

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS  
FINANCE/BUSINESS MEETING  
February 11, 2014**

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

Roll called and a quorum present.

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

**Absent:** Commissioner Linda Socha (excused)

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

**Motion** by Commissioner Allor, seconded by Commissioner Gauthier, to approve the agenda as presented. Motion carried with 6 yes, 0 no and 1 absent (Commissioner Socha).

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

- A. Approve Monthly Finance Claims (Finance = \$52,783.91 Prepaid = \$1,569,948.09)
- B. Budget Adjustments
- C. Investment Report
- D. Straits Regional Ride – MDOT Contract 2012-0061/P8 – Operating Funds
- E. Correspondence
  - 1. State of Michigan DHS 2013-2014 Annual Plan and Budget for Child Care Funding
  - 2. Albert Township (Montmorency County) Master Plan Public Review
  - 3. Huron County Resolution Supporting HB5215
  - 4. Huron County Resolution Supporting HB5253
  - 5. Bay & Huron County Resolutions Supporting Restoration of Community Mental Health General Fund Appropriation
  - 6. Kalkaska County Resolution in Opposition to SB552
- G. Minutes:
  - 1. Organizational/Finance Business Meeting of January 14, 2014, and Committee of the Whole Meeting of January 28, 2014
  - 2. Health Board – 12/17/13
  - 3. NEMCOG – 2-21-13 Annual Meeting & 1/16/14
  - 4. North Country Community Mental Health – 12/19/13
  - 5. Michigan Northern Counties – 12/2/13
  - 6. C.C.E. 9-1-1 Director's Report 1/15/14 & Board Minutes – 12/18/13
  - 7. NLEA January-February 2014 Newsletter, January President's Report and Board Minutes – 11/21/13
  - 8. Cheboygan County Fair Board – 1/6/14
  - 9. Board Appointments & Procedures Committee – 12/16/13 & 2/3/14
  - 10. Cheboygan County Road Commission – 12/19/13 & 1/2/14
  - 11. Cheboygan City Council – 12/10/13 & 1/14/14
  - 12. Planning Commission - 12/4/13, 1/8/14 & 1/15/14
  - 13. ZBA – 12/26/13

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

**CITIZENS COMMENTS** – None

**SCHEDULED VISITORS** – None

## FINANCE DIRECTOR'S REPORT

Finance Director Kari Kortz presented the Final Budget Adjustments report. The report summarized all of the budget adjustments that the Finance Department posted for the year. The December 31<sup>st</sup>, 2013 month-end report will not be presented until the audit adjustments are posted in approximately mid-March, report to come in approximately April.

## ADMINISTRATOR'S REPORT

Administrator Lawson updated the Board on several projects. For the Fairground restroom project, a pay request for \$20,000 of grant funding has been submitted to the Michigan Department of Agriculture. The Reid building project has been reviewed by the Architect. It was discovered that the renovations for the Reid building are going to be a lot more than originally anticipated. The roof project, the County building parking lot area and the lift station project are going to be first priority in the upcoming year. Administrator Lawson stated that a strategy meeting needs to take place with the tenants of the Reid Building to verify long-term intentions in order to plan for the costly renovations and develop a better long term plan for Board recommendation. The roof project at the County Marina is currently out for bid and it is hoped to be completed by June 1<sup>st</sup>, 2014.

Commissioner Matelski asked about the dredging project funding. Administrator Lawson verified the county has received their first payment of approximately \$160,000, and the submission for the second payment will be made to the state. The dredging agreement goes until April 24<sup>th</sup>, 2014.

## COMMITTEE REPORTS

Commissioner Redmond several recommendations from the Board Appointments & Procedures Committee.

**Motion** by Commissioner Redmond, seconded by Commissioner Matelski to reappoint John Jazdyk to the Cheboygan County Planning Commission for a three-year term commencing December 16<sup>th</sup>, 2013 to December 15<sup>th</sup>, 2016. Motion carried with 6 yes, 0 no and 1 absent.

