

**COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
February 12, 2019**

The Finance/Business Meeting of the Cheboygan County Board of Commissioner was called to order in the Commissioners Room by Commissioner Wallace at 9:32 a.m.

Roll called and a quorum present

Present: Commissioners Mary Ellen Tryban, Richard Sangster, Michael Newman, Cal Gouine, John Wallace, and Steve Warfield.

Absent: Commissioner Roberta Matelski

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

Motion by Commissioner Tryban, seconded by Commissioner Sangster, to approve the agenda as presented. Motion carried with 6 yes, 0 no and 1 absent.

Motion by Commissioner Newman, second by Commissioner Gouine, to pull G) 1. Bay County Resolution and move it to 11) Old Business.

- A. Approve Monthly Finance Claims (Finance Total = \$142,275.95; Prepaid Total = \$1,316,795.86.)
- B. Budget Adjustments as follows:
 - 2019 Inter-department Budget Transfer
 - 1. From 260-351 to 260-351 totaling \$104
 - 2019 Raise Revenues/Expenditures
 - 1. Fund 101 total budget increase of \$2,684
 - 2. Fund 269 total budget increase of \$848
 - 3. Fund 272 total budget increase of \$1,200
 - 4. Fund 595 total budget increase of \$4,212
- C. Investment Report
- D. SRR-2020 MDOT Annual Application – Resolution #19-03
- E. Michigan Veterans Affairs Agency's County Training Requirement
- F. Top O Michigan Outboard Racing Club Request for Waiver of "No Wake"
- G. Correspondence:
 - 1. ~~Bay County Resolution for a Revision of Medicare Prescription Bill of 2003~~
 - 2. Jackson County Resolution in Opposition of the MI Indigent Defense Commission
- H. Minutes:
 - 1. Organizational Meeting 1/2/19, Finance/Business Meeting 1/8/19 & Committee of the Whole Meeting 1/22/19
 - 2. NCCMH– 12/20/18
 - 3. City Council Meetings – 12/11/18 & 1/8/19
 - 4. Health Board Meeting – 12/18/18
 - 5. County Road Commission – 12/20/18, 1/3/19, County Public
 - 6. Hearing 12/20/18 & Organizational Meeting 1/3/19
 - 7. County Fair – 12/3/18
 - 8. NEMCOG – 12/20/18
 - 9. NEMCSA – 12/7/18

10. Planning Commission – 12/5/18, 12/19/18 & 1/2/19
11. ZBA – 8/22/18 & 9/26/18

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

CITIZENS COMMENTS

Louis Vallance citizen of the City of Cheboygan and Grant Township commented on Straits Regional Ride and what their policy was for public transportation when the schools were closed. Commissioner Gouine commented that he was on the Board for SRR, which has a policy for the safety of passengers. If the bus drivers feel that it is not safe to transport children, then it is also not safe to transport other individuals.

SCHEDULED VISITORS - None

Finance Director's Report

Finance Director James Manko stated that there would be no General Fund Revenue and Expenditure Report for December 31, 2018 because the 2018 year-end adjustments were still being posted. Also the Cash Summary by Fund Cash for December 2018 would not be presented until all the 2018 adjusting entries are posted, as cash balances could be affected. The Summary of all budget adjustments posted from July 1, 2018 through December 31, 2018 will be presented at the March 12, 2019 Board of Commissioner's Finance Business Meeting.

Administrator's Report

Administrator Jeff Lawson gave an update on the Jail Project. The general contract is nearing completion of the final punch list items. The security contractor is currently in the process of completing computer programming for the door and intercom operations. The projects will be primarily completed by March 1, 2019. The general contractor will have some exterior landscaping and door weatherization to complete in the spring.

Administrator Jeff Lawson gave an update on the NLEA Broadband Consortium. The County has participated in discussions with the NLEA and partner Counties concerning the creation of a Broadband Consortium over the past two years and approved a preliminary resolution of support to form a consortium this past summer. The goal of the consortium is to provide another tool/option for companies to get high speed internet and to provide a comparison pricing option with their current provider. The consortium would work to provide access to high speed internet for business and economic development. A draft of the consortium agreement is currently under review by the staff and legal counsel. The tentative date for the Board's consideration is at the March 12, 2019 Finance Business Meeting. Discussion was held on what Broadband can do and what it would look like.

Administrator Jeff Lawson gave an update on the Emergency Repair Loans. Staff is working with MSHDA to modify the County's housing repair loan program guidelines. The State has discontinued housing loan grants throughout many areas of the State. The State will only permit the expenditure of program income received from past loans to be spent on emergency repair. This is required when more than \$35,000 is collected within a year. If less than \$35,000 is collected, funds must be transferred to the General Fund going forward. The County may allocate these funds to housing loans that are not subject to State guidelines.

The County collected slightly over \$35,000 at the end of the last measurement date in July 2018. Once the program guidelines are modified, these funds can be spent on emergency repairs. The funds must be programmed and expended by the end of June 2019 or balance must be returned to the State. Amended guidelines are planned to be presented for Board approval in March.

Administrator Jeff Lawson presented an update on the Inverness Township and City of Cheboygan proposed 425 Agreement to provide water and sewer service to property for a proposed Meijer store. There was an article in the newspaper, which stated that there was a new draft of the document that was sent to Meijer representatives for their review. He had talked with City Manager Tom Eustice who said he would be able to come in to give an update to the Board at a March meeting. The county is involved in the sewer portion of the agreement and would be involved in any modifications.

Sheriff Clarmont presented an update on the front security door. The front security door is up and running with the part time employees. The walk through magnetron was purchased. However, we are still waiting on the company to send us the cable so that the control box can be switched. Then there is an issue with the company not having a representative up north to do that. Administrator Lawson stated staff has taken the online course to be certified and when the cable is delivered, it can be installed. Then if there were any complications, a technician would have to come up from the Detroit area to hook that up. Sheriff Clarmont commented that there has been very positive feedback since there were employees manning the door.

COMMITTEE REPORTS

Commissioner Sangster attended a NEMCSA meeting where they were reviewing housing, an Alcona Health Advisory Board meeting and a Straits Regional Ride meeting.

Commissioner Gouine attended a Planning Commission meeting, Straits Regional Ride meeting, Inverness Township meeting and a Fair Board meeting. He asked about getting a separate line item for off session events, so the profit could go toward projects. It is a younger Fair Board and they would like to do some projects at the fairgrounds. Administrator Lawson commented it would be a Board decision. The Fair Board also would like to have a mechanical bull at this year's Fair, but they were checking on insurance issues before committing to that. Administrator Lawson commented that if they would provide the information, staff would look into it.

