

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS  
FINANCE BUSINESS MEETING  
September 13, 2016**

The Finance/Business meeting of the Cheboygan County Board of Commissioners was called to order in the Commissioners Room by Chairperson Pete Redmond at 9:30 a.m.

Roll called and a quorum present.

**Present:** Commissioners Chris Brown, Bruce Gauthier, Pete Redmond, Cal Gouine, Tony Matelski, John Wallace, and Sue Allor

**Absent:** None

Commissioner Redmond held a moment of silence for the loss of State Representative Peter Pettalia.

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

Commissioner Redmond pulled Item 10-A *Board Appointments & Procedures Committee Report Regarding Elected Official 2017 Wages* and rescheduled it for the Board of Commissioners October Finance Business Meeting. Commissioner Redmond requested to move Item 5-B *Budget Adjustments* from the Consent Agenda to New Business Item G.

**Motion** by Commissioner Brown, seconded by Commissioner Allor, to approve the agenda as corrected. Motion carried with 7 yes, 0 no and 0 absent.

**Motion** by Commissioner Matelski, seconded by Commissioner Gouine, to approve the consent agenda as follows:

- A. Approve Monthly Finance Claims (Finance Total = \$37,000; Prepaid Total = 979,918.24)
- B. ~~Budget Adjustments~~ *New Business Item 5-B*
- C. Correspondence
  - 1. Letter from Business Representative Regarding Meijer
  - 2. Benton Township Correspondence
  - 3. NLEA August President's Report
  - 4. NLEA Photos from Community Luncheons
  - 5. NEMCOG Draft of 2016 Bylaws
- D. Minutes:
  - 1. Committee of the Whole Meeting of June 28, 2016; Finance/Business Meeting of July 12, 2016; and Committee of the Whole Meeting of July 26, 2016
  - 2. Health Board – 7/19/16
  - 3. NEMCOG – 8/18/16
  - 4. NEMCSA – 8/3/16
  - 5. North Country Community Mental Health – 7/21/16
  - 6. Cheboygan County Fair Board – 6/6/16 & 7/11/16
  - 7. Cheboygan County Road Commission – 8/4/16 & 8/18/16
  - 8. Cheboygan City Council – 7/26/16 & 8/9/16
  - 9. Planning Commission Meeting – 7/20/16, 8/3/16 & 8/17/16
  - 10. ZBA – 6/22/16 & 7/27/16

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

**CITIZENS COMMENTS**

Carl Muscott, a citizen of Tuscarora Township, addressed the Board to state that he was hoping that the Administrator would be presenting a County Animal Control Ordinance for the Board but instead he sees that there is a reason to not do it on advice of legal counsel. Mr. Muscott stated that the Board of

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Commission is in violation of the law because they have a contract for animal control but not an ordinance from which to operate animal control under.

Jamie Chimner, a citizen of the City of Cheboygan, addressed the Board to state that Tuscarora Township passed a resolution of support for citizens to have a choice for analog meters and they saw the resolution for what it was; to support our representative. Ms. Chimner said she is disappointed in the Board for their decision.

John Kurczewski, a citizen of Tuscarora Township, addressed the Board to state that in yesterday's newspaper there was an article about Tuscarora Township supporting the smart meter bill via resolution. Mr. Kurczewski stated that his own township board has more vision than the County Board of Commissioners. Mr. Kurczewski stated that in October, the Americans with Disabilities Act will officially recognize "electro-sensitivity" as a disability.

(?), addressed the Board to state that he is new to Cheboygan as of July and that the law library in the county building is inadequate and that he would like to see a computer equipped with either Lexis Nexis or Westlaw in the law library for public access so that he can do his legal research here.

**SCHEDULED VISITORS – None**

### **FINANCE DIRECTOR'S REPORT**

Finance Director Kari Kortz presented the revenue and expenditures report for the General Fund for the month ended July 31, 2016. She reported total year-to-date revenue of \$2,339,978.54, or 19.6% of budget, compared to \$2,557,023.86 or 21.7% of budget last year at the same time. Ms. Kortz reported expenditures year-to-date of \$6,302,700.87 or 52.79% of budget, compared to \$6,226,224.51, or 52.83%, last year as of the end July. Commissioner Gauthier asked if the lower receipt of revenues is because of an issue of timing. Finance Director Kortz stated that it is an issue of timing. Finance Director Kortz presented the cash summary by fund report as of the end of July 2016. Commissioner Brown asked why there is a back and forth effect with permit revenues causing shortfalls. Finance Director Kortz stated that it has to do with timing with expenses that build at the beginning of the year and then the fund receives revenues that come in the summer months and correct itself.