**Motion** by Commissioner Gauthier, seconded by Commissioner Gouine to accept the recommendation of the Board Appointments and Procedures Committee and from Linda Socha, Chief Elected Official of Cheboygan County and Chairperson of the Cheboygan County Local Emergency Planning Committee and approve the Cheboygan County Local Emergency Planning Committee (SARA Title III) Official

Roster	Anderson, Megan	Emergency Management /CCEOEM
	Bancroft, Tom	Fire/Cheboygan Chief
	Beethem, Bill	Agriculture and Facility Owner
	Brew, Charles	Communications (RACES) and Elected/Township
	Clarmont, Dale	Law/County Sheriff
	Dombrowski, Mark	Education
	Gall, Steve	Facility Operator
	Hyde, Dallas	First Aid/EMS
	Jones, Kurt	Law/Cheboygan Chief
	Keller, Kyle	Health/D4 Health
	LaRoque, Todd	Facility Operator
	McNamee, James	Medical Services
	Moore, John	Elected/Township
	Morton, Matt	Human Services, DHS
	Olsen, George	Human Services, Salvation Army
	Paquet, Ken	Transportation CCRC/Elected Road Commission
	Redmond, Pete	Elected/County Board of Commissioners
	Rocheleau, Marcia	Human Services/Victim Services and Elected/Township
	Smith, Heather	Medical Services
	Socha, Linda	Elected/County Board of Commissioners
	Wagner, Bob	Law/Tuscarora Township Chief

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Weiss, Sharon  
Williams, Greg  
Wolford, Ron  
Wyman, Pat

Transportation/GIS  
Emergency Management/CCEOEM  
First Aid/Red Cross  
Law/Village of Mackinaw City Chief

for a terms commencing January 1, 2014 through December 31, 2018. Motion carried with 6 yes, 0 no and 1 absent.

**Motion** by Commissioner Redmond, seconded by Commissioner Wallace to reappoint County Administrator Jeff Lawson to the Northern Lakes Economic Alliance Board for a three-year term commencing January 1, 2014 through December 31, 2016. Motion carried with 6 yes, 0 no and 1 absent.

**Motion** by Commissioner Redmond, seconded by Commissioner Matelski to approve a 2% salary increase for 2014 and a 2% salary increase for 2015 for County Administrator Jeff Lawson. A roll call vote was taken. Motion carries with 6 yes, 0 no and 1 absent.

**Motion** by Commissioner Redmond, seconded by Commissioner Gauthier to approve a 2% salary increase for 2014 and 2% salary increase for 2015 for the Cheboygan County Prosecutor Daryl Vizina. A roll call vote was taken. Motion carried with 4 yes, 2 no (Commissioner Matelski and Commissioner Allor) and 1 absent.

**Motion** by Commissioner Redmond, seconded by Commissioner Gauthier to approve the Cheboygan County Sheriff salary increase for 2014 to \$71,843 and an additional 3% salary increase in 2015 up to \$73,398. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

**Motion** by Commissioner Redmond, seconded by Commissioner Gouine to approve a 2% salary increase for 2014 and a 2% salary increase for 2015 for the Cheboygan County Treasurer Linda Cronan. A roll call vote was taken. Motion carried with 5 yes, 1 no (Commissioner Allor) and 1 absent.

**Motion** by Commissioner Redmond, seconded by Commissioner Gauthier to approve a 2% salary increase for 2014 and a 2% salary increase for 2015 for the Cheboygan County Clerk Mary Ellen Tryban. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

All salary increases are to be retroactive back to January 1, 2014.

Commissioner Gauthier suggested moving forward with a motion approving a cost actuarial to analyze the costs of affording a salary increase to County retirees. Discussion was held regarding the different types of cost actuarials available. Commissioner Redmond disclosed that any consideration of retiree increase would be for the 2015 fiscal year.

**Motion** by Commissioner Gauthier, seconded by Commissioner Wallace, to move forward with the cost actuarial analyzing increases for county retirees. A roll call vote was taken. Motion carried with 5 yes, 1 no (Commissioner Matelski) and 1 absent.

Commissioner Redmond reported that he attended a District No. 4 Health Board meeting, a Straits Regional Ride meeting, a Fair Board meeting and a Benton Township meeting.