Commissioner Newman commented that he had attended a variety of meetings with one of the most notable being the SANE meeting, which they were looking at to perhaps increase their staff of personnel and funding. They were also going to approach some of the other departments and venues that do not contribute and request that they do. There was even talk about approaching Charlevoix County to see about them coming back.

Commissioner Warfield attended a Road Commission meeting.

Commissioner Wallace handed out a January 2019 Michigan Works Northeast Consortium Newsletter. He reminded the Board that they were trying to schedule a meeting with all of the public officials regarding emergency operations to be held in June 2019 at the Emmet County Fairgrounds from 5:30 – 8:30 P.M.

OLD BUSINESS

Commissioner Gouine commented on the Bay County Resolution for a Revision of Medicare Prescription Bill of 2003 and asked for the Board to approve a resolution supporting this.

Motion by Commissioner Gouine, seconded by Commissioner Warfield to approve a resolution supporting the revision of the Medicare Prescription Bill of 2003. Motion carried with 6 yes, 0 no and 1 absent.

NEW BUSINESS

Administrator Jeff Lawson presented the Cheboygan County Fair Agreement - Michigan Monster Truck Shootout. The Fair Board would like the County to enter into an agreement with the Michigan Monster Truck Shootout in the base amount of \$9,600 and a 50%/50% grandstand event gate split for amounts above the base amount for a Monster Truck Show during the Fair on August 9, 2019.

Motion by Commissioner Sangster, seconded by Commissioner Gouine, to approve the Michigan Monster Truck Shootout Agreement and authorize the Chair to sign. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Planning and Zoning Director Michael Turisk presented the Cheboygan County Zoning Ordinance Amendment #150 – an Ordinance to Amend the Cheboygan County Zoning Ordinance No. 200 Relative to Solar Energy Systems. Amendment #150 intends to govern the siting and development of various Solar Energy Systems in Cheboygan County, including systems intended for wholesale and off-site energy distribution. Broadly speaking, Amendment #150 seeks systems design, development and implementation that aims to ensure appropriate siting and project compatibility with existing and anticipated future area development by, for example, providing specifics regard Solar Energy Systems application submittal requirements and development standards.

The effort to draft Zoning Ordinance Amendment #150 began in early 2018 and with considerable oversight from legal counsel and the Planning Commission. On January 16, 2019, the Planning Commission held a public hearing, whereby, public comments were received and brief discussion was had on text refinements and several formatting edits. On February 6, 2019, the Planning Commission held a brief discussion regard the refinements, and unanimously voted in favor of forwarding Amendment #150 to the Board of Commissioners with a recommendation of approval as drafted.

Motion by Commissioner Gouine, seconded by Commissioner Sangster, to adopt

**CHEBOYGAN COUNTY
ZONING ORDINANCE AMENDMENT #150**

**AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200
RELATIVE TO SOLAR ENERGY SYSTEMS**

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

Section 1. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Ordinance 200 is hereby amended to add the following definitions in their appropriate alphabetical locations which shall read in their entirety as follows:

ELECTRICAL ENERGY STORAGE SYSTEM

A system for storage of electrical energy (usually battery) for release and use in connection with a SES-PV System.

GENERATION STATION STEP-UP TRANSFORMER FACILITY

A security fenced compound including transformers, switching gear and all associated equipment necessary to accept low voltage, alternating current (AC) converted by inverters located within a Level 3 Solar Energy System and increase the voltage for high voltage transmission.

INVERTER

A device that converts direct current (DC) captured by solar panels into alternating current (AC).

LEVEL 3 SES-PV FACILITY PERIMETER

The boundary of the leased parcel(s) or any portion thereof upon which any solar panels, fencing, screening, equipment, support buildings, electrical storage system or service drives are located. The facility may be one contiguous unit or several non-contiguous parcels connected by an easement(s).

SOLAR ENERGY SYSTEM - PHOTOVOLTAIC (SES-PV)

All components and subsystems necessary to convert incident solar radiation into electric energy for immediate use on-site or for wholesale or retail sales off-site. Electrical energy storage systems may be integrated with these systems. Solar Energy Systems (SES-PV) are classified as follows:

- A. Level 1 SES-PV System – Any building mounted SES-PV System used to produce electrical energy primarily for on-site use in accordance with Section 17.30.6.A.
- B. Level 2 SES-PV System – Any ground mounted SES-PV System used to produce electrical energy for use primarily on-site in accordance with Section 17.30.6.B. Level 2 SES-PV Systems shall be subcategorized as follows:
 - i. Type I, Level 2 SES-PV System – Level 2 SES-PV Systems that include solar panel arrays larger than 1,333 square-feet, but smaller than 33,323 square-feet (0.765 acres).
 - ii. Type II, Level 2 SES-PV System – Level 2 SES-PV Systems that include solar panel arrays and their supporting equipment larger than 33,323 square-feet (0.765 acres).
- C. Level 3 SES-PV System – Any ground mounted SES-PV System used to produce electrical energy for wholesale distribution and use off-site in accordance with Section 17.30.6.C.

SOLAR FARM

A Level 3 SES-PV System, including the land upon which it is located, and related facilities such as road and fencing, generating electricity for wholesale distribution through the electric grid operated by a utility.

SOLAR INTEGRATED SYSTEM

Any solar energy system directly or indirectly connected to the commercial energy grid for the wholesale or retail sale of electric energy or on site self-consumption.

