

**COUNTY BOARD OF COMMISSIONERS  
FINANCE/BUSINESS MEETING  
May 12, 2020**

The Finance/Business Meeting of the Cheboygan County Board of Commissioner was called to order via telephonic attendance by Commissioner Wallace at 9:30 a.m.

Roll called and a quorum present

**Present:** Commissioners Mary Ellen Tryban, Richard Sangster, Michael Newman, Roberta Matelski, John Wallace, and Steve Warfield.

**Absent:** Commissioner Cal Gouine

**Also in attendance:** John Moore, Louis Vallance, Michael Glynn, Kortny Hahn, Sharon Lange, Diane Raab, Civil Counsel Bryan Graham, Sheriff Dale Clarmont, Treasurer Buffy J. Weldon, Administrator Jeff Lawson, IT Director Dave Berg, Administration Secretary Kathy Morrow and County Clerk Karen L. Brewster

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

**Motion** by Commissioner Sangster, seconded by Commissioner Tryban, to approve the agenda as presented. A roll call vote was taken. Motion carried with 6 yes, 0 no and 1 absent.

Commissioner Gouine attended Finance Business meeting at 9:36 a.m.

**Motion** by Commissioner Tryban, second by Commissioner Matelski, to approve the consent agenda as presented.

- A. Approve Monthly Finance Claims (Finance Total = \$0; Prepaid Total = \$1,522,721.58.
- B. Budget Adjustments as follows:
  - 2020 Raise Revenues/Expenditures
  - 1. Fund 101 total budget increase of \$350.00
- C. Investment Report
- D. State of Michigan FY 2019 Operation Stonegarden Grant
- E. Correspondence
  - 1. Berrien County Letter to Governor Whitmer
- F. Minutes:
  - 1. Finance/Business Meeting of April 14, 2020 & Committee of the Whole Meeting of April 28, 2020
  - 2. City Council – 3/10/2020
  - 3. County Road Commission – 3/19/20
  - 4. Planning Commission – 2/5/2020 & 2/19/2020

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

**CITIZENS COMMENTS**

Louis Vallance citizen of Grant Township commented on Revision Policy 500-38 Residency under New Business on the agenda and stated that he thought that this should not be approved because it looks like an employee has to live 20 miles from the county line. Commissioner Wallace explained that this was a change in the policy stating that a full time or part time employee shall live greater than 20 miles from the county line and the Board has the discretion to change it.

President of the Cheboygan Economic Development Group (CEDG) Sharon Lange commented that the last time she spoke to the Board it was on the Orion Renewable Energy Solar Field project in Grant Township, but today she wanted to talk about the Economic Development Committee. She was appointed to the EDC Board, but it appears that this was an inactive entity at this time. There is a need to do some focused development and engage is some opportunities that are on the table and maybe to seek some others. She was looking to the Board of Commissioners for some direction because what she would really like to do was to reconvene that Board. There were some projects that were ready to go and are in the Que. Commissioner Wallace stated that this was very important and asked her to coordinate with Administrator Lawson.

**SCHEDULED VISITORS/DEPARTMENT REPORTS**

Veterans' Director Rick Wiles gave an update on the Cheboygan County Memorial Day Remembrance Ceremonies. He has talked to the Veteran's Service Organization and it has been decided to suspend the events for this year because of COVID-19. American flags have been placed or will be placed on the veteran's grave sites at each of the cemeteries. Citizens are asked to take a moment of silence and remembrance on Memorial Day Monday, May 25th to reflect on those who gave the ultimate sacrifice.

**Finance Director's Report**

Administrator Jeff Lawson presented the Revenue and Expenditure Report for the General Fund for the month ending March 31, 2020. He reported total year-to-date revenue of \$1,003,381.54, or 7.08% of the budget compared to \$999,698.81, or 7.29% of the budget last year at this same time. Mr. Lawson reported expenditures year-to-date of \$2,673,327.84, or 18.85% of the budget, compared to \$2,593,140.19 or 18.93%, last year as of the end of March 31, 2019. He reviewed each department that had any significant changes. Mr. Lawson reported that the Cash Summary by Fund Cash for March 2020 would not be presented as the 2019 adjusting entries were still being posted and the beginning cash balances could be affected. Mr. Lawson reported on the summary of expenses by category report.

**Motion** by Commissioner Gouine, seconded by Commissioner Tryban, to receive and file the financial reports for March 2020 as presented. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

**Administrator's Report**

Administrator Jeff Lawson gave an update on Zoning Ordinance Amendments. Staff is currently working with legal counsel to develop amendments to the zoning ordinance to permit flexible temporary outdoor sales, display and service areas, as well as permit additional

temporary signage within commercial districts to provide businesses flexibility to operate while under social distancing recommendations. The language would identify permits that will be reviewed and approved by staff. Civil counsel has confirmed that the amendments must be adopted consistent with planning enabling legislation, which requires a public hearing and recommendation by the Planning Commission prior to Board of Commissioner consideration. The Planning Commission is scheduled to discuss proposed amendments at their May 13, 2020 meeting. Once language is completed, a public hearing must be set. After the public hearing, the Planning Commission votes to identify their recommendation and sends to the Board for final consideration.

Administrator Jeff Lawson gave an update on the Indigent Defense. Staff is currently working on the 2020-2021 Indigent Defense compliance plan in conjunction with our contract attorney. The base cost to the county will be increased 2.1% from last year's cost. The plan will be placed on the May 26, 2020 meeting agenda for approval and submitted to the State by June 1, 2020.

Administrator Jeff Lawson gave an update on the County Building Repairs. Macmillan Associates has been directed to complete plans and specifications for the repair of the Treasurer's vault wall.

Administrator Jeff Lawson gave an update on 2019 Audit. Staff is currently working with the Auditor and with Mr. Manko (under contract) to complete the 2019 Audit. Field work this year is being conducted remotely with staff scanning documents into the auditor's online system.

Administrator Jeff Lawson gave an update on County Building Staffing. Staff continues to work with department heads and elected officials to identify work load. With last week's executive order to allow construction to return back to work, Planning and Zoning has seen an increase in construction inspections. There was protocol in place for field inspections to keep social distancing by staff to go out when it is necessary to do a field inspection versus a video inspection. There have been specific instructions from the State Court Administrator's Office for court hearings to develop standards to come back online, which standards have to be approved by the state. Staff is working with the courts to identify that process. Staff is looking at furloughs for Straits Regional Ride employees at this time. Staff is also trying to identify if there are other positions that may not be able to bring back online and may have to be furloughed.

**COMMITTEE REPORTS** - None

**OLD BUSINESS** - None

**NEW BUSINESS**

Administrator Jeff Lawson presented Revision Policy 500-38 – Residency. Revision would permit employees to reside greater than twenty (20) miles with approval by the Board of Commissioners.

**Motion** by Commissioner Gouine, seconded by Commissioner Newman, to approve Policy Revision 500-38 Cheboygan County Residency, and authorize the Chairperson and Administrator to sign

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

Administrator Jeff Lawson presented Policy 500-44 Emergency Paid Sick Leave Act and Policy 500-45 Emergency Family Medical Leave Act. The Families First Coronavirus Response Act (FFCRA or ACT) requires certain employers to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from the effective date through December 31, 2020.

Generally, the Act provides that employees of covered employers are eligible for:

Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate to pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advise of health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis: or

Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantined (pursuant to Federal, State or local government order or advise of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and

Up to an additional ten (10) weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

**Motion** by Commissioner Tryban, seconded by Commissioner Matelski, to adopt Policy 500-44 Emergency Paid Sick Leave Act and Policy 500-44 Emergency Family Medical Leave Act, authorize the Chair and Administrator to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

County Clerk Karen Brewster presented Resolution #2020-05 Separate Tax Limitation Millage. On April 20, 2020, the Tax Allocation Board met and passed a resolution to initiate a petition to submit separate tax limitations to the electors of Cheboygan County. The petition is attached. The Tax Allocation Board is recommending that the Board of Commissioners submit to the electors a question regarding the separate tax limitation question to the voters. This proposal would be for a period of four (4) years 2021- 2024 and would allocate the 7 mills available as follows: County of Cheboygan 5.74, Townships 1.00 and COP-ESD .26 mills. In addition, the Tax Allocation Board would not have to meet again until 2024 to petition the Board again or reallocate in 2025. In order to meet the timelines for the August 4, 2020, Primary Election, the Board of Commissioners must adopt this Resolution on or before May 12, 2020. The County Civil Counsel has reviewed and approved the resolution.

**Motion** by Commissioner Newman, seconded by Commissioner Wallace, to adopt:

**CHEBOYGAN COUNTY  
Resolution # 2020-05**

A RESOLUTION TO SUBMIT THE QUESTION OF PROVIDING SEPARATE TAX LIMITATIONS TO THE REGISTERED AND QUALIFIED ELECTORS OF CHEBOYGAN COUNTY AT THE AUGUST 4, 2020 STATE GENERAL PRIMARY ELECTION

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**Recitals**

Article 9, § 6 of the Michigan Constitution of 1963 provides that separate tax limitations for the county and for the townships and intermediate school districts within the county, the aggregate of which shall not exceed 18 mills, may be adopted by the vote of the majority of the qualified electors of the county.

Section 5c of the state Property Tax Limitation Act, being MCL 211.205c, provides that a petition to submit separate tax limitations to the electors of the county may be initiated by a resolution of the County Tax Allocation Board.

The County Tax Allocation Board has submitted a petition requesting that the question of establishing separate tax limitation millage rates for the county and for the townships and intermediate school district within the county be submitted to the voters of the county.

The state general primary election scheduled on August 4, 2020 will be held more than 49 days from the date this resolution is adopted.