Commissioner Gauthier attended a Board Appointments and Procedures Committee meeting, a City Council meeting, a NEMCSA meeting, a Planning Commission meeting, a NLEA retreat, and a MSU-E meeting where he toured a fiber mill. Commissioner Gauthier commended the City Mayor, the City Manager and the City Council for the innovative use of extra snow in creating a toboggan run by the recreation center and for the ice rink downtown.

Commissioner Gouine attended a township meeting, a Straits Regional Ride meeting, and an Airport Authority meeting.

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Commissioner Matelski attended two Planning Commission meetings, a Zoning Board of Appeals meeting, several township meetings, and a Road Commission meeting. Commissioner Matelski reported that the Road Commission used 33% of their fuel budget for the year in the month of January. He stated that the Road Commission is coming to the point of a crisis with the inability to replace equipment. Commissioner Wallace stated that at a recent Tuscarora meeting it was stated that the Road Commission would support the consideration of a local township road millage versus a county wide road millage.

Commissioner Allor attended several Road Commission meetings, Walker, Ellis, Wilmot, and Forest Township meetings, a Planning Commission, a Michigan Northern Counties Association meeting, and a District No. 4 Health Board meeting. Commissioner Allor reported that there is a new mandate being implemented for individuals who are developmentally disabled to be less segregated from community based involvement.

Commissioner Wallace attended a Northeast Michigan Substance Abuse Services meeting (NMSAS). He reported that the State has decided to put Community Mental Health in charge of substance abuse treatment, prevention and education. An increase in Medicaid funding will become effective April 1, 2014. Effective October 1, 2014 NMSAS will move into a Methadone maintenance center. Commissioner Wallace expressed that he was displeased with the increase in bureaucracy from the state for this issue. Commissioner Allor asked if the funding was going to be given to a regional entity, and if there would be Commissioner representation at a regional level. Commissioner Wallace affirmed and stated that NMSAS has moved into their new building and is a 501(c) (3).

**OLD BUSINESS** – None

**NEW BUSINESS**

Straits Regional Ride Director Mike Couture presented the Straits Regional Ride 2015 MDOT Annual grant application for approval. The application has been approved by legal counsel. The Straits Regional Ride total operating budget would be \$840,355 for 2015. There are going to be 6 bus units that will need to be replaced in 2015 which may require a local match of \$49,980, if the state exercises its right to fund 13% versus the previous 20%. They have not enforced the reduction through 2014 as of yet, and it is unknown if they will for 2015 at this time. Commissioner Allor questioned whether the local match would be just for Cheboygan County or if there will be an equal share split between other counties that utilize Straits Regional Ride. Mr. Couture clarified that if the funding were to be awarded, that the bulk of the local match would fall on Cheboygan County. Commissioner Redmond clarified that the ridership is up and the total cost of Straits Regional Ride services to Cheboygan County last year was approximately \$18,000.

**Motion** by Commissioner Gouine, seconded by Commissioner Matelski to approve Cheboygan County Resolution 14-02; a Resolution of Intent for the 2015 Fiscal Year MDOT Application for funds, and authorize the Chairperson to sign pertinent documents. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Administrator Lawson presented the Broken Horn Rodeo Contract for the Cheboygan County Fairgrounds on June 21, 2014.

**Motion** by Commissioner Matelski, seconded by Commissioner Gouine to approve contract and the addendum with Broken Horn Rodeo in the amount of \$12,500 for a rodeo on June 21, 2014 and authorize the Chairperson to sign the agreement. Discussion was held. Commissioner Wallace stated that the Cheboygan Area Ministerial Group is opposed to open intoxicants on the Fairgrounds. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Administrator Lawson presented the Jaycee's request to use the Fairgrounds for sale of beer and soft drinks in conjunction with the Rodeo event on June 21, 2014. The Jaycee's group would do set up the day before and tear down the day after. The County Policy does permit alcohol sales on the Fairgrounds outside of Fair week. Mr. O'Henley spoke to the professionalism of the Jaycees.

**Motion** by Commissioner Gauthier, seconded by Commissioner Matelski to approve the Jaycees request consistent with Cheboygan County Fairground's Use Policy to permit the sale of beer and soft drinks on June 21, 2014 in conjunction with the Broken Horn Rodeo event to be held the same day. A roll call vote was taken. Motion carried with 5 yes, 1 no (Commissioner Wallace), and 1 absent.