Section 2. Amendment of Sections 4.2, 6.2, 7.2, 8.2, 9.2, 10.2, 12.2, 13.2, 13A.2, 13B.2, 13C.2, 13D.2, 13E.2 and 14.2

Sections 4.2, 6.2, 7.2, 8.2, 9.2, 10.2, 12.2, 13.2, 13A.2, 13B.2, 13C.2, 13D.2, 13E.2 and 14.2 of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to add new subsections 4.2.4, 6.2.34, 7.2.2, 8.2.2, 9.2.10, 10.2.5, 12.2.6, 13.2.11, 13A.2.13, 13B.2.8, 13C.2.12, 13D.2.5, 13E.2.4 and 14.2.13, which shall read in their entirety as follows:

- 4.2.4 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 6.2.34 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 7.2.2 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 8.2.2 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 9.2.10 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 10.2.5 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 12.2.6 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 13.2.11 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 13A.2.13 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 13B.2.8 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 13C.2.12 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 13D.2.5 Level 1 SES-PV Systems in accordance with Section 17.30.6.A
- 13E.2.4 Level 1 SES-PV Systems in accordance with Section 17.30.6.A

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14.2.13 Level 1 SES-PV Systems in accordance with Section 17.30.6.A

Section 3. Amendment of Sections 4.2, 6.2, 7.2., 8.2, 9.2, 10.2, 12.2, 13.2, 13A.2, 13B.2, 13C.2, 13D.2, 13E.2 and 14.2

Sections 4.2, 6.2, 7.2, 8.2, 9.2, 10.2, 12.2, 13.2, 13A.2, 13B.2, 13C.2, 13D.2, 13E.2 and 14.2 of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to add new subsections 4.2.5, 6.2.35, 7.2.3, 8.2.3, 9.2.17, 10.2.6, 12.2.7, 13.2.16, 13A.2.20, 13B.2.14, 13C.2.17, 13D.2.16, 13E.2.5 and 14.2.14 which shall read in their entirety as follows:

- 4.2.5 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 6.2.35 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 7.2.3 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 8.2.3 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 9.2.17 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 10.2.6 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 12.2.7 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13.2.16 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13A.2.20 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13B.2.14 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13C.2.17 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13D.2.16 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13E.2.5 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 14.2.14 Type I, Level 2 SES-PV Systems in accordance with Section 17.30.6.B

Section 4. Amendment of Sections 4.3, 6.3, 7.3., 8.3, 9.3, 10.3, 12.3, 13.3, 13A.3, 13B.3, 13C.3, 13D.3, 13E.3 and 14.3

Sections 4.3, 6.3, 7.3, 8.3, 9.3, 10.3, 12.3, 13.3, 13A.3, 13B.3, 13C.3, 13D.3, 13E.3 and 14.3 of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to add new subsections 4.3.10, 6.3.18, 7.3.19, 8.3.18, 9.3.26, 10.3.3, 12.3.5, 13.3.11, 13A.3.9, 13B.3.6, 13C.3.10, 13D.3.8, 13E.3.9 and 14.3.14 which shall read in their entirety as follows:

- 4.3.10 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 6.3.18 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 7.3.19 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 8.3.18 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 9.3.26 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 10.3.3 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 12.3.5 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13.3.11 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13A.3.9 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13B.3.6 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13C.3.10 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13D.3.8 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 13E.3.9 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B
- 14.3.14 Type II, Level 2 SES-PV Systems in accordance with Section 17.30.6.B

Section 5. Amendment of Sections 6.3, 7.3, 8.3, 9.3 and 10.3

Sections 6.3, 7.3, 8.3, 9.3 and 10.3 of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to add new subsections 6.3.19, 7.3.20, 8.3.19, 9.3.27 and 10.3.16 which shall read in their entirety as follows:

- 6.3.19 Level 3 SES-PV Systems in accordance with Section 17.30.6.C
- 7.3.20 Level 3 SES-PV Systems in accordance with Section 17.30.6.C
- 8.3.19 Level 3 SES-PV Systems in accordance with Section 17.30.6.C
- 9.3.27 Level 3 SES-PV Systems in accordance with Section 17.30.6.C
- 10.3.16 Level 3 SES-PV Systems in accordance with Section 17.30.6.C

Section 6. Amendment of Article 11.

Article 11 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 11.7, which new section shall read in its entirety as follows:

SECTION 11.7 SOLAR ENERGY SYSTEMS

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Solar Energy Systems shall be allowed in the Natural Rivers Protection District (P-NR) as provided in this Section.

11.7.1 A Level 1 SES-PV System shall be a permitted use in accordance with Section 17.30.6.A.

11.7.2 A Type I, Level 2 SES-PV System shall be a permitted use in accordance with Section 17.30.6.B.

11.7.3 A Type II, Level 2 SES-PV System shall be a use requiring a special use permit in accordance with Section 17.30.6.B.

Section 7. Amendment of Article 17

Article 17 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add Section 17.30., which shall read in its entirety as follows:

SECTION 17.30 SOLAR ENERGY SYSTEMS – PHOTOVOLTAIC (SES-PV)

17.30.1 PURPOSE

The purpose of this Section is to promote the development of renewable solar energy resources in Cheboygan County, and promote economic development, protect the health, safety and welfare and prevent adverse impacts on the agricultural, water, recreational, scenic and wildlife resources of the county while furthering the State of Michigan's renewable energy goals. This Section will address Solar Energy Systems – Photovoltaic (SES-PV) for a range of applications, from strictly on-site utilization to wholesale distribution off-site, and will provide guidance on the planning, design, construction, operation and subsequent decommissioning of solar facilities at the end of their economic lives.

17.30.2 GENERAL PROVISIONS APPLICABLE TO ALL SOLAR ENERGY SYSTEMS

Code Compliance:

Any SES-PV Systems shall meet or exceed any applicable standards and regulations of the International Fire Code as amended, the National Electric Safety Code as amended and any other applicable regulations of the state and federal government with the authority to regulate solar energy systems in effect at the time of SES-PV System approval.

17.30.3 APPLICATION REQUIREMENTS

In addition to the application requirements of Article 18 and Article 20 of this Ordinance, an application for site plan review and/or special use permit for SES-PV Systems shall be required to furnish all of the following information unless expressly indicated otherwise.

1. Level 1 SES-PV Systems shall require the following:

A site plan review for any electrical storage system associated with the Level 1 SES-PV to include the type, size and location of all components in addition to the requirements of Section 20.10.

2. Type I, Level 2 SES-PV Systems shall require the following:

A. Site plan review per the requirements of Section 20.10. for any Type I, Level 2 SES-PV System that includes panels in the solar collection array less than 1,333 square-feet.

B. Site plan review for Type I, Level 2 SES-PV Systems that include panels in the solar collection array larger than 1,333 square-feet shall include the following information in addition to the requirements of Section 20.10.:

i. Information on the height, length and angle of panels in the solar collection array.

ii. The size, height, length, and location of solar arrays, parcel boundaries, setback lines and location of all buildings on site.

iii. The type, size, location and engineering specifications for any energy storage system proposed to be part of the Type I, Level 2 SES-PV System.

3. Type II, Level 2 SES-PV Systems shall require the following:

Special use permit per the requirements of Section 18.7. The application shall also include the following information:

i. All land/timber clearing proposed.

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- ii. The percentage of private farm land to be used.
 - iii. Access or service roads to be developed.
4. Level 3 SES-PV Systems shall require a special use permit in accordance with Section 18.7. and a site plan review in accordance with Section 20.10.

The following information shall be required in addition to that required in Section 18.7. and Section 20.10.:

- A. Project Description:
Identify the Level 3 SES-PV Facility perimeter of the project development area, maximum rated power output, safety and noise characteristics of the individual components of the system, including inverters and transformers system including the transmission line/grid connection. Identify the project construction timeframe, project life, potential development phases and potential future expansions.
- B. Visual Impacts:
Graphically demonstrate the visual impact of the project using digital and/or photographic renditions with consideration given to required setbacks and proposed landscaping.
- C. Waste:
Identify any solid or hazardous waste generated by the project and provide a disposal plan for such waste.
- D. Lighting:
Provide a plan showing all lighting within the facility. All lighting shall be in compliance with the standards of Sections 3.7.1 and 20.10h.
- E. Transportation Plan:
Provide a proposed access plan to be utilized during construction and operational phases. The plan must show proposed project service road ingress and egress locations to adjacent roadways. Due to infrequent access following construction, it is not required to provide for paved curbs and gutters on access drives unless required by the State Department of Transportation or County Road Commission.
- F. Public Safety:
Identify emergency and normal shutdown procedures, potential hazards to adjacent properties, public roadways and to the general public that may be created.
- G. Engineering and Installation:
A preliminary design layout shall be provided to include standard drawings of the structural components of the solar farm and any electrical storage system in support of the Level 3 SES-PV System, including base and footings along with engineering data and calculations to demonstrate compliance with the applicable approval standards of this Ordinance.
- H. Drainage and Soil Erosion:
 - i. The application shall show compliance with stormwater runoff and soil erosion control requirements and shall demonstrate how solar panels shall be positioned to prevent erosion.
 - ii. The application shall also demonstrate how vegetative cover will be maintained under and around the solar panels.
- I. Impervious Surface/Stormwater:
If more than 8,000 square-feet of impervious surface will be located on the site, the application shall require a drainage plan prepared by a registered civil engineer showing how stormwater runoff from hardstand areas will be managed and demonstrating that runoff from the site will not exceed the natural runoff rate or otherwise cause undue flooding. Material Safety Data Sheets (MSDS) shall be supplied for all hazardous materials to be used on site. Any necessary permits from outside agencies for off-site discharge or disposal shall be provided. Solar panels are not considered impervious.
- J. Safety Access:
A security access plan shall be provided with the application for Level 3 SES-PV Systems. Lockboxes and keys shall be provided for any locked entrances for emergency personnel access to any locked fenced portions of the facility.

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K. County Review:

Because of the ever-changing technical capabilities of photovoltaic solar panels and of new technology in general, the County Planning Commission will have the authority to review and consider alternatives in both the dimensional and physical requirements contained in this Section as part of the special land use review process.

L. Telecommunications Infrastructure:

Identify any electromagnetic fields that are generated that will interfere with electronic communication devices located outside the perimeter of the facility.

M. Final Decommissioning and Reclamation Plan:

A decommissioning and reclamation plan shall be developed and furnished to the Planning Commission describing actions to be taken at the end of the Level 3 SES-PV System's useful life or in the event of abandonment and termination of the project. The information shall include a description of how the following conditions shall be met:

- i. Removal of all non-utility owned equipment, including conduit buried at less than three (3) feet, structures, fencing, roads and foundations.
- ii. Restoration of the property to its original condition prior to construction of the Level 3 SES-PV System, subject to reasonable wear and tear. The owner of the leased parcel, however, may request the restored ground surface not to be revegetated, and may request that graveled areas, developed access roads, fences, vegetative screening and berms remain.
- iii. A timeframe for completion of decommissioning with specific timeframes specified for:
 - a) All above ground buildings, equipment and structures.
 - b) All below ground foundations and electrical cables.
 - c) Restoration of all ground surfaces not specifically exempt.
 - d) Furnishing a description and copy of any memorandum of lease or any other agreement(s) with the landowner(s) regarding decommissioning.
 - e) Providing a list of names, addresses and telephone numbers of persons or parties responsible for designating the contractor(s) responsible for decommissioning.
 - f) Providing a plan and schedule for updating the decommissioning plan every 5 (five) years.
 - g) Justification for the requested decommissioning time period requested must be sufficient to allow the Planning Commission to approve or revise the proposed decommissioning timeframe based on the material submitted.

17.30.4 APPLICATION REVIEWED BY ZONING ADMINISTRATOR

- A. The Zoning Administrator shall review the application and information submitted under Section 17.30.3 of this Ordinance within 15 business days to determine if all required information is provided. If the Zoning Administrator determines that the application is deficient, written notification shall be sent to the applicant identifying all deficiencies. Applications for Level 3 SES-PV Systems shall not proceed until all required information has been submitted.
- B. Once all the required information is submitted, the Zoning Administrator shall forward the application to the Planning Commission for review under the procedures of Section 17.30.3 and 18.5.

17.30.5 PUBLIC HEARING COMMENTS

Following receipt of a complete application for a Level 3 SES-PV System, the Planning Commission shall hold at least one (1) public hearing. Notice of the public hearing shall be provided per the requirements of Section 18.5. of this Ordinance.

17.30.6 STANDARDS AND CONDITIONS

17.30.6.A Level 1 Solar Energy Systems - Photovoltaic (SES-PV):

Level 1 SES-PV Systems can be placed on any building, and shall comply with all of the following:

- i. Permitted Districts: Level 1 SES-PV systems shall be permitted uses in all zoning districts.
- ii. Size: A Level 1 PV-SES PV System should be sized small enough that it does not exceed the customer's electrical needs on an annual basis, and can either be connected or not connected to the electrical grid operated by a commercial public utility provider.
- iii. Setbacks: Level 1 SES-PV Systems shall meet the setback requirements of the zoning district in which the building(s) on which they are mounted is located.

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- iv. Height Restrictions: Except for buildings with a flat roof, the placement of a Level 1 SES-PV System shall not exceed the height limitations of the building on which the system is placed. A Level 1 SES-PV System installed on a building(s) with a flat roof shall not be higher than ten (10) feet above the flat roof.
- v. Placement on residential structures: solar collection panels of any type shall be placed in accordance with Michigan Residential Code (2015 MRC, dated February 8, 2016 as amended).

