

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE MEETING
March 22, 2011**

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

Roll called and a quorum present.

Present: Commissioners Linda Socha, Don Horrocks, Pete Redmond, Cal Gouine, Tony Matelski, John Wallace, and Sue Allor

Absent: None

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

Chairperson Socha noted the Board typically does not take action at Committee of the Whole meetings; however, today action may be taken on Item 10A Drain Commissioner Demand for an Independent Attorney.

Motion by Commissioner Matelski, seconded by Commissioner Horrocks, to approve the agenda as presented. Motion carried with 7 yes, 0 no and 0 absent.

CITIZENS COMMENTS – None

SCHEDULED VISITORS/DEPARTMENT HEAD REPORTS

Chairperson Socha present certificates of appreciation to Rebecca Behm for her service on the Cheboygan County Planning Commission and to Joyce Barr for her service on the Cheboygan County Jury Board. Keith Moore also was slated for a certificate of appreciation for service on the Planning Commission, but was unable to attend the meeting.

Government Market Leader Dick Williams of Honeywell Building Solutions presented in detail three potential alternatives to address solutions to problems and deficiencies found in his company's energy study of county owned buildings. Those alternatives were: Alternative 1: County Building. This building has the largest utility usage and has the most needs; Alternative 2: Five Buildings (County Building, FIA-Human Services, Health Department, Senior Center – Sand Road, and Senior Center – Wolverine); and Alternative 3: All eight buildings surveyed by Honeywell (County Building, FIA-Human Services, Health Department, Senior Center – Sand Road, Senior Center – Wolverine, Animal Shelter, Marina and Airport). The presentation included a detail financial analysis of all three alternatives. Mr. Williams said Honeywell has proven experience in performance contracting with over 100 active performance contracts in Michigan. He said benefits include improved comfort and safety, energy efficiency, 24 hour monitoring of county assets and savings guarantee funds improvements. Lengthy discussion was held. The consensus from the Board was to move this matter for further consideration in April. Mr. Williams stated, if approved in April, the project would start the first part of May with worked completed in one year.

Community Development Director Steven Schnell presented the 2010 annual report for the Community Development Department. The in-depth report was on all of the divisions of the department: Planning & Zoning, Economic Development, Building Safety, Geographic Information Systems, Ordinance Enforcement, Address Coordination and Soil Erosion. A copy of the report is available in the County Clerks Office or the Community Development Department. Mr. Schnell commented on the uniqueness of this County's zoning, as it covers the entire county with the exception of one township. He said this saves duplication of services and that other counties are looking toward this. Chairperson Socha added it also gives cohesiveness to zoning and thanked Mr. Schnell for the thorough report.

ADMINISTRATOR’S REPORT

Administrator Overton said he has not seen the complete details of Governor Snyder’s plan but knows it stresses collaboration of government. He noted there have been a lot of proposal coming from the governor’s office; however, it’s too early to know what will come of them.

BOARD MATTERS FOR DISCUSSION

Civil Counsel Bryan Graham led discussion on the request from Drain Commissioner Dennis Lennox to retain independent legal counsel to aid in answering the questions contained in the Subpoena from the Board of Commissioners. Mr. Graham explained that he or the County Prosecutor could not serve as legal counsel to Mr. Lennox on this matter as it would be conflicts of interest; in this case, statute requires the board to hire independent counsel for an elected official. Mr. Graham stated he has drawn up financial arrangements spelled out in his letter dated March 18, 2011 to Attorney Dennis P. Grenkowicz of Alpena, Mr. Lennox’s chosen independent counsel. Much discussion held. Chairperson Socha requested detailed description of services be provided by Mr. Grenkowicz, which Mr. Graham said he would request. She also asked if the county would have to provide legal counsel to Mr. Lennox a recall that was recently mentioned in the newspaper. Mr. Graham said they would not.

Motion by Commissioner Wallace, seconded by Commissioner Redmond, to approve the engagement by Cheboygan County of independent attorney Dennis P. Grenkowicz from the law firm Grenkowicz and Associates to provide legal advice to Drain Commissioner Dennis Lennox as required by MCL 49.73, under the terms and conditions specified in the letter dated March 18, 2011 written by civil counsel Bryan Graham and accepted by attorney Dennis P. Grenkowicz. Discussion held, Commissioner Redmond noted any expenses for drains falls on taxpayers and ultimately those are the ones that will suffer. A roll call vote was taken. Motion carried with 5 yes, 2 no (Commissioner Horrocks and Commissioner Matelski), 0 absent.

CITIZENS COMMENTS – None

BOARD MEMBER COMMENTS

Commissioner Gouine asked if liability insurance requirements may be too high for certain events at the fairgrounds. Ms. Kortz said the \$600,000 threshold actually refers to worker’s comp, not general liability. If they do not have worker’s comp the county picks it up. Discussion held. Chairperson Socha directed the administrator to look into this policy with civil counsel and report back.

Commissioner Wallace said the State Department of Health has proposed splitting NMSAS, who coordinates and administers treatment for drug and alcohol abuse, into four different groups. He requested permission to have a presentation on the future of NMSAS at the April Committee of the Whole Meeting.

Motion by Commissioner Matelski, seconded by Commissioner Gouine, to adjourn to the call of the Chair. Meeting adjourned at 12:10 p.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson