

**Cheboygan County Board of Commissioners
Committee of the Whole Meeting
October 22, 2019**

The Committee of the Whole meeting of the Cheboygan County Board of Commissioners was called to order in the Commissioners Room by Chairperson John Wallace at 9:33 a.m.

Roll called and a quorum present.

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

ABSENT: None

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

Motion by Commissioner Sangster, seconded by Commissioner Gouine, to approve the agenda deleting 6B. Lt. Ken Mills – Sane 2018 Annual Report and adding Pam Woodbury – Update on CCE 911 800 MHz Project. Motion carried with 7 yes, 0 no and 0 absent.

CITIZENS COMMENTS - None

SCHEDULED VISITORS/DEPARTMENT REPORTS

Cheboygan County Drain Commissioner Cam Cavitt presented his 2019 Annual Report. This was pursuant to the Michigan Drain Code of 1956 (Public Act 40) Section 31. This act requires that each Drain Commissioner shall make an annual report and present to the Board of Commissioners the financial statements for each drainage district. Mr. Cavitt stated that Cheboygan County still did not have an organized drainage district as defined by the Michigan drain code and Cheboygan County still did not assess any taxes, fees or special assessments for drainage purposes on its citizens. Application and procedures for establishing drainage districts were available through his office. High water levels continue for the Great Lakes region. Multiple record high levels were set in 2019 resulting in increased risks from erosion and coastal flooding. His office will continue to partner with local, state, federal, tribal and other stakeholder groups to help prevent and mitigate damages to local riparian's and county infrastructure. He will continue to foster intergovernmental cooperation to reduce costs and provide more efficient services. There are various statutes and state acts that are in place to help maintain and enhance our amazing water resources. As one responsible for maintaining these, he would like to bring to the Boards attention; The Michigan Natural Resource and Environmental Protection Act (ACT 451) commonly referred to as NEREPA, The Michigan Lake Level Act, and Michigan Inland Lake Improvement Act. Both are part of Act 451. These are tools policy makers use to help riparian owners. Lakes of all types experience some degree of water level fluctuation. Many natural lakes have legally established lake levels for the purpose of seasonally manipulating water levels. Black Lake has a Circuit Court order stating that the lake is to be a certain level in the summer and winter. As one responsible for maintaining these water resources, the Office of Drain Commissioner in Cheboygan must maintain financial stability, transparency, inter-governmental cooperation and public education. An update on the Black Lake Water Levels, Silver Lake Water Levels and Storm Water Issues were given. This past July he had the privilege of being invited to the White House to listen to the President's speech about the legacy of conservation and protection of the environment. Discussion was held on the Smith Rapids.

CCE 911 Director Pam Woodbury gave an update on the 800 MHz Project. The 800 MHz project was moving along very well. Also everything is moving along with the infrastructure piece, with just one hiccup with the Charlevoix County tower, which was going to be installed at the Sheriff's Department. There was an issue with the airport having a grass runway off of that area and the FAA was good with it, however, the Michigan Tall Structure Act denied it. Currently, other locations are being looked at in Charlevoix that will give them the coverage. As far as in Cheboygan County, everything is going well with the Topinabee tower. Time line wise, CCE 911 is still in good shape. As far as the subscriber piece of it, TAC Committee has been working hard on the templates for the radios so that the radios can be programmed. This is also on time for the August 2020 timeline to have the subscriber equipment ready and the dispatch equipment reprogramed. Currently, the dispatch center was being remodeled and has been moved downstairs to the conference room. The public safety software issues continue to be addressed. The CCE 911 Board approved RFP's to be sent out for new safety software that would work for the Tri-County consortium. CCE 911 worked in conjunction with the Charlevoix County Sheriff Department who applied for a grant. A Bryne JAG Grant was awarded for \$350,000 to put towards the purchase of software. A goal of January 2021 is set to go live with the new software. CCE 911 staffing is going well with one (1) dispatcher position to be filled.