See Diagrams in Enclosure 1

17.30.6.B Level 2 Solar Energy Systems - Photovoltaic (SES-PV):

Any ground-mounted solar energy photovoltaic system accessory to the primary or secondary use of any principal or accessory building(s) on a parcel or combination of contiguous parcels under the same ownership or control and producing electric power primarily for the use of the owner or tenant shall comply with all of the following requirements:

- A. Type I, Level 2 SES-PV Systems shall be permitted uses in all zoning districts.
- B. Type II, Level 2 SES-PV Systems (Systems that include solar panel arrays and their supporting equipment larger than 33,323 square-feet [0.765 acres]) shall be permitted in all zoning districts subject to special use permit approval.
- C. Location and Placement:
Level 2 SES-PV Systems may be located on any lot or lot of record to service each building on that lot or lot of record. However, Level 2 SES-PV Systems shall not be placed between the front lot line and the principal structure on the lot or lot of record.
- D. Size:
Level 2 SES-PV Systems should be sized small enough so that they do not exceed the customer's electrical needs on an annual basis, and can be connected or unconnected to the electrical grid operated by a commercial public utility provider.
- E. Setbacks:
All Level 2 SES-PV Systems shall comply with all setback requirements of the zoning district in which located.
- F. Height Restriction:
All Level 2 SES-PV Systems shall not exceed 16-feet in height when oriented at maximum tilt and as measured from the grade at the base of the system structures.
- G. Maximum Lot Coverage:
 - i. Level 2 SES-PV Systems on parcels of less than two (2) acres shall be limited to 50% of the area within the setback boundaries of the parcel after subtracting the areas covered by any building(s) on the parcel.
 - ii. Level 2 SES-PV Systems on parcels of two (2) acres or more with more than 1,333 square-feet of solar collection surface shall require a site plan review application in accordance with Section 20.10. If the solar array covers more than 33,323 square-feet (0.765 acres), setbacks shall be as follows:
 - a) 100 feet from any dwelling not owned by the owner of the proposed Level 2 SES-PV System. This setback may be waived upon written request of the owner of the dwelling.
 - b) 50 feet from any adjacent parcel boundary not abutting a public or private road.
 - c) 50 feet from any public or private road right of way.
 - d) 500 feet from any major body of water as listed in Section 10.1.2.
 - e) 40 feet from any perennial stream, other than those listed in Section 10.1.2, shown as part of the Lake and Stream Protection (P-LS) zoning district.

17.30.6.C. Level 3 Solar Energy Systems - Photovoltaic (SES-PV):

Level 3 SES-PV Systems shall be allowed in the Commercial Development (D-CM), Light Industrial Development (D-LI), General Industrial Development (D-GI), Agriculture and Forestry Management (M-AF) and Lake and Stream Protection (P-LS) zoning districts. All Level 3 SES-PV Systems and associated electrical storage facilities shall comply with the following requirements:

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A. Setbacks:

- i. All Level 3 SES-PV Systems along with their supporting structures, inverters and supporting buildings and equipment (excluding fencing, vegetative screening, berms, roads, underground cables and generator system step-up transformer facilities) shall comply with the following setbacks:
 - a) 100 feet from any dwelling. This setback may be waived or reduced if requested by the owner of the dwelling to be screened.
 - b) 50 feet from any Level 3 SES-PV Facility perimeter not abutting a private or public road unless requested to be waived by the property owner of the parcel to be screened.
 - c) 50 feet from any public or private road right of way..
 - d) 500 feet from any major body of water as listed in section 10.1.2.
 - e) 40 feet from any perennial stream, other than those listed in Section 10.1.2, shown as part of the P-LS zoning district. However, underground cables may be allowed if permitted by the Michigan Department of Environmental Quality (MDEQ) and the Army Corps of Engineers.
- ii. The generator system step-up transformer facility and any electrical storage facility shall meet the following setbacks:
 - a) 500 feet from any dwelling.
 - b) 250 feet from any public or private road abutting the Level 3 SES-PV Facility perimeter or bisecting the project.
 - c) 500 feet from the ordinary high water mark of any body of water listed in Section 10.1.2.
- iii. All tree plantings utilized for screening shall have setbacks of seven (7) feet from any property line, public or private road right(s)-of-way, utility or driveway easement(s) or the Level 3 SES-PV Facility perimeter. The seven (7) foot setback shall be measured at the time of planting from the center of the trunks of the trees used for screening.
- iv. Fencing shall be no closer than one (1) foot from any property line, public road right(s)-of-way, utility or driveway easement(s) or the established Level 3 SES-PV Facility perimeter. Fencing is considered a security measure and cannot be considered as adequate screening for a Level 3 SES-PV System.

B. Vegetative Screening and Landscaping:

- i. Level 3 SES-PV facilities abutting a public or private road or property line of an adjacent parcel shall comply with the following requirements:
 - a) Screening shall be required along any public or private road right(s)-of-way and opposite any dwelling on the same or adjacent parcels unless the owner of the dwelling to be screened requests in writing otherwise.
 - b) Evergreen coniferous trees or a combination of trees and berms shall be the minimum acceptable methods of screening wherever screening is required.
 - c) Minimum height at time of planting requirements for trees utilized for screening are as follows:
 1. Trees planted opposite a dwelling shall be a minimum of eight (8) feet tall at the time of planting. The tree height may be reduced by one (1) foot for each one (1) foot in the height of the berm on which it is planted, i.e., the total of the berm and tree height must be a minimum of eight (8) feet in height. If the road bed is elevated above the surrounding land surface at the location requiring screening, tree tops shall be at least eight (8) feet above the road surface.
 2. Tree height at the time of planting shall not be allowed to be reduced below four (4) feet in height regardless of berm height (see Figure 2).
 3. Trees planted for screening along road rights-of-way not opposite a dwelling shall require a minimum height at the time of planting of five (5) feet.
- ii. Buried electrical cables within easements used to connect noncontiguous parcels with the Level 3 SES-PV facility, although an integral part of the facility, shall not require screening regardless of proximity to any dwelling.
- iii. All tree plantings or combination of trees and berms utilized for screening opposite a dwelling shall extend 100 feet in either direction from a point on the Level 3 SES-PV facility perimeter directly opposite the midpoint of the opposing dwelling.