**Resolution**

NOW, THEREFORE, THE CHEBOYGAN COUNTY BOARD OF COMMISSIONERS HEREBY RESOLVES that:

1. The following proposition, the language of which is hereby approved by the Cheboygan County Board of Commissioners and certified to the Cheboygan County Clerk, shall be submitted to the registered and qualified electors of Cheboygan County at the August 4, 2020 state general primary election:

Shall separate tax limitations be established for a period of four (4) years, 2021 through 2024, inclusive, for the County of Cheboygan and the townships and intermediate school district within the county, the aggregate of which shall not exceed seven (7) mills as follows:

County of Cheboygan	5.74 mills
Townships within the County	1.00 mills
COP Education Service District, f/k/a COP Intermediate School District	<u>.26 mills</u>
TOTAL	7.00 mills

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

Administrator Jeff Lawson presented the Finance Director Employment Agreement. The position of Finance Director was advertised by the County on web based job platforms, Michigan Association of Counties, MML, County website and local newspapers. From the applications received, two (2) applicants were selected for final interviews. The recommended wage for the position is based on wage range information (Finance Director position) from our five comparable Counties.

**Motion** by Commissioner Warfield, seconded by Commissioner Newman, to approve the employment agreement with and appoint Sue E. Buitenhuis as Finance Director. A roll call was taken. Motion carried with 7 yes, 0 no and 0 absent.

**BOARD MATTERS FOR DISCUSSION**

Commissioner Newman commented that the new Finance Director Sue Buitenhuis would be starting on June 1<sup>st</sup>.

Commissioner Warfield questioned how the State of Michigan FY 2019 Operation Stonegarden Grant was going to be spent. Sheriff Clarmont stated that the Sheriff's Department has applied for this Stonegarden Grant for over approximately ten (10) years and

it was used as follows: overtime patrol - \$62,240; fringe - \$17,801; equipment - \$12,869; fuel - \$4,590 and miscellaneous. This grant was actually for \$100,000, but the State takes an administration fee of \$2,500. The grant also included floatation devices; radio and thermal imaging equipment for the Marina Search and Rescue. When patrolling the Straits, there were some binoculars and a mobile data computer being used. Commissioner Warfield congratulated the Sheriff Department for obtaining this grant.

**CITIZENS COMMENTS** - None

**BOARD MEMBERS COMMENTS**

Commissioner Warfield commented that the Cheboygan County Road Commission is scheduled to start the road repairs on South Black River Road and also the Bridge Project. It does appear that they would be taking place simultaneously. It will be a maintenance road closure of consequence. He has reviewed the MOT with the Road Commission and he could report that at this time that the Road Commission anticipates to start construction as early as the end of June.

Commissioner Tryban commented that she has noticed that the 2020 Otsego County Fair has been cancelled and was wondering if it has been talked about with the Cheboygan County Fair Board as to doing the same. She was concerned that the CCYLP members raising live stock would need to know sooner better then later. Commissioner Gouine commented that the Cheboygan County Fair Board has not had a meeting since this pandemic lock down. Commissioner Newman stated that he had just talked to the Fair Board President and they hope to hold a telephonic conference meeting in June, but as of today, it is still status quo. There were a few contracts that he was concerned about as to whether or not these contracts would be able to be cancelled. Staff was asked to contact the Fair Board and continue conversation with the timing of the 2020 Cheboygan County Fair.

Commissioner Warfield commented that the Board of Commissioners had heard from Sharon Lange's regarding the Economic Development Committee and trying to get this Board reactivated. He would like the Board to engage in further conversation on this subject and the Enbridge Tunnel Project. He has personally been involved because of his prior knowledge with the contractor who has been awarded the project and in talking with people from both the engineering firm and the contracting firm only because of his background and familiarity with some of them, but he wasn't the right person to lead this cause. The Board needs to make a concerted effort here shortly to engage and meet with these people as we discuss opportunities for Cheboygan County around this half a billion dollar project. Staff was to contact Sharon Lange and report back to the Board.

Sheriff Dale Clarmont gave an update on the Blight Ordinance. A Michigan Township Association meeting is to be scheduled so he could give a presentation to present this idea to the townships and let them decide if they would like to proceed.

Sheriff Dale Clarmont gave an update on the Office of Emergency Management (OEM). The OEM continues to do drive-through testing at the Fairgrounds. To date Cheboygan County OEM has had a total of 173 tests with 46 people tested at the drive-through; 19 testing positive; 125 testing negative and 29 tests still pending. He thanked the Cheboygan County Firefighters Association who had completed 90 hours of volunteer time to assist the OEM not only at the drive-through test site, but also at the receipt and distribution of Personal Protection Equipment (PPE). To date Cheboygan County OEM has received 187,128 PPE

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items and have distributed 163,413 PPE items, which included in county and out of county items that have been ordered. The drive-through testing continues to slow down with less people having systems who would need a doctor's referral to be tested. At the end of the week, OEM will monitor and make a determination as to the need to cut back on the number of testing days and hours.

**Motion** by Commissioner Sangster, seconded by Commissioner Guine, to adjourn to the call of the Chair. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent. Meeting was adjourned at 10:25 a.m..

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Karen L. Brewster  
Cheboygan County Clerk/Register

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John B. Wallace  
Chairperson Board of Commissioners