### **ADMINISTRATOR'S REPORT**

Administrator Lawson updated the Board on the DNR land purchase of a 40 acre parcel in Waverly Township from the Detroit and Mackinaw Railroad. Administrator Lawson stated that the DNR has requested written response from the Board identifying if the County has any concerns regarding the purchase and that staff is prepared to submit a letter identifying that the County does not have any concerns unless otherwise directed by the Board. Board consensus is to send a letter identifying that the County does not have concerns. Commissioner Brown asked if the land in question is currently assessed for property tax. Administrator Lawson stated that the land is owned by the railroad so he believes that it is tax exempt property.

Administrator Lawson updated the Board on Act 77 of 2016 which is legislation that would allow Counties to loan funds to Townships within the County for the purpose of funding a road construction project. Administrator Lawson stated that a request from Benton Township has been received by the Board to meet and discuss the borrowing of funds for a road project. Administrator Lawson stated that the County does not currently have a program to lend funds to townships but staff is prepared at the direction of the Board to identify the possible amount the County could make available for such a loan program and develop the procedures needed for Commission discussion and consideration at a future meeting. Board consensus was to put a plan together to identify procedures for lending money to townships for road construction projects. Legal Counsel noted that the townships would need to obtain a performance/payment bond to ensure repayment back to the County as a condition of lending money. Commissioner Brown recommended creating criteria for lending money to townships because if multiple townships apply for loans for road construction projects, it may be that there won't be enough money for all of them, so the County may need to prioritize. Administrator Lawson affirmed and stated that it would

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be part of the planning process to identify concerns and he is not sure that any other county has developed a process for lending money to the townships for road construction projects.

Administrator Lawson stated that the issue of whether Cheboygan County is in need of an animal control ordinance has come up in the past. Administrator Lawson stated that the issue has been discussed with legal counsel. Legal counsel stated that townships need an ordinance for authority to have an animal control operation and that the County has the legal right to adopt an Animal Control Ordinance but it is not under a legal obligation to have an ordinance for the County to carry out or contract for such services as the Dog Law of 1919 as well as other State law provides authority to Counties to carry out these duties. Commissioner Matelski stated that the issue seems to be that the contract that the townships have with the Humane Society does not state that it is for animal control and the townships would like a contract that does state that that is what it is for because township money is being spent for animal control. Legal counsel advised for the townships to consult with their township attorneys. Discussion was held.

Administrator Lawson stated that the 9-1-1 Radios steering committee has held two meetings to gather information and identify questions to answers within the report and that 9-1-1 staff has started to develop the outline of the report and that the Board will be kept up to date for when they have more information.

Administrator Lawson stated that the Cheboygan County Economic Development Corporation will meet on September 15, 2016 at 2:00 PM and that the EDC will meet to review and discuss the goals and objectives of the organization.

Administrator Lawson stated that requests for sealed bids to complete Phase Two renovations at the Animal Shelter were advertised from mid-July to the August 30, 2016 bid opening. Administrator Lawson stated that only one bid was received from a company in Traverse City, MI in the amount of \$371,000 which exceeds the projected budget for the remaining components of the project. Administrator Lawson stated that because of the low response to the bid request and the one bid amount that was received, staff has rejected the bid. Administrator Lawson stated that staff is scheduled to meet with the Architect and Humane Society staff to discuss restructuring the project to bid in sub components directly with subcontractors to maintain projected budget costs for the project. Administrator Lawson stated that the County needs to stay competitive with the bid.

Administrator Lawson stated that a request for sealed bids for a general fleet vehicle was advertised from mid-July to August 31, 2016. Administrator Lawson stated that bid notices were also sent to local car dealers to provide an opportunity to receive a local bid competing against State bid pricing. Administrator Lawson stated that only one bid was received from a down state dealer and staff is currently verifying State bid pricing for the equivalent 2017 vehicle to compare costs. Administrator Lawson stated that a general fleet vehicle has not been purchased in over six years so at least one vehicle needs to be replaced per year.