Community Development Planner Scott McNeil presented Zoning Ordinance Amendment #121 regarding fence regulations. Mr. McNeil stated a request from the public had been received to consider a fencing regulation that would require supporting pieces of a fence to face the applicant's lot. Additionally, under the current language, the only reference to electrified fences and barb wired fences are that they are not currently allowed in plotted subdivisions. The Planning Commission recommendation was that electric and barb wired fences be allowed in agriculture/forest zoning districts, rural character districts, country living zoning districts, non-conforming commercial farm and for those that would be approved under special use permit approvals or site plan review approvals. Commissioner Gouine questioned the allowance of electric fences in residential areas. Mr. McNeil stated that within a residential zoning district, a fence can enclose a garden. Otherwise, it would have to be in a non-conforming commercial farm, grandfathered in. Commissioner Matelski questioned whether the invisible dog fences are permitted. Mr. McNeil stated those are not included in the amendment. Commissioner Wallace asked if there are set back requirements for fencing. Mr. McNeil verified that there is a cap on fence height at 8-feet and fencing is exempt from setback requirements and can be placed on the property line. Commissioner Gouine asked if there is a need for this change. Mr. McNeil stated there was a request from the public and the provisions regarding electric fences and barb wire fences was previously ambiguous, and the amendment language allows more uses in the revision. Legal Counsel clarified that this amendment is less restrictive.

**Motion** by Commissioner Matelski, seconded by Commissioner Gauthier to adopt Cheboygan County Zoning Ordinance Amendment #121 based on Planning Commission recommendation of approval:

**Zoning Ordinance Amendment #121**

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY  
ZONING ORDINANCE No. 200 TO PROVIDE REGULATIONS AND STANDARDS FOR FENCES.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS

**Section 1. Amendment of Section 17.18.1.**

Section 17.18.1. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows;

17.18.1. Fences within any zoning district shall comply with the following regulations and standards:

17.18.1.a Fences containing barbed wire or which are electrified, may be used provided any of the following conditions are met:

17.18.1.a.1. The barbed wire or electrified fence is located within an Agriculture and Forestry Management (M-AF) zoning district or a Rural Character/Country Living (D-RC) zoning district. A zoning permit is not required to locate a barbed wire or electrified fence in the Agriculture and Forestry Management (M-AF) zoning district or a Rural Character/Country Living (D-RC) zoning district.

17.18.1.a.2. The barbed wire or electrified fence is identified on a site plan approved pursuant to Article 20 of this Ordinance,

17.18.1.a.3. The barbed wire or electrified fence is approved in conjunction with a special use permit pursuant to Article 18 of this Ordinance.

17.18.1.a.4. The barbed wire or electrified fence is used in conjunction with a lawful non-conforming commercial farm use.

17.18.1.a.5. An electrified fence is used to enclose a garden in zoning districts other than Agriculture and Forestry Management (M-AF) and Rural Character/Country Living (D-RC), provided it is not placed within any required setback and a sign is placed on the fence facing each lot line which states "electric fence" with wording at least eighteen (18) inches long and four (4) inches high.

17.18.1.b No fence shall obscure the vision of operators of vehicles or pedestrians at any driveway entrance or exit, or access point to any access easement of record, street or right of way.

17.18.1.c. All fences shall be constructed so visible structural supports are located toward the subject property and the finished or smooth side located toward the neighboring property.

**Section 2. Severability.**

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

**Section 3. Effective Date.**

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

A roll call vote was taken. Motion carried with 5 yes, 1 no (Commissioner Gouine) and 1 absent.

Finance Director Kari Kortz presented the 2014 Salary & Wage Resolution 13-028 regarding Elected Officials - Amendment #1. The approved salary increases have been incorporated into Amendment #1.