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- iv. In the event a property line lies within the road right(s)-of-way, setbacks shall be measured from the edge of the road right(s)-of-way.
- v. At road or driveway intersections, vegetative screening or combination of trees and berms or fences shall be established or maintained in a manner that does not obstruct the view of vehicular traffic in any direction. All right-of-way intersections shall be provided and maintained with a clear unobstructed vision corner extending not less than 20 feet from all right-of-way line intersections along said right-of-way line in the form of a triangle.
- vi. Natural vegetative screening is encouraged to be incorporated and maintained into the evergreen coniferous tree screening requirements per Section 17.30.6.C.B. However, natural vegetative screening shall be considered an addition to, and not a replacement for, the evergreen coniferous tree screening requirements.
- vii. All trees planted for screening shall be maintained in good condition for the life of the project. All dead, dying or diseased trees shall be replaced within one (1) year with trees in compliance with the standards set forth in this Section.

C. Noise:

No Level 3 SES-PV facility shall generate noise that, when measured at the Level 3 SES-PV Facility's perimeter, shall exceed 60 decibels (dBA). This standard does not apply during construction, routine equipment maintenance, repair or replacement, or at the time of decommissioning and reclamation.

D. Electrical Interconnection:

All electrical interconnections or distribution lines shall comply with all applicable codes and standards. Only existing above-ground transmission lines as well as above-ground transmission lines from the project generation station step-up transformer facility to the point of interconnection with transmission lines are permitted above ground. All other electrical interconnections shall be buried unless other requirements are determined at the time of building permit review

E. Height Restriction:

Level 3 SES-PV solar collection panels with their support structures shall not exceed 20 feet in height when oriented at maximum tilt. All other structures except those within the generation station step-up transformer facility and associated transmission towers shall be limited to thirty-five (35) feet. Equipment within the generation station step-up transformer facility shall be exempt from height restrictions.

F. Performance Guarantee:

In conjunction with the approval of a Level 3 SES-PV System the Planning Commission shall require the owner of the Level 3 SES-PV System to furnish the County with a performance guarantee in the form of a cash deposit, certified check, irrevocable letter of credit or surety bond acceptable to the County in an amount equal to the estimated costs associated with removal of the Level 3 SES-PV facility, including all solar panels, supporting structures, inverters, transformers and all associated equipment in accordance with the decommissioning and restoration plan in Section 17.30.3.3.M. This performance guarantee shall be furnished prior to the construction of the Level 3 SES-PV System and may be combined with any performance guarantee required to be given to the owner of the site.

G. Final Reclamation:

Any Level 3 SES-PV System not operated for a continuous period of twelve (12) months shall be considered abandoned. The owner of any Level 3 SES-PV System that is abandoned as provided herein shall be removed from the property upon receipt of notice from the Zoning Administrator of such abandonment, or the end of operation under the terms and conditions of this subsection. The timeframe for final reclamation shall be determined and approved by the Planning Commission and made a condition of approval of the special use permit.

Except as provided herein, the Level 3 SES-PV System shall be removed from the property by the owner of the Level 3 SES-PV System, including all structures, equipment, components, and subsystems, except underground cables buried at a depth greater than three (3) feet. Berms and trees, service roads and fencing, however, if requested by the owner of the property on which the Level 3 SES-PV System is located, shall be permitted to remain. Furthermore, the property owner may request that the property on which the Level 3 SES-PV System functioned remain unvegetated.

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If the property owner on which the Level 3 SES-PV System is located obtains zoning approval for a Level 2 SES-PV System on the same property that incorporates a portion of a Level 3 SES-PV System, then that portion of the Level 3 SES-PV System incorporated into the approved Level 2 SES-PV System may remain as part of the approved Level 2 SES-PV System and the associated trees and berms allowed to remain. The owner of the Level 3 SES-PV System shall remediate the property to its condition immediately prior to the construction of the Level 3 SES-PV System, subject to reasonable wear and tear.

Failure to remove the Level 3 SES-PV System during the timeframe approved by the Planning Commission at a public hearing and made as a condition of approval of the special use permit shall be grounds for the County to remove the Level 3 SES-PV System as provided herein at the expense of the owner of the Level 3 SES-PV System.

Section 8. Severability

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 9. Effective Date

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

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

Planning and Zoning Director Michael Turisk presented the Cheboygan County Zoning Ordinance Amendment #151 –an Ordinance to Amend Cheboygan County Zoning Ordinance No. 200 Relative to Indoor Storage Facilities and Special Land Use Permit Procedures and Standards. Currently, The Zoning Ordinance restricts Indoor Storage Facilities to County primary roads and State trunk lines, per Section 17.27.3. (Indoor Storage Facilities). Amendment #151, however, would strike this language from the Zoning Ordinance, thus allowing expanded opportunities to establish this commercial land use.

Motion by Commissioner Gouine, seconded by Commissioner Newman, to adopt

CHEBOYGAN COUNTY ZONING ORDINANCE AMENDMENT #151

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 RELATIVE TO INDOOR
STORAGE FACILITIES AND
SPECIAL LAND USE PERMIT PROCEDURES AND STANDARDS

Section 1. Amendment of Section 17.27.

Section 17.27.3. of the Cheboygan County Zoning Ordinance No. 200 is hereby repealed in its entirety and reserved for future use.

Section 2. Amendment of Section 18.7.

Section 18.7. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

Section 18.7. Standards for Special Land Use Approval (**Rev. 02/12/19, Amendment #151**)

The Planning Commission shall approve, or approve with conditions, an application for a special land use permit only upon a finding that the proposed special land use complies with all of the following standards:

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of

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traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.

- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. ~~Minor residential streets shall not be used to serve as access to uses having larger area wide patronage.~~ Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.

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 6 yes, 0 no and 1 absent.

Planning and Zoning Director Michael Turisk presented the Cheboygan County Zoning Ordinance Amendment #152 – Rezoning property in Tuscarora Township from Agriculture and Forestry Management to Residential Development. The applicant, Ruth Wolf has requested rezoning that portion of the subject property located at 4359 Wilson Road in order to facilitate the creation of a dimensionally conforming lot.