ADMINISTRATOR'S REPORT

Administrator Jeff Lawson gave an update on the CCE 911 800 MHz project. Cheboygan County will be making the first payment on the 800 MHz radio system in January 2020 and the second payment with be made at the end of 2021.

Administrator Jeff Lawson gave an update on the Treasurer's Vault Wall Repair. Staff continues to work with Clark Construction to develop a repair plan for the Treasurer's vault wall. Clark has requested that MacMillan Associates an engineering firm that specialized in brick and block structural engineering conduct a 3D scan of the room to verify an opinion of cause and provide a recommendation of approach to repair. The site visit, report and scan will cost \$3,000. This can confirm the initial report conducted by Edgewater Design Group that clay brick growth is most likely the cause of the movement.

Administrator Jeff Lawson gave an update on Black Lake. The discussion between Black River Limited Partnership (BRLP) the owner of the Alverno Dam and the Black Lake Associations appears to be nearing an impasse. The Black Lake Preservation Society (BLPS) and the BRLP do not agree on the protocol of the process to try to obtain winter lake levels, specifically, prior to the spring thaw, which causes a spike in lake levels. Both parties have referenced past engineering reports as well as have provided a great deal of additional information and data that have not been certified by an engineer. Both parties appear to agree that the Alverno Dam has limited ability to control lake levels due to the restrictions at Smith Rapids. Staff has reviewed various emails from both sides requesting the County's endorsement of their proposed protocols. After discussion with legal counsel, staff recommends submittal of a letter to the Federal Energy Regulatory Commission.

Staff also met with representatives of Presque Isle County to discuss the status of the process.

Administrator Jeff Lawson presented on the Property Donation Offer. A property owner on Munro Lake has approximately a one (1) acre parcel with 160' of water frontage that the property owners would like to donate to the County for park and/or water access. The owners would place a restriction that the parcel must be developed for park use within ten years. Board

to look at information provided and to provide some direction to Staff at a later date. Discussion was held.

OLD BUSINESS - None

NEW BUSINESS

Administrator Jeff Lawson presented the Millage Rate Resolution, County Apportionment Report and Tax Resolution. He stated there are three (3) steps needed to take place for the collection of taxes. The Board needs to adopt a resolution for the millage rate that will be levied for 2019, adopt the apportionment report, and adopt the tax resolution. Every year the Board is required to direct the spread of taxes in terms of millage rates. The County apportionment report shows all the information in a columnar format. This report contains all the tax rates by all taxing authorities within Cheboygan County.

Motion by Commissioner Sangster, seconded by Commissioner Tryban, to adopt the following:

**Resolution 19-15
2019 MILLAGE RATE RESOLUTION**

WHEREAS, Cheboygan County has the authority to levy its own maximum allowable millage rate of 7.5277 mills distributed as follows: 5.7284 mills for General County Operations, 0.5000 mills for Senior Citizens Operations, 0.2993 for Ambulance, 1.0000 mills for Roads, and 0.5000 for CCE 911; and,

WHEREAS, it has been determined that to maintain basic county services, it will be necessary to levy the rate of 7.9784 mills; and,

WHEREAS, notice of the public hearing was given, and a public hearing was held as the County Budget Hearing:

NOW THEREFORE BE IT RESOLVED, that the County of Cheboygan shall levy the millage of 7.9784 for 2019.

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

Motion by Commissioner Tryban, seconded by Commissioner Warfield to adopt the 2019 Cheboygan County Apportionment Report as presented. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Sangster, seconded by Commissioner Tryban, to adopt the following resolution and authorize the Chair to sign.

**Resolution 19-16
TAX RESOLUTION**

BE IT HEREBY RESOLVED, that there be raised by taxation and that the Cheboygan County Board of Commissioners are hereby authorized and directed to spread upon the several assessment rolls and tax rolls of the County: County Tax, Township Tax, School Tax and any special taxes in the amounts as adopted by the County Board of Commissioners in the 2019 Apportionment Report. An amount of the above mentioned taxes not to exceed the schedule of millage as determined by the Apportionment Report adopted by the Cheboygan County Board of Commissioners at their annual meeting held on October 22nd, 2019.