Administrator Lawson stated that the Hazard Mitigation Plan for Charlevoix, Cheboygan and Emmet Counties was recently reviewed by FEMA prior to final approval by the Counties and Municipal Units within the region and it was originally supposed to be presented to the Board today but FEMA has identified recommended changes to the plan prior to final adoption. Administrator Lawson stated that Emergency Management staff is currently in the process of making the recommended changes and the plan will be presented for adoption at a future Board meeting. Commissioner Redmond stated that he spoke with Megan, Emergency Management Director, today and the changes recommended by FEMA have been made.

Commissioner Allor asked how many vehicles the County owns in their general fleet. Administrator Lawson responded that if the two vehicles for the Equalization Department are included there are five generally rotated vehicles and the rest are assigned to the departments, with 20 - 22 vehicles in the entire fleet. Administrator Lawson stated that the vehicles are replaced based on the age of the vehicle and the miles. Commissioner Allor asked if there is a need to have 20 – 22 vehicles in the fleet. Administrator Lawson stated that when the vehicles are assigned to the departments, the use of the vehicles is variable based on their schedules but there are general rotation vehicles sitting in the lot on occasion available for departments that don't have vehicles assigned to them normally and that use is also variable.

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Administrator Lawson stated that the general fleet has been reduced by two vehicles over the last five years and we haven't purchased anymore.

### COMMITTEE REPORTS

Commissioner Brown attended a Burt Township meeting, a Board Appointments and Procedures Committee meeting where the Elected Officials wages for 2017 were discussed and reported that Mackinaw City saw nearly 60,000 people for Labor Day Weekend festivities.

Commissioner Wallace reported that 9-1-1 remains steady and the 800-megahertz radios will be addressed with law enforcement first. Commissioner Wallace handed out a Michigan Works "report card" to the Board. Commissioner Wallace commented on the Northern Michigan Regional Entity.

Commissioner Allor reported attending a District No. 4 Health Dept. Board meeting and a Cheboygan County Council on Aging meeting.

Commissioner Gauthier attended a Board Appointments and Procedures Committee meeting where the Elected Officials wages for 2017 were discussed, a City Council meeting, an Alcona Health Center meeting, a MAC Regional Summit meeting in Gaylord, MI, an NLEA Meet & Greet, an Elected Officials meeting, and a presentation from the Michigan EDC regarding an application to the Michigan Main Street Program.

Commissioner Gouine attended a Fair Board meeting and an Inverness Township Board meeting.

Commissioner Matelski attended two Planning Commission meetings, two Road Commission meetings, a Waterways Commission meeting, a Zoning Board of Appeals meeting, an Elected Officials meeting, a DNR meeting, an Aloha and Grant Township meeting and an MTA meeting.

Commissioner Redmond attended the NLEA luncheon in downtown Cheboygan, a Benton Township meeting, worked on Kids Day at the Cheboygan County Fair, an Executive Director meeting for District No. 4 Health Board, a Waterways Commission meeting, and an Elected Officials meeting.

**OLD BUSINESS** – None

### NEW BUSINESS

Mike Couture, Straits Regional Ride Director, presented the five-year Straits Regional Ride MDOT Master Agreement 2017 – 2022.

**Motion** by Commissioner Gauthier, seconded by Commissioner Brown to approve the five-year Master Plan between the Cheboygan County Board of Commissioners and Michigan Department of Transportation Contract No. 2017-0032 and authorize the Chairperson to sign along with any other required resolutions. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

County Planner Scott McNeil presented Zoning Ordinance Amendment #135 regarding uses to be deleted and updated. Commissioner Matelski stated that he thought the requirement for saw mills being operated in an enclosed structure would come out of the zoning ordinance as most portable saw mills are run with a gasoline engine. Mr. McNeil stated that the Planning Commission wasn't sure in the operation of those and wanted to leave that option in there but that if it isn't practical it could probably come out. Legal counsel clarified that it's an option and that if the saw mill is operating outside it has to be 100 feet inside of the lot line or in an enclosed structure if closer to a lot line. Commissioner Brown asked if there have been a lot of complaints regarding the noise coming from saw mills resulting in the need to accommodate with a 100 foot setback for noise from them in the zoning ordinance. Mr. McNeil stated that it is a matter of following through with one of the Planning Commission priority recommendations of the Master Plan.