**Motion** by Commissioner Wallace, seconded by Commissioner Gauthier, to adopt Amendment #1 to the 2014 Salary and Wage Resolution – Elected Officials #13-028 to be effective January 1, 2014, authorize the Chairperson to sign and approve the necessary budget adjustments. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Finance Director Kari Kortz presented the 2014 Salary & Wage Resolution regarding Non-Union Employees #13-027 Amendment #3. The approved salary increase for the County Administrator and a correction of an insurance adjustment error for a Sheriff's Department employee have been incorporated into Amendment #3. Sheriff Clarmont clarified that the Sheriff's Department employee referenced is a union employee. Ms. Kortz affirmed that as true, but that the heading of the resolution document could be changed to "general employees" from "non-union employees" to clear confusion.

**Motion** by Commissioner Wallace, seconded by Commissioner Allor to adopt Amendment #3 to the 2014 Salary and Wage Resolution – General Employee #13-027 to be effective January 1, 2014, authorize the Chairperson to sign and approve the necessary budget adjustments. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Commissioner Redmond addressed a typo change in the revenue sharing resolution; it should be entitled "Resolution 14-03", not "Resolution 14-02". The Chief Deputy Clerk noted the change.

Administrator Lawson presented Resolution 14-03 Requesting Full Funding of Revenue Sharing. Administrator Lawson highly recommended passing this Michigan Association of Counties resolution and contacting senators and representatives and letting them know how important revenue sharing would be moving forward. Cheboygan County is slated to receive the first payment in 2015. Discussion held.

**Motion** by Commissioner Matelski, seconded by Commissioner Gouine to adopt Cheboygan County

**Resolution No. 14-03**

**WHEREAS**, In the Governor's recommendations for the FY 2015 budget, counties are scheduled to receive 100% full funding of revenue sharing totaling \$211,134,899; and

**WHEREAS**, This will bring counties to the level of revenue sharing agreed upon in 2004 for the 2005 FY; and

**WHEREAS**, The attached spreadsheet details the full funding allocations for FY 2015 for each county; and

**WHEREAS**, This marks the first time in fourteen years that the administration has recommended full funding for county revenue sharing; and

**WHEREAS**, Counties have worked diligently for the past decade by leading the effort to reform consolidate, and right size government in an effort to increase efficiency and adjust declining revenues; and

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**WHEREAS**, Revenue sharing is more than just a pot of money to be allocated in whole or in part to counties but is a statutory promise made to counties in exchange for giving up local taxing authority and for a more recent change in local taxing administration; and

**WHEREAS**, Revenue sharing is used by counties to pay for the multitude of state mandated services including the courts, the jails, the constitutional officers, elections and the public health system and coupled with the recent reductions in property values and increased mandated state service delivery, counties are stretched to the financial limit; and

**THEREFORE, BE IT RESOLVED**, That the Cheboygan County Board of Commissioners would like to thank the Governor for fully funding county revenue sharing payments fiscal year 2015;

**THEREFORE, BE IT ALSO RESOLVED**, That the Cheboygan County Board of Commissioners call upon the state legislature to live up to their promise and adopt the Governor's recommendation for fully funding county revenue sharing in FY 2015;

**BE IT FINALLY RESOLVED**, That copies of this resolution be forwarded to the Governor, our State Legislators, and the Michigan Association of Counties.

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

**CITIZENS COMMENTS**

Sheriff Clarmont thanked the board for their continued support, professionalism, leadership displayed in their decision making processes. He stated that the decisions of the Board have made law enforcement in this county well supported. Commissioner Redmond commended Sheriff Clarmont for the same.

Scott Swanson of the Straitsland Resorter clarified information regarding the aforementioned county road commission millage conversation and those townships have various millage situations. He stated there is a County Road Commission meeting with township officials on February 20, 2014.

**BOARD MEMBER COMMENTS**

Commissioner Matelski commented about the NEMCSA cuts to the head start and aging programs. He stated that an article talks about a substantial increase in federal funding which is contradictory to what the presenter from NEMCSA reported. Commissioner Gauthier stated that it was a question of timing and the programs have been restored in the new budget.

**Motion** by Commissioner Allor, seconded by Commissioner Wallace, to adjourn to the call of the Chair. Motion carried with 6 yes, 0 no and 1 absent. Meeting adjourned at 11:13 a.m.

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Mary Ellen Tryban  
County Clerk/Register

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Linda Socha  
Chairperson