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

Administrator Jeff Lawson presented the Remonumentation Grant Administrator. The Remonumentation grant requires a grant administrator for the program. Duties would be transferred to the Equalization Director.

Motion by Commissioner Tryban, seconded by Commissioner Matelski, to designate Elizabeth Zabik, County Equalization Director, as grant administrator for the Cheboygan County Remonumentation Program. Motion carried with 7 yes, 0 no and 0 absent.

County Clerk Register Karen Brewster advised that the terms of Greg Harwick (Republican) and Bobie Crongeyer (Democrat) on the Cheboygan County Board of Canvassers expire on October 31, 2019. Pursuant to MCL 168.24c she contacted the County Chair of each political party and requested three (3) names of nominees for the party's expiring seat on the Board. The following names were submitted by the Republican Party: Greg Harwick, Cynthia Curtis and William Hartwig. The following names were submitted by the Democratic Party: Bobie Crongeyer, Leonard Page and Max Boettger. The terms of these appointments were four (4) years, expiring on October 31, 2023. Clerk Brewster stated that under MCL 168.24c required the County Board of Commissioners to fill the two vacancies on the Board by electing a Republican and a Democratic member from the submitted names and the Michigan election law specified that the County Board of Commissioners use ballots when filling these seats. A ballot was distributed to each commissioner and were collected and tallied by the Clerk. Greg Harwick was elected as the Republican member and Bobie Crongeyer was elected as the Democratic member of the Board of Canvassers.

Probate Judge Daryl Vizina presented the Michigan Department of Health & Human Services Title IV-E Child Parent Legal Representation Grant Application. A federal grant leveraging Title IV-E funds through DHHS to improve the quality of legal representation for neglect and abuse cases. Cheboygan County is a rural community with a limited number of available attorneys. There are five (5) contract attorneys handling all of the Abuse & Neglect and Juvenile Delinquencies. The annual budget for the contract attorneys is \$88,500. Approximately 80% of the contract work is Abuse & Neglect. Currently, approximately 80% of the Abuse & Neglect cases have at least one child placed out of home: equating to \$56,640 from the budget spent on out-of-home placement cases. A conservative estimate of the penetration rate is 70%. Subtracting 50% puts the county at approximately \$19,800 to increase the compensation of the contract attorneys for the purpose of retention and recruitment of attorneys to serve on the contract.

This grant had an application deadline of 10/15/19 and after a judicial conference on 10/4/19 and a telephone conference with the State Court Administrator's office on 10/11/19, it was decided that it would benefit the contract attorneys and that Probate Court should apply for the grant.

Motion by Commissioner Sangster, seconded by Commissioner Warfield, to ratify the submitted Michigan DHHS Title IV-E Child and Parent Legal Representation Grant application, authorize the Finance Director to sign the contract and all future forthcoming documentation after review and approve by the Finance Director and Legal Counsel, if applicable, and authorize any necessary budget adjustments. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Jeff Lawson presented the Senior Millage Appropriation Agreements.

Motion by Commissioner Gouine, seconded by Commissioner Sangster, to approve the Senior Millage Appropriation Agreement for \$580,000 with Cheboygan County Council on Aging; the

Senior Millage Appropriation Agreement for \$8,000 with MSUE Project Fresh and; the Senior Millage Appropriation Agreement for \$59,892 with Wawatam Area Senior Centers, Inc. and authorizes the Chairperson to sign the agreements.

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

Administrator Jeff Lawson presented the Fairgrounds Event Agreement for National Amateur Retriever Club. The National Amateur Retriever Club would like the use of the campgrounds, restrooms, and fenced in area for exercising their dogs from June 4th – 22nd, 2020.