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**Motion** by Commissioner Gauthier, seconded by Commissioner Matelski to adopt Zoning Ordinance Amendment #135 based on Planning Commission recommendation of approval and supported by the Cheboygan County Master Plan. And the amendment will take effect 8 days after being published in a local newspaper. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

**ZONING ORDINANCE AMENDMENT #135  
AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200**

**Section 1. Amendment of Section 2.2.**

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definitions in their appropriate alphabetical location which shall read in their entirety as follows:

**CAMPING CABIN**

A cabin located within a campground which is intended for temporary (thirty (30) days or less) shelter and includes sleeping quarters, may include a bathroom, but does not include a kitchen.

**GARDENING**

Non-commercial production of flowers, fruit, vegetables, and herbs.

**PORTABLE SAWMILL**

Equipment for the purpose of sawing logs into lumber, designed to be conveniently portable rather than permanently fixed in place.

**Section 2. Amendment of Section 2.2.**

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to change the following definitions which shall read in their entirety as follows:

**CAMPGROUND**

An area of land under the control of a person or other legal entity, in which pre-established sites are offered for the use of the public, private groups, or members of an organization, a fee or other compensation for the establishment of temporary living quarters for two (2) or more camping cabins, tents, travel trailers, motor homes, or other types of recreational vehicles.

**MOTEL OR MOTOR INN**

A series of attached, semi-detached, or detached rental units containing bedroom, bathroom and closet space to provide lodging for thirty (30) days or less for a fee.

**Section 3. Repeal of Sections 4.2.9, 9.2.10, 10.3.3, 12.3.3, and 13E.2.9**

Sections 4.2.9, 9.2.10, 10.3.3, 12.3.3, and 13E.2.9 of the Cheboygan County Zoning Ordinance No. 200 are hereby repealed and reserved for future use.

**Section 4. Amendment of Sections 4.2., 10.2.2. and 13E.2.2.**

Sections 4.2.2., 10.2.2. and 13E.2.2. of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

4.2.2 Gardening, 10.2.2. Gardening, 13E.2.2. Gardening

**Section 5. Amendment of Section 14.2.4**

Section 14.2.4. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows;

14.2.4. Existing forest production and forest harvesting operations, log storage yards and related activities

**Section 6. Amendment of Section 14.2.10**

Section 14.2.10 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows;

14.2.10 Portable sawmill subject to provisions of Section 14.4.2.

**Section 7. Amendment of Section 14.4.**

Section 14.4. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 14.4.2. to read in its entirety as follows;

14.4.2. The use of Portable sawmills is hereby authorized as a permitted use in the Rural Character/Country Living zoning district when all of the following requirements and standards are met:

- a. This Section shall not apply to, nor shall it prohibit, a portable sawmill used for the purpose of sawing logs into lumber from one's own trees on one's own property.
- b. The location and operation of a portable sawmill shall take place within an enclosed structure which is in compliance with all applicable provisions of the zoning ordinance or shall be located and operated at least one hundred (100) feet from any lot line.
- c. All storage, loading, unloading and other activities related to a portable sawmill shall be set back a minimum of fifty (50) feet from any lot line. The storage of logs, lumber and other materials shall be sufficiently contained and placed so as to prevent any adverse effect upon adjacent property owners.
- d. All activities related to a portable sawmill shall be limited to one hundred and twenty (120) days on a lot.

**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.

County Planner Scott McNeil presented Zoning Ordinance Amendment #136 regarding planned projects.

**Motion** by Commissioner Matelski, seconded by Commissioner Brown to adopt Zoning Ordinance Amendment #136 based on Planning Commission recommendation of approval and supported by the Cheboygan County Master Plan. And the amendment will take effect 8 days after being published in a local newspaper. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

CHEBOYGAN COUNTY ZONING ORDINANCE AMENDMENT #136

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE No. 200 TO PROVIDE DEFINITIONS FOR NON-RESIDENTIAL USE, PLANNED PROJECT AND RESIDENTIAL USE AND PROVIDE STANDARDS AND APPROVAL REQUIREMENTS FOR PLANNED PROJECT USES IN ZONING DISTRICTS WHERE PLANNED PROJECTS ARE ALLOWED.

