

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS  
COMMITTEE OF THE WHOLE MEETING  
January 27, 2009**

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 Socha, Makima, Redmond, Mushlock and Page

**ABSENT:** Commissioners Wallace and Bolinger

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

Chairperson Socha requested the following additions to the agenda: Item 6B – Recycling Report and Item 8D – Economic Stimulus Discussion.

**Motion** by Commissioner Mushlock, seconded by Commissioner Redmond, to approve the agenda with the above additions. Motion carried with 5 yes, 0 no and 2 absent.

**CITIZENS COMMENTS** – Sheriff Dale Clarmont extended his thanks to the Board for the cooperation and support they gave him during his time served in Iraq. He presented the Board with an American Flag which had flown in front of the Battalion Headquarters over Camp Ramadi, Al Anbar Province, Iraq on September 11, 2008. Chairperson Socha stated she was honored to accept the flag on behalf of the Board and suggested the flag be placed in a framed box, hung in the Commissioners Room and flown only on September 11<sup>th</sup> each year.

**SCHEDULED VISITORS/DEPARTMENT HEAD REPORTS**

Mary O'Hare, President of the Topinabee Development Association, and her husband, Tom, addressed the Board regarding the group's recent meetings and plans. Since its formation in early 2008, the group, whose mission is to preserve and enhance the development of Topinabee, has received resolutions of support from Mullett Township and the Cheboygan County Planning Commission. A detailed PowerPoint presentation on the proposed village enhancement master plan was shown, which included a streetscape plan and renovations to existing buildings. Mr. O'Hare said the addition of sidewalks and curbing would provide pedestrians a place to stroll and could help slow down traffic. The addition of attractive streetlights, park benches, trash cans and bicycle parking stands are included in the plan. Encouraging business development also is included in the proposed plans. Mr. O'Hare stated the association is working with MDOT and hoping to secure funding for road work; historic preservation grants and other grants will be sought as well as low-interest loans for businesses for facade improvements. Chairperson Socha directed the County Administrator to draft a resolution of support for the next business meeting. She said the Board encourages people to come forward with ideas such as this.

Recycling Coordinator Dan O'Henley distributed copies of the Cheboygan County Recycling Report for 2008 along with the Winter 2009 Recycling newsletter. Mr. O'Henley reported the recycling program has been very well-accepted by Cheboygan County residents during its first year. He said even though equipment costs exceed budget and revenue from residents in opt out township was less than expected, overall the program expenses exceeded income by only \$527. He said two Household Hazardous Waste Drop-off days were also held last year. During the year 132 bins of recyclables, containing 4,741 yards or 422 tons of material was transported. Mr. O'Henley said this would equate to 23,708 bags of trash that did not go to landfills. He said at the landfill this material would have cost \$87,718 to dispose whereas the recycling processing fee was only \$26,965, a savings of \$60,753. The report will be put on the county website and sent to each township and the City of Cheboygan. Discussion held.

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**NEW BUSINESS** - None

### **BOARD MATTERS FOR DISCUSSION**

County Treasurer Linda Cronan reported on interest earned in 2008 on all accounts.

Administrator Overton reported a meeting with the townships was held in Tuscarora on January 21, 2009 to discuss the proposed new ORV Ordinance. He said most of the townships are in favor of having all of their roads open to ORV's. He said all state highways are automatically closed to ORV's. A map of the closed roads was reviewed. Civil Counsel Bryan Graham said the new legislation allows only counties, cities and villages to adopt ORV ordinances during the first year and gives the road commission power to close up to 30% of the roads in the county. Townships do not have authority to adopt ordinances during the first year of this legislation; and cities and villages must adopt their own ordinances. A draft of a proposed ordinance was presented. Mr. Graham said on the final draft he plans to change the language to recognize out of state drivers licenses. Under the ordinance a person operating an ORV must be 12 or older and have direct visual supervision by a parent or guardian if under 16. Mr. Graham said whether golf carts are included or not in the definition of an ORV should be discussed. He said the ordinance can be more restrictive than state law, but not less restrictive. Administrator Overton said at the next meeting revisions will be presented and a public hearing would be scheduled, which could be the 1<sup>st</sup> meeting in April. Paige Perry from the DNR, Larry Amez from the Sheriff Department.

Circuit Court Judge Scott Pavlich addressed the Board to apprise them of the upcoming week long Drug Court Training in Nashville Tennessee. He said eight participants from Cheboygan County plan to attend. Circuit Court applied for and was award a federal grant to pay for the lodging and tuition, and a supplemental grant was received to defray the costs of transportation. The cost of driving to and from the airport in Flint and meal expenditures would be the responsibility of the County. He said to qualify for state grant funding training is required. Judge Pavlich said the possibility of initiating a drug court is prompted by the significant amount of criminal activity occurring in our county as a result of the illegal use of controlled substances. Chairperson Socha said when he is ready to move forward let the Board know.