Motion by Commissioner Gouine, seconded by Commissioner Matelski, to approve the Fairground Event Agreement as presented and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Jeff Lawson presented the 2020 Salary & Wage Resolution – Non-Union Employees Resolution #19-17. Pay increases during 2016-2018 were based on a percentage of how far ahead or behind a position was as compared to the average wage of five (5) similar counties (Antrim, Charlevoix, Chippewa, Emmet and Otsego Counties) within the region. This resulted in a tiered wage increase range over the three (3) year period from 1% to 6% to bring and/or keep position at the regional comparable. Pay increases for 2019, the majority of position received a 3% increase. In order to keep pace with the regional wage comparable and cost of living increase for 2020, the majority of positions are recommended at a pay increase range between 2.5% - 3%.

To keep pace with the State minimum wage rates, we are recommending a raise in the base pay for seasonal employees in the Fair and Marina and part-time laborer employees in the Recycling Department. In addition to this change in base pay, returning employees will receive an additional \$.25.

The Circuit Court Administrator's wage rate was adjusted to be competitive with comparable counties in the region.

Probate Court/Juvenile Probation/Childcare Department, two position, Deputy Probate Registrar and Deputy Juvenile/Probate Registrar wage rates were adjusted to be competitive with comparable counties in the region.

The SAYPA Program has been renamed the Compass Academy as of 10/1/19. The Program Manager's wage rate has been adjusted to reflect the amount reported in the FY20 Childcare Budget. An increase in Childcare fixed cost reimbursements have been used to offset additional cost.

Several positions in Straits Regional Ride have been adjusted to be competitive with comparable transit agencies for retirement and retaining purposes.

Based on the aforementioned wage increases, changes were made to total pay in several departments for On Call, Part-Time Assistance and Overtime.

Motion by Commissioner Newman, seconded by Commissioner Matelski, to adopt the 2020 Salary and Wage Resolution – Non-Union General Employee #19-17 and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent. (Copy can be obtained from the County Clerk's Office).

BOARD MEMBER MATTERS FOR DISCUSSION

2020 Proposed Budget

Administrator Jeff Lawson presented the 2020 Proposed Budget and the process of adoption. Finance Director James Manko put together a general fund report, which also included general funds #102 and #108. He addressed some of the topics discussed at previous Board meetings, which included the impact of Governor Whitmer's vetoes and how it affects the budget. Legislature has introduced some supplemental appropriation bills. As of this morning, those have not gone forward. Over the next couple of months, these conversations will continue. Discussion was held with the Finance Director on putting the revenue that the County usually gets into the budget with a budget note in the narrative that this was happening due to the veto with the hope that it will be funded some time during the budget cycle. Through the years, the County has been conservative with the reserves. These figures were sent to MAC and over the next several weeks MAC will be meeting with the Governor's staff and all legislative officials. This is important for Cheboygan County to get a message through on what this impact will do to this County.

Discussion was held regarding Pension Costs; Health Insurance; additional appropriation request from the Animal Shelter and the Airport; a position was adjusted from 37½ hours to 40 hours in District Court, which position may or may not work that many hours each week; District Court has asked for some home visits to be done, which was being worked on by talking with the Sheriff to help find part-time employees to do some home visits for Sobriety Court for about six (6) to eight (8) hours per month; allocation at the end of the year to Economic Development; placement of a part-time Human Resource position and the wage allocated; placement of a part-time position in Planning and Zoning for the summer to do primarily soil sedimentations; Capital Improvements with the DHS Building; Marina; Fairgrounds and County Building and Board wages.

Administrator Lawson presented an update on the SRR Director position. Advertisement for the position has taken place along with interviews and he will be bringing a recommendation to the Board at the next meeting.

Finance Director James Manko stated that another item that was being considered was reviewing a proposal for leasing motor pool vehicles versus buying. Discussion was held on the advantages and disadvantages and with the concern of the local car dealerships not being able to sell vehicles to the County.

Sheriff Clarmont commented that some of the Sheriff's Departments that have an Enterprise Lease Agreement are now reconsidering ending them. The Sheriff Department rotates a maximum of three (3) or very seldom four (4) cars per year because of the many miles put on each of the vehicles. He didn't know that leasing for the Sheriff's Department was the way to go. The Sheriff's Department was still waiting for the two (2) new vehicles ordered in January.

