that Act No. 93 of 2013 established the Michigan Indigent Defense Commission to develop a system to provide indigent defendants in criminal cases with effective assistance of counsel. In May of 2017, the Michigan Department of Licensing and Regulatory Affairs approve the first four standards for the indigent criminal defense system. The standards were as follows: Standard 1 – Provide continued Training and Education to indigent defense attorneys; Standard 2 – Initial Interview – Defendant must be provided opportunity to have an initial interview with defense council; Standard 3 – Investigation and Experts – defense counsel may seek licensed investigators or seek expert witnesses to defend client in applicable and Standard 4 – Counsel at First Appearance – Defense counsel must be appointed to provide assistance to defendant as soon as defendant's liberty was restricted by the court as well as counsel provided at other critical stages of the case.

Municipal court units must complete and submit a compliance plan to the MIDC by November 20, 2017 outlining how the unit would comply with the standards as well as identifying the cost to meet the standards. Municipal units were required to provide funding based on the average cost incurred by the unit for adult indigent defense for the three fiscal years preceding enactment of Public Act 93 of 2013. All costs to provide indigent defense above the base cost would be paid by the State of Michigan upon approval of the unit's indigent defense plan. There had been a lot of parties working on this to get the numbers together and this would be the first go around with the State of Michigan. Mr. Lawson stated the county would see what the State of Michigan's reality was once they received all of these numbers from across the State.

Finance Director Kari Kortz gave out an amended financial summary providing details for supplies, other expenses and identifying whether the expenses were new as a result of the compliance plan. Grant calculation was as follows: total cost analysis (sum of all expenditures) \$412,122, plus the compliance planning costs \$6,327 and minus the local share \$141,404 totaling the compliance plan grant request of \$277,045.

Motion by Commissioner Sangster, seconded by Commissioner Bolinger to approve the Cheboygan County Indigent Defense Compliance Plan/Grant Application for submittal to the Michigan Indigent Defense Commission, authorize the creation of the new fund in the County's chart of accounts for indigent defense funds and authorize the Chair to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Lawson stated with the departure of Mr. Schnell, it was his recommendation to appoint Mr. McNeil as the Interim Planning and Zoning Director at a salary of \$62,000 per year. Mr. McNeil would be the official Zoning Administrator for the County until the Planning and Zoning Director position was filled. There weren't any adjustments to the budget due to a change in the wage and salary of the employees in the county. The request was also not accompanied by a salary and wage resolution since it was a temporary appointment to the position until Mr. McNeil retired from the County in February. The \$62,000 was a reduction in the salary that had been paid to Mr. Schnell when he occupied that position. This was part of the reason there was no adjustment needed to the budget. It was projected that when a new person was hired into this position, they would start out at a salary lower than what Mr. Schnell's salary was as well.

Commissioner Johnson stated with someone being appointed on the interim, there was not normally an increase of the pay to make the adjustment. There were also more people in the office that would have to step up to the plate and help out with the extra workload. There was a concern that they would not be compensated for the extra work until someone else was hired.

Administrator Lawson stated that the County was also currently looking for a Planner to fill the vacancy that would be created when Mr. McNeil retired in February 2018. This would leave two vacancies at that

time, if someone was not hired in. There were some logistics things that needed to happen in the office to allow the department to be reorganized in an effective manner for the County. He had already spoken with the staff from the department and it was scheduled for the agenda in December. If someone was not hired into this position by the time Mr. McNeil retired, there would be a need to appoint someone else into the position.

Motion by Commissioner Newman seconded by Commissioner Gouine to appoint Mr. McNeil as Interim Planning and Zoning Director and official Zoning Administrator of the County at a salary of \$62,000 per year. Motion carried with 7 yes, 0 no and 0 absent.

Citizens Comments

Carl Muscott citizen of Tuscarora Township stated he wanted to address that Cheboygan County has had a Community Development Director for the past 10 years and Planning and Zoning was in a shambles. He has followed this boathouse shelter amendment, particularly, because he had seen people storm out of a meeting when they did not get a variance from the ZBA and he has worked as hard as he could on this. Some of the problems have been settled. There were hundreds of survey post cards sent out with a good response. Mr. Muscott was in agreement with the Board of Commissioner's to remand the ZOA #142 back to the Planning Commission. There were no ordinances that allowed Pet Grooming, Beauty Shops, or a Village Center. A lady was granted approval for Pet Grooming in one building, which fell thru and now this month, she had to go back to the ZBA for another variance of use. This was hardly business friendly. He stated he appreciated the Board dealing with all of the State mandated stuff, but at the same time, the City of Gaylord in the last three or four years have been getting \$12 to \$15 million dollars per year of new commercial investments. A lot of this could have come here if the County was more open to it.

Board Member Comments

Commissioner Wallace thanked Greg Clark for being there. He stated that the Board of Commissioners needed to review the Opioid Litigation Proposal submitted by Sommers Schwartz P.C..

Administrator Lawson questioned if the Board of Commissioners wanted to move forward with a decision to be made about the Opioid Litigation at the December 12th meeting. The best avenue would be to put an RFP out, to give a chance for any legal firm to submit a proposal. It may very well be that they have already heard from the best, but he wanted to keep it under the County's protocol. Correspondence had already been received from another firm. Commissioner Sangster questioned the report stats, which were misleading. For instance, one of the pharmacies mentioned might be used by Vital Care who takes care of a lot of elderly patients. He suggested putting together a Committee to work with other Federal Agencies quarterly. In the past as Mayor, the City had a good relationship with the Coast Guard and a couple of the other groups. He thought that this was important for this unit of governments to keep those avenues open. It was the consensus of the Board for him to develop this with the help of Administrator Lawson.

Administrator Lawson questioned if the Board of Commissioner would like to have a work session at the December 20th Planning Commission meeting at 7 P.M. Their agenda was light and this was the next best date. It was the consensus of the Board for him to put them on the agenda.

Motion by Commissioner Wallace, seconded by Commissioner Newman to adjourn to the call of the Chair. Motion carried with 7 yes, 0 no and 0 absent. Meeting adjourned at 12:32 P.M.

Karen L. Brewster
Cheboygan County Clerk/Register

John B. Wallace
Chairperson Board of Commissioners