Motion by Commissioner Sangster, seconded by Commissioner Gouine, to adopt

CHEBOYGAN COUNTY Zoning Ordinance Amendment #152

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

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

Section 1 -- Amendment of Section 3.9.1

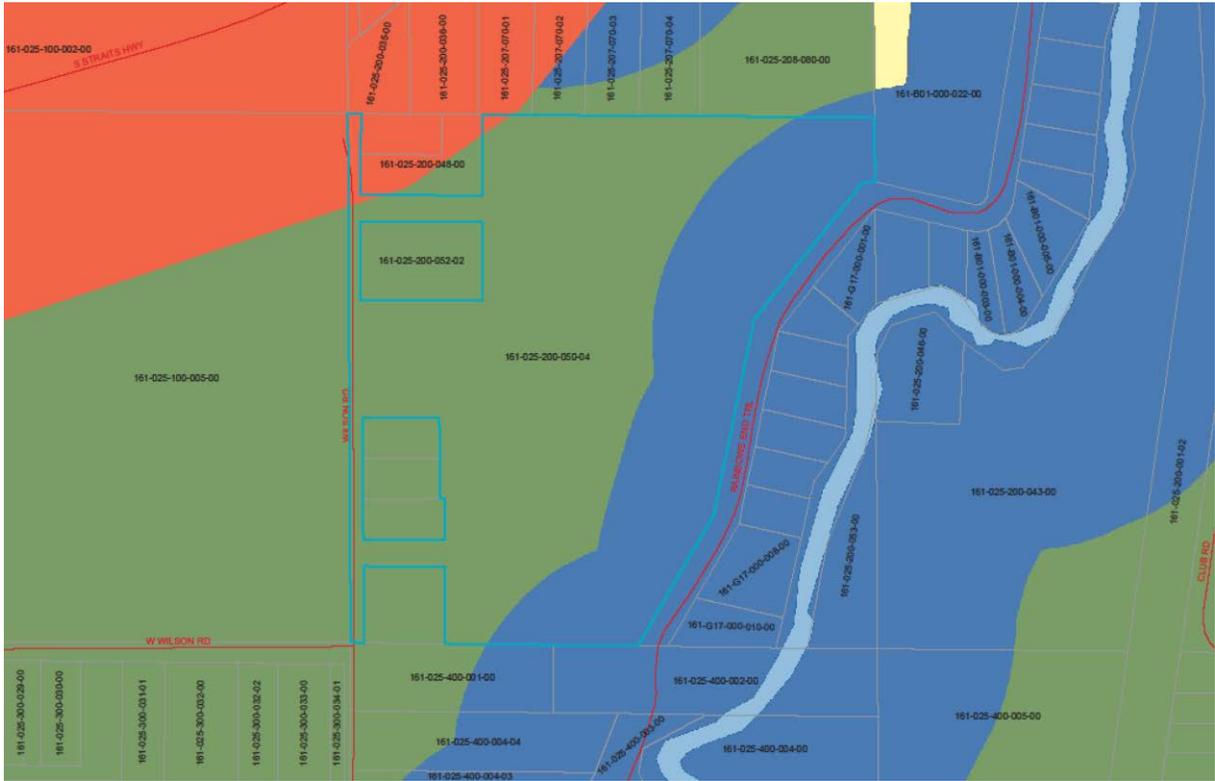
The zoning map incorporated into the Cheboygan County Zoning Ordinance No. 200 by Section 3.9.1 is hereby amended to rezone property located in Tuscarora Township, Cheboygan County from Agriculture and Forestry Management (M-AF) to Residential Development (D-RS). The land to be rezoned is described as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

Parcel #161-025-200-050-04

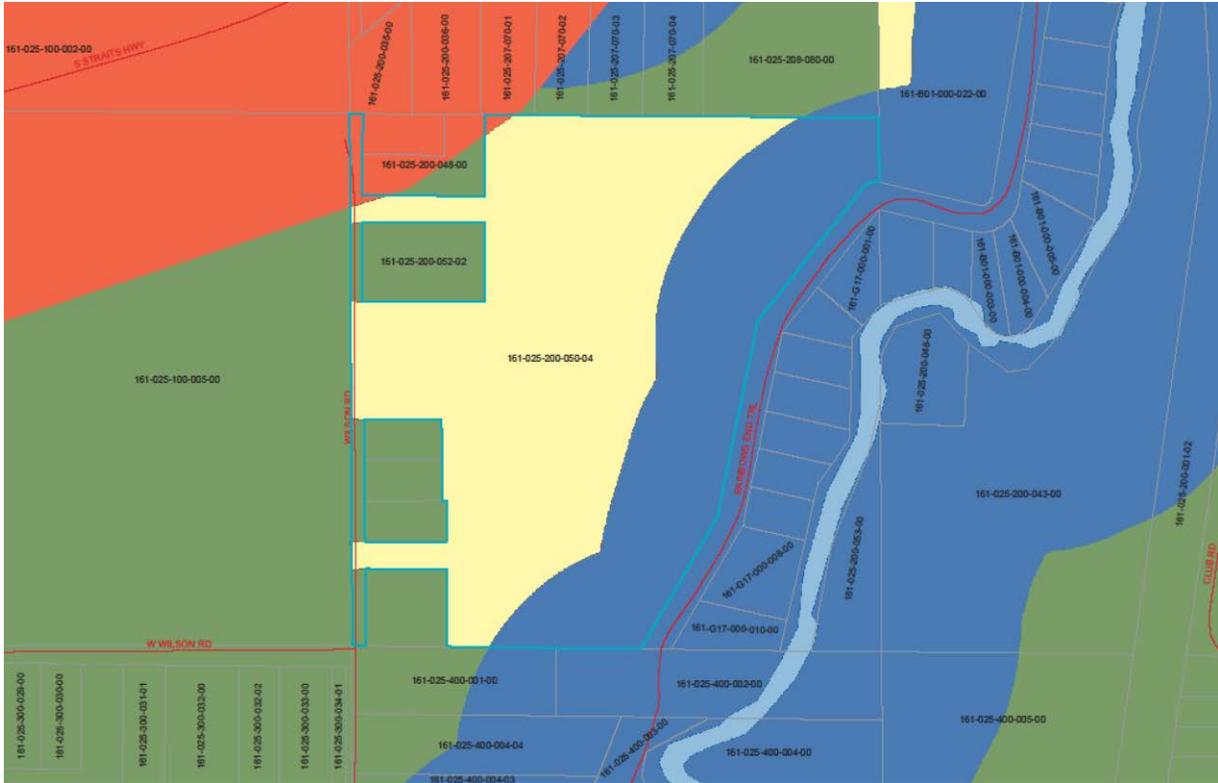
COM CEN 1/4 COR SEC 25, T35N, R3W; TH S 87D 53M 30S E 33FT TO ELY R/W CO RD; TH N 1D 47M 30S E ALG SD R/W 554.90FT TO POB; TH N 1D 47M 30S E 100FT; TH S 87D 59M 40S E 200FT; TH S 1D 47M 30S W 100FT; TH N 87D 59M 40S W 200FT TO POB. **AND** BEG 333FT E OF NW COR SW1/4 OF NE1/4; TH S 200FT; TH W 300FT; TH S 66FT; TH E 190FT; TH S 196FT; TH W 190FT; TH S 200FT; TH E 200FT; TH S 100FT; TH W 10FT; TH S 200FT; TH E 10FT; TH S 100FT; TH W 200FT; TH S 66FT; TH E 200 FT; TH S 189.26FT; TH E ON 1/4 LI TO WLY LI OF GIBSON'S STURGEON RIVER SUB; TH NELY ON WLY LI SD SUB TO E 1/8 LI; TH N TO NE COR OF SW1/4 OF NE1/4; TH W ON N 1/8 LI TO POB. *EXC: COM AT A PTE 854.37FT N 1D 47M 30S E & 223FT S 87D 59M 40S E