CITIZENS COMMENTS

Louis Vallance citizen of Grant Township and the City of Cheboygan commented on the blind spots of the Straits Regional Rides buses with the low cab designs and before purchasing the

new buses to look at the functionality instead of the costs, continued noise issues with the handicap chair lifts and maintenance for water leakage on one of the buses. He also advised the Board of the bad water quality in downtown Cheboygan.

BOARD MEMBER COMMENTS

Commissioner Wallace commented on an email he received from Matthew O'Donnell Contractor regarding a recommendation from Lawrence Smith's proposal to the U.S. Board on Geographic Names to apply the name Quiet Island to the area north of the Michigan Inland Waters Way located in Emmet County and Cheboygan County. Further discussion on this topic was to be held at a later time. He asked the Board to review The Michigan Works! October Newsletter & September Stats/Recaps handout and also a handout on a study from the Michigan State University regarding "The Truth Behind Racial Disparities in Fatal Police Shootings".

Commissioner Warfield commented on the Cheboygan County Road Commissioner letter dated October 17th regarding the condition of the road name signs on County Roads. The Road Commission is requesting assistance with the purchase of materials to install new road name signs and posts on County Roads. This project would be completed in three (3) phases. The first phase would be installation of new signs on all the County Primary Roads (roads similar to Levering Road, Riggsville Road, Black River Road, and Wolverine Road) at an estimated cost of \$57,500 for materials. Phases 2 and 3 would be installation of signs on the local roads with an estimated cost of \$104,500 with labor being absorbed by the Road Commission. This would bring the signs up to the current standard size of dimensions and flexibility, but in addition to that the Road Commission is proposing to put the street numbers so that when you are driving down the street, you can see the house numbers on it such as the 200 block. This would be beneficial to the first responders in helping locate addresses. The Road Commission is doing as good a job as is to be expected with limited funding. This was a reasonable request on their part and the Board should give it consideration. Discussion was held on the history, whether it's appropriate for this Board to appropriate funds to the Road Commission and why this hasn't been kept up.

Administrator Jeff Lawson commented that the Road Commission did make a request approximately three (3) years ago that didn't get funded. Cheboygan County is not required to fund roads or road related projects. Staff would need to confirm if the County could make investments on projects.

Commissioner Matelski commented that she agreed that the road signs were terrible and there were a lot of missing signs, but questioned why this hasn't been kept up yearly. She also commented that she wasn't in favor of it.

Commissioner Warfield provided a copy of the Black River Road Detour traffic flow chart during the Gaynor Bridge Project. Mr. Vallance brought this to the Board's attention regarding the length of this detour. Commissioner Warfield met with Mr. Shank and reviewed this. The detour that the Road Commission currently proposed was a 17 mile detour, which was going to impact SRR, getting kids back and forth to school in the Onaway School District and law enforcement. When looking at this plan, why not just detour down South Black River Road. The Road Commission's plan is currently to repave that road simultaneously. He senses the dilemma of the position that this puts us in, but the Road Commission provided him with pretty sound reasoning why there weren't other alternatives. The Road Commission would be willing to move the South River Road pavement project back and allow the Gaynor Bridge Project to be

completed before the pavement project to eliminate this lengthy detour. The Road Commissioner also recognizes that they work in partnership with other entities and are willing to sit down and discuss this in greater detail.

Louis Vallance commented that this was going to majorly affect SRR with them possibly adding on additional buses to service the county's needs. The Mograin Bridge and the Mud Creek Bridge were structurally deficient, which is going to affect the detour.

Commissioner Gouine commented that he sees a growing frustration at the Planning and Zoning Board meetings because the director was not answering their questions.

Motion by Commissioner Sangster, seconded by Commissioner Gouine, to adjourn to the call of the chairperson. Motion carried with 7 yes, 0 no and 0 absent. Meeting adjourned at 11:41 a.m.

Karen L. Brewster
Cheboygan County Clerk Register

John B. Wallace
Chairperson