**Section 1. Amendment of Section 2.2.**

Section 2.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definition in its appropriate alphabetical location, which new definition shall read in its entirety as follows:

Non-Residential use.

Any use allowed in the current Cheboygan County Zoning Ordinance which does not provide for a dwelling and is not an industrial use.

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### Planned Project.

A development of land which provides mixing residential and non-residential uses which are permitted uses or uses which require a special use permit in the zoning district in which a Planned Project is located. A Planned Project will have specific requirements and may be granted certain exceptions from some development standards.

### Residential use.

Any use allowed in the current Cheboygan County Zoning Ordinance which provides for a dwelling

### **Section 2. Amendment of Section 4.3.**

Section 4.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 4.3.12. which shall read in its entirety as follows:

4.3.12. Planned Projects subject to provisions of Section 17.28.

### **Section 3. Amendment of Section 6.3.**

Section 6.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 6.3.17. which shall read in its entirety as follows:

6.3.17. Planned Projects subject to provisions of Section 17.28.

### **Section 4. Amendment of Section 9.3.**

Section 9.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 9.3.25. which shall read in its entirety as follows:

9.3.25. Planned Projects subject to provisions of Section 17.28.

### **Section 5. Amendment of Section 14.3.**

Section 14.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 14.3.19. which shall read in its entirety as follows:

14.3.19. Planned Projects subject to provisions of Section 17.28.

**Section 6. Amendment of Article 17.** Article 17 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 17.28., which shall read in its entirety as follows:

### **Section 17.28. PLANNED PROJECTS**

**SECTION 17.28.1. PURPOSE** The purpose of this section is to permit and encourage design flexibility, encourage innovation in land development and variety in design, layout, and type of structures constructed, achieve economy and efficiency with uses of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment and shopping opportunities. This section will enable both developers and Cheboygan County officials to propose and review site plans which include a mix of permitted uses that are compatible with the surrounding area and natural environment.

**17.28.2. Permitted Uses.** No use shall be approved for a Planned Project that is not a permitted use or a use which requires a special use permit in the zoning district in which the Planned Project is proposed.

**17.28.3. General requirements.** All applications and plans submitted for a Planned Project shall adhere to the following requirements:

1. In the Residential Development, Agriculture and Forestry Management and Rural Character/Country Living zoning districts non-residential uses may not exceed twenty (20) percent of the developable land area of the Planned Project. Nonresidential uses may be allowed up to thirty five (35) percent of the developable land area of the Planned Project if the Planning Commission finds that the proposed nonresidential uses are compatible with the surrounding land uses.

2. In the Commercial Development zoning district residential uses may not exceed thirty five (35) percent of the developable land area of the Planned Project. Residential uses may be allowed up to fifty (50)

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percent of the developable land area of the Planned Project if the Planning Commission finds that the proposed residential uses are compatible with the surrounding land uses.

3. Proposed uses shall be designed and located as to promote appropriate interaction between uses and limit or buffer incompatibilities with proposed uses and existing uses. A Planned Project shall be designed to create a single integrated and controlled development at its completion and at the completion of each phase of development, if phased development is approved.

4. All parcels of land within a Planned Project shall be controlled by one owner or the application shall be filed jointly by all property owners.

5. A Planned Project shall consist of five (5) contiguous acres or more in area.

6. Any non-residential use shall maintain a perimeter setback of not less than 30 feet from any adjoining or abutting property with a residential use.

7. A designated common open space comprised of no less than 15% of the total developable area to be used for recreational, park, or environmental amenities for collective enjoyment by occupants of the development shall be required. Open space shall not include public or private streets, driveways, or utility easements: provided, however, that up to ten (10) percent of the required open space may be composed of open space on privately owned properties dedicated by easement to ensure that the open space will be permanent.

8. Minimum lot size for a dwelling in a Planned Project proposed in the Commercial Development zoning district shall be the same as required in the Residential Development zoning district.