Discussion on the ORV Ordinance continued following a short break. Paige Perry, ELP Trails Program Analyst for the DNR stated it is her job to manage ORV's on state land, and many county roads run through state land. She asked the Board to consider closing the Pigeon River State Forest area to ORV's, as this is a "quiet" area, and Otsego County has closed the portion in that county, and to consider that some surrounding counties have not been opened to ORV operations. Ms. Perry said enforcement of the ordinance would be the responsibility of the sheriff department along with city and township law enforcement personnel. Sheriff Clarmont said as far as enforcement side, the ordinance states deputies of the sheriff, which includes officers from other law enforcement agencies that have been deputized, with the exception of the State Police. He said free safety certification has been provided to youngsters 12 years of age or older and will continue as long as funding is provided. Larry Amez said two grants, the enforcement grant and the safety education grant, are used to finance training classes. He said under the proposed ordinance, 16 and 17 year olds also have to have an ORV permit. DNR Officer Greg Drogowski said with the new ordinance you no longer have to be traveling from an approved area to another approved area. He suggested a mechanism to close roads to ORV travel at later time, such as a yearly review. He said regarding golf carts, the Cheboygan County Prosecutor wrote an opinion that golf carts are considered ORV's. Chairperson Socha suggested the Administrator, Ms. Perry, Commissioner Bolinger and township representatives from the Pigeon River area meet regarding the Pigeon River area. Discussion held on maps of county roads overlaid on map with state trails. Joe Jarecki requested that the board close all roads in the Pigeon River Area to ORV's except for three sections in the Michigan Cross Country Cycle Trail. Chairperson Socha said since Mark Ennes is the representative on the RC&D, Administrator Overton should include him on the meeting regarding the Pigeon River area also. Questions from the audience were addressed. Lengthy discussion held regarding youngsters driving ORV's. Luke Houlton said the Road Commission has taken the position that they will not exercise the right to close up to 30% of the roads to ORV traffic. Sheriff Clarmont said very few violations are cited for ORV usage. Civil Counsel Bryan

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Graham said the ordinance would always be subject to amendment, and the state law does include a sunset clause. Chairperson Socha thanked everyone for input.

With regards to the Economic Stimulus, potential federal stimulus money, Chairperson Socha said Senator Jason Allen has requested a potential wish list. She said projects geared towards preservation and creation of employment, education, infrastructure, broadband, county marina, etc. should be included. List needs to be compiled and forward to both state and federal legislators. She said she asked the administrator to contact other local representatives and compile the list. Lengthy discussion held. Luke Houlton said the Road Commission does have some things to be included on the county list. Road Commission projects would be funded from a different source. Chairperson Socha said it is nice to know Senator Allen and Representative Elsenheimer are looking for county's best interest.

**CITIZENS COMMENTS** – Kathy Bricker thanked the Board and the County Administrator for their hard work on the recycling program. She said the increase in the amount of recycling shows that people of the County are thankful for the program and the Board's commitment to the program. Ms. Bricker said hopefully recycling can be expanded to include commercial recycling in the near future.

**BOARD MEMBER COMMENTS** – Commissioner Makima said he heard at the Michigan Northern Counties meeting that there has been discussion in the Senate on combining road commissions. Luke Houlton said that topic comes up often.

Chairperson Socha thanked the Road Commission for input on the ORV Ordinance and said the property request would be addressed at the next meeting.

Commissioner Page announced that Mike Webber has been hired as the Executive Director of the Northern Michigan Broadband Cooperative and the group expects a public launch in Gaylord in March. He also said he plans to contact Congressman Stupak's office regarding the condition there must be no broadband available at all in order to conform to the existing USDA grant program.

Chairperson Socha asked the Board for approval to sign any communication regarding the economic stimulus wish list that the administrator prepares.

**Motion** by Commissioner Mushlock, seconded by Commissioner Redmond, to authorize the Chairperson to sign any communication that the administrator may have prepared regarding economic stimulus. Motion carried with 5 yes, 0 no and 2 absent.

Commissioner Page advised of a website called "grant station" available to any group wanting to seek federal or state grants. He also reported Larson Hall at Cheboygan Memorial Hospital and Tendercare Nursing Home were among nursing home facilities that were ranked based on several different items. Larson Hall received 4 stars out of a possible 5, and Tendercare received 3. He also noted proposed federal legislation for weatherization of 2 million homes; and the federal senior nutrition program will be increased by 2 million dollars. He said on the state level, legislation to change the gas tax to a percentage from a flat rate and also Blue Cross legislation did not pass in lame duck session.

**Motion** by Commissioner Makima, seconded by Commissioner Mushlock, to adjourn to the call of the Chair. Meeting adjourned at 12:58 p.m.

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Mary Ellen Tryban  
Cheboygan County Clerk/Register

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Linda Socha  
Chairperson