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FROM CEN POST; TH N 1D 47M 30S E 196FT; TH S 87D 59M 40S E 110FT ALG S LI OF A 66FT WIDE EASEMENT;
TH S 1D 47M 30S W 196FT; TH N 87D 59M 40S W 110FT TO POB, PT OF SW1/4 OF NE1/4. COMBINED ON
08/22/2007 FROM 161-025-200-050-03 & 161-025-200-052-00; 941/640; 1266/295



Map depicting the property (center and outlined in blue) prior to rezoning (Parcel# 161-025-200-050-04)



Map depicting the property after rezoning to Residential Development (D-RS) shown in yellow

Section 2 -- Severability

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 3 -- Effective Date

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

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

Sheriff Dale Clarmont presented the Cheboygan County Sheriff Department 2019 Vehicle Proposal. The Cheboygan County Sheriff Department is requesting the Cheboygan County Board of Commissioners approval of the purchase of three (3) patrol vehicles for 2019.

Motion by Commissioner Sangster, seconded by Commissioner Warfield, to approve the purchase of thee (3) Ford Police Interceptor vehicles from Fernelius Auto Group of Cheboygan totaling \$120,900 from the approved 2019 Budget line item #101-301-977.60 and authorize the necessary budget adjustments. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Finance Director James Manko presented the County-Wide Central Services Indirect Cost Plan. The contract to prepare the county-wide central services indirect cost plan has expired this year. When researching our options on consulting firms to complete these services, we received a multi-year quote from MGT of America, Inc. (our current provider, who is based in Tallahassee, FL). MGT currently provides Cost Plan Services to 43 Michigan Counties all of

the assigned staff members would be from Bay City, MI. MGT also handles our Monthly IV-D billings for the Prosecuting Attorney's office and the Friend of the Court's office. Based on the facts that all of the MGT staff is working on these services housed in Michigan and they have provided great service over the past seven years, it is our recommendation to award the multi-year agreement to MGT of America, Inc.

Motion by Commissioner Newman, seconded by Commissioner Tryban, to award the three (3) year (County FY 2018-2020) consulting services bid to MGT of America, Inc. in the total amount of \$21,900, to provide the County-Wide Central Services Indirect Cost Plan and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Administrator Jeff Lawson presented Resolution #19-04 to Purchase, Acquire and Construct Capital Improvements and to publish a Notice of Intent to Issue Municipal Securities – CCE 911 Radio Project. This resolution begins the process to issue municipal securities to secure funding to purchase and construct radios and radio equipment to finance the County's share of the CCE 911 radio system upgrade for the use by CCE 911 and Cheboygan County emergency service providers. The resolution identifies that the County can borrow a principle amount up to \$2,900,000 to finance all or a portion of the project. Once the resolution is approved a Notice of Intent to Issue Bonds is published in the newspaper. Discussion was held on which vendor was being used for purchases.

Motion by Commissioner Sangster, seconded by Commissioner Newman, to adopt

**County of Cheboygan
State of Michigan
Resolution #19-04**

WHEREAS, the County of Cheboygan (the "County") proposes to issue its tax-exempt bonds in one or more series (collectively, the "Bonds") to finance the cost of the County's share of the CCE 911 Central Dispatch Authority's ("CCE") purchasing, installing, maintaining, and replacing capital improvement items, including but not limited to, radios and radio equipment for use by the CCE and Cheboygan County emergency service providers and to upgrade radio system infrastructure, including, but not limited to, tower improvements and tower equipment required by the upgraded radio equipment, as well as other capital improvement items as determined by the County (the Project); and

WHEREAS, it is anticipated that the County will advance all or a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the County intends by this resolution to qualify amounts advanced by the County to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED that:

The County hereby declares its official intent to issue its limited tax general obligation bonds in one or more series in the aggregate principal amount of not to exceed \$2,900,000 (the "Bonds") to finance all or part of the cost of the Project. The County hereby declares that it reasonably expects to seek reimbursement for its advances to the Project as anticipated by this resolution.

The County Clerk is hereby instructed to publish the notice attached hereto once in a newspaper of general circulation in the County of Cheboygan, which notice shall not be less than ¼ page in size in such newspaper.

The firm of Dickinson Wright PLLC is employed as bond counsel to the County with respect to the Bonds.

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All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

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

CITIZENS COMMENTS - None

BOARD MEMBERS COMMENTS - None

Motion by Commissioner Newman, seconded by Commissioner Sangster, to go into closed session pursuant to Section 8(h) of the Open Meetings Act, being MCL 15,268(h), to consider the written memo from our attorney dated 12-28-18, which is exempt from disclosure by Section 13(1) (g) of the Michigan Freedom of Information Act, being MCL 15.243(1) (g), since this memo is subject to the attorney-client privilege. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Entered into Closed Session at 10:46 a.m.

Returned to Open Session at 11:03 a.m.

Motion by Commissioner Sangster, seconded by Commissioner Tryban, to release the memorandum dated December 28, 2018 from Civil Counsel Bryan Graham for Open Public Disclosure. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Motion by Commissioner Gouine, seconded by Commissioner Newman, to adjourn to the call of the Chair. Motion carried with 6 yes, 0 no and 1 absent. Meeting adjourned at 11:07 a.m.

Karen L. Brewster
County Clerk/Register

John B. Wallace
Chairperson