**17.28.4. Pre-application Conference.** Prior to the submittal of a Planned Project application, the applicant is encouraged to schedule a pre-application conference with the Cheboygan County Zoning Administrator to discuss the purpose and effect of this Ordinance and the criteria and standards herein. At this pre-application conference, the applicant is encouraged to provide the Zoning Administrator a concept plan. This concept plan should include information on the types and placement of structures, utilities and public facilities, and recreational facilities; minimum lot sizes; densities; landscaping and environmental treatment; pedestrian and auto circulation; the compatibility of the proposed development with surrounding uses; and such other information local administrative agencies and legislative bodies may require to gain a satisfactory understanding of the proposed development. Following this pre-application conference, the Zoning Administrator shall present the concept plan, if any, with a report to the Cheboygan County Planning Commission at their next regular public meeting for their information, review and comment. The applicant may schedule an informal informational meeting with the Planning Commission at a regular meeting of the Planning Commission, but no official action shall be taken at such meeting. A special meeting of the Planning Commission may also be scheduled at the request of the Planning Commission with applicable fees paid by the applicant.

### **17.28.5. Approval procedure.**

In addition to meeting the general standards for special use permit approval under Section 18.7. of this Ordinance, a Planned Project shall also meet the requirements of this section and other applicable requirements of the Cheboygan County Zoning Ordinance No. 200 unless granted an exception by the Planning Commission pursuant to Section 17.28.6.

### **17.28.6. Exceptions to parking space, dwelling floor area, lot size, and setback**

**requirements.** Except to the extent that a Planned Project or a portion of a Planned Project is subject to area regulations mandated by a state agency, a Planned Project may be granted exceptions by the Planning Commission to the minimum lot size, minimum yard setbacks, and minimum dwelling floor area requirements of the underlying zoning district required under section 17.1. and minimum number of off-street parking spaces required under Section 17.4. if the Planning Commission finds that the proposed dimensional regulations will not be detrimental to the public health, safety, or welfare of the future occupants of the Planned Project, the surrounding neighborhood or the county as a whole. Exceptions are limited to the following extents:

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1. The minimum lot size for a dwelling shall not be reduced by more than thirty (30) percent of that required in the underlying zoning district.
2. Minimum yard setbacks shall not be reduced by more than thirty (30) percent of that required in the underlying zoning district. No exception to the perimeter setback requirement as provided in subsection 17.28.3.6. shall be granted.
3. Required parking spaces shall not be reduced by more than thirty (30) percent of the parking space requirement for each proposed use. In no case shall a dwelling have less than two (2) parking spaces. In reducing required parking spaces, the Planning Commission may require the reservation of a portion of the Planned Project developable land area for future parking.
4. Minimum dwelling floor area requirements may be reduced by no more than thirty (30) percent of that required in underlying zoning district.

### **17.28.7. AMENDMENT OF PLANNED PROJECT SPECIAL USE PERMIT**

The owner of property for which a Planned Project special land use permit has been approved shall notify the zoning administrator of any desired change to the approved special use permit. Minor changes may be approved by the zoning administrator upon determining that the proposed revision(s) will not alter the basic design and character of the special land use, nor any specified conditions imposed as part of the original approval.

1. Minor changes shall include the following:
  - a. Reduction of the size of any building and/or sign.
  - b. Movement of buildings by no more than twenty (20) feet. Movement of signs shall be reviewed according to the requirements for a zoning permit as per Section 21.3, provided all applicable provisions of this ordinance are met.
  - c. Landscaping approved in the special use permit that is replaced by similar landscaping to an equal or greater extent.
  - d. Any change in the building footprint of a building that does not exceed ten (10) percent of the building footprint of that building as originally approved by the Planning Commission, provided that the proposed addition does not alter the character of the use or increase the amount of required parking more than ten (10) percent. No more than two (2) approvals shall be granted by the Zoning Administrator under this subsection after the Planning Commission approves the original Planned Project special use permit application.
  - e. Changes related to subsections a through d. above, required or requested by Cheboygan County, or other state or federal regulatory agencies in order to conform with other laws or regulations, provided the extent of such change(s) does not alter the basic design and character of the special land use, nor any specified conditions imposed as part of the original approval.
2. All amendments to a planned project special land use permit approved by the zoning administrator shall be in writing. After approval by the zoning administrator, the applicant shall prepare a revised site plan showing the approved amendment. The revised site plan shall contain a list of all approved amendments and a place for the zoning administrator to sign and date all approved amendments.
3. An amendment to an approved Planned Project special use permit that cannot be processed by the zoning administrator under subsection 1 above shall be processed in the same manner as the original Planned Project special use permit application.

### **Section 7. Severability.**

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

### **Section 8. Effective Date.**

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

County Planner Scott McNeil presented Cheboygan County Capital Improvements Program (CIP). Commissioner Redmond noted that on the list of prospective projects that the Cheboygan Airport Authority maintenance building is listed as a \$300,000 project and was wondering if it is currently a project moving forward. Commissioner Brown said it is going to depend on grant funding. Administrator Lawson stated that there is quite a backlog of projects.

**Motion** by Commissioner Wallace, seconded by Commissioner Allor to approve the 2017 Capital Improvements Program based on Planning Commissioner recommendation. Motion carried with 7 yes, 0 no and 0 absent.

Finance Director Kari Kortz presented the 2017 Cheboygan County Traffic Enforcement Grant Application. Sheriff Clarmont noted that the County has participated in this Office of Highway Safety and Planning Grant for several years and allocates about 264 hours of overtime for Sheriff Deputies that the State of Michigan pays through the Office of Highway Safety and Planning for OWI/Seatbelt enforcement.

**Motion** by Commissioner Brown, seconded by Commissioner Gouine to approve electronic submission of the 2017 Cheboygan County Traffic Enforcement Grant application through the Michigan Office of Highway and Safety Planning, approve the necessary budget adjustments and authorize submission of any forthcoming agreements or required documentation, after review and approval by Finance Director and Civil Counsel, if applicable. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Lawson presented the Sheriff Department Jail Expansion Study regarding pre-architectural services. Administrator Lawson stated that Requests for Proposals were sent out for architectural companies to complete a Jail Expansion Study that will provide a preliminary site plan, floor plan and cost estimates for the proposed expansion to confirm costs feasibility before proceeding to construction drawings and project bidding. Administrator Lawson stated that five proposals were received from architectural companies with the low bid received from Landmark Design Group.

**Motion** by Commissioner Wallace, seconded by Commissioner Brown to authorize staff to aware the jail expansion study to Landmark Design Group, P.C. for the cost of \$9,920. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

### CITIZENS COMMENTS

John Kurczewski, a citizen of Tuscarora Township, addressed the Board to ask if the Department of Health and Human Services answers to the County Board of Commissioners. Mr. Kurczewski had an incident with a highly distressed woman who knocked on his door in early morning and he called the Department of Health and Human Services and was very disappointed with their response. Commissioner Redmond believes he may have called an office in Lansing at an "after hours" phone number and Commissioner Redmond suggests calling 9-1-1. Commissioner Matelski asked him for the phone number that he called. Mr. Kurczewski stated that the number is in the phone book. Sheriff Clarmont directed Mr. Kurczewski for whom to call for filing a complaint.

(?), addressed the Board to ask if he addressed the Board earlier in the appropriate setting to get the law library updated. The Board affirmed. Administrator Lawson stated that he would speak with staff about the accessibility of the law library.

### BOARD MEMBER COMMENTS

Commissioner Gauthier asked who has the authority to let the public use a computer with Westlaw in the law library. Administrator Lawson stated the he just needs to speak with the courts in the building about allowing public access on Westlaw and setting it up. Finance Director Kortz stated that she thought the issue was regarding that if Westlaw on the computers is open to the public it has to be available to the inmates in the county jail. Sheriff Clarmont stated that inmates have access to the law library books but

**Finance Business Meeting – September 13, 2016**

not computers. Finance Director Kortz stated that the county has to fund both law library books and Westlaw on a computer. Discussion was held.

Commissioner Matelski stated that he was approached at a meeting by someone concerned about the lack of lighting at the fairgrounds where people cross the road from the parking lot to the entrance of the fairgrounds. Commissioner Redmond stated that Administrator Lawson will look into that issue.

Commissioner Wallace stated that he was happy to report that Inland Lakes School District has signed an interim contract with Mark Dombrowski as Superintendent.

**Motion** by Commissioner Brown, seconded by Commissioner Wallace, to adjourn to the call of the Chairperson. Meeting adjourned at 11:06 AM.

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Mary Ellen Tryban  
Cheboygan County Clerk/Register

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Peter Redmond  
Chairperson