

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
October 13, 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, Page, Wallace and Bolinger

ABSENT: None

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

Commissioner Makima requested that Items 11 and 14 be removed from the Consent Agenda and placed on the regular agenda under New Business.

Motion by Commissioner Mushlock, seconded by Commissioner Bolinger, to approve the agenda with the requested additions. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Mushlock, to approve the consent agenda as follows:

- A. Approve Monthly Finance Claims Finance = \$18,960.88 Prepays = \$769,703.36
- B. Budget Adjustments – Payroll Related Inter-budget Transfers from 101-700-955.01 Carried Forward Fund Equity totaling \$7,265 to Veterans Dept. 101-682-712.00 Fringe in amount of \$6,545 and to Prosecutor Office 101-229-712.00 Fringe in the amount of \$720 and Inter-budget Transfer for Tri-County Emergency Management from 101-426-706.00 Per Diem in the amount of \$430 to 101-426-863.10 Travel; Raise Revenue and Expenditures General Fund of \$936 in Department 301, \$7,200 in Department 331 and \$300 in Department 338 - totaling \$8,746; Remonumentation Fund 114 totaling \$11,000
- C. Cheboygan Life Support Systems 2008 Audited Financial Statements
- D. Correspondence:
 1. Allegan County Resolution Sheriff Department Opposition to Current LEIN Funding Formula
 2. Charlevoix County Resolutions in Support of Separate Michigan Department of Agriculture
 3. Huron County Resolution Regarding State Withholding Payments to Counties
 4. Lake County Resolutions 1) in Support of House Bills 4785 and 4786; 2) in Support of Continuation of State Fair; and 3) in Support of Separate Michigan Department of Agriculture
 5. Oakland County Resolution In Support of Continuation of State Fair
 6. Oceana County Resolution in Support of Separate Michigan Department of Agriculture
 7. Oscoda County Resolution in Support of House Bills 4785 and 4786
 8. VanBuren County Resolution in Support of Kent County Proposed Class Action Lawsuit
 9. Oceana County Correspondence Regarding Michigan Department of Agriculture
 10. NEMCOG Project Reviews
 - a) Dated 9/17/09 – Notice of Intent by Northeast Michigan Community Service Agency to Apply for Federal Assistance from HHS
 - b) Dated 10/1/09 – Notice of intent by Northern Lakes Economic Alliance to Apply for Federal Assistance from EDA
 11. ~~Correspondence from Office of Continuing Education Professional Development Regarding Certified Public Manager Designation Earned by Administrator Overton~~

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12. Public Notice from the DNR of Proposed October 27, 2009 Oil & Gas Lease Auction
13. Official Proceedings of the Public Hearing on the Mullett Creek Drain
14. ~~Genesee County Drain Commissioner Correspondence~~
15. Thank you from the Family of Billie Jo Grabowski

E. Minutes:

1. Finance/Business Meeting of September 8, 2009; Economic Summit for County Meeting of September 10, 2009; Reconvened Finance/Business Meeting of September 16, 2009; and Meeting with Elected Officials of August 31, 2009
2. North Country Community Mental Health Board – August 20, 2009
3. Cheboygan County Fair – August 3, 2009 & September 14, 2009
4. Cheboygan County Housing Commission – June 22, 2009
5. Cheboygan County Road Commission – September 3, 2009
6. Cheboygan City Council – July 28, 2009 & August 11, 2009
7. ZBA Meeting – August 28, 2009

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

Chairperson Socha reviewed the Board rules on public comment and said the public comment would not go past 10 o'clock. She gave a brief history of the dialogue that has occurred since April when the County was approached by representatives of the City of Cheboygan and asked for approval to discuss contracting police services for the city through the Cheboygan County Sheriff's Department. She said following public comment, the City Police Services Committee would speak, followed by the County Sheriff and then any Board questions would be addressed, followed by board action and a roll call vote.

CITIZENS COMMENTS – Joe Kwiatkowski, representing a group of business people and residents of the City of Cheboygan, addressed the Board opposing the proposed elimination of the Cheboygan City Police Department and replacing it with the Sheriff's Department. He cited the vast majority of those in attendance at a public hearing regarding police services in Cheboygan were against the proposal and also referred to a petition letter signed by numerous county/city residents and business owners encouraging any further action on the matter. He said it seems the unanimous opinion has been do not move forward. Mr. Kwiatkowski said all layers of government are important, and the first priority of government is to protect the people. He said this is a city budget challenge which must be worked through at the city level, as elimination of the city police department could be devastating to the growth and identity of the City of Cheboygan.

SCHEDULED VISITORS

Cheboygan City Councilman William Jewell, member of the Police Services Committee, and Mayor Richard Sangster addressed the Board. Mayor Sangster said the city has looked hard and long at the financial woes facing the City of Cheboygan. He noted that Mr. Kwiatkowski acts as fiduciary to city police, and urged the Commissioner to remove names and faces from this issue when making a decision and to look open-mindedly at it so that the matter can be brought to the table. Mayor Sangster said Sheriff Clarmont is an outstanding leader who can and would be able to provide police services to all the people in the county. He said they do not want to cut any city services as it would be detrimental to everyone, and he believes this would be a better use of taxpayers' money. Councilman Jewell said this is not the last step in the process, but approval today would allow for determining more exact numbers and continue negotiations. He said combining of government services has been going on all around the country as a means to reduce costs. He distributed a report of wages and fringe costs totaling over \$205,000 for three police department positions of Director, Sergeant and Secretary. Mr. Jewell said he has heard from many of his constituents who are in favor of pursuing a change in police service; and would request approval to enter into negotiations in development of an agreement which could provide police services to the City of Cheboygan through the Cheboygan County Sheriff Department.

Sheriff Clarmont said due to the tough economic times many municipalities are facing these types of economic conditions. He said he has provided financial numbers and answered numerous questions from the police services committee. He said in the coming months many difficult hard decisions will have

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to be made and many constituents may not agree with all the decisions. He said he has discussed this proposal with many of the township officials in outlying areas. The sheriff said he has maintained a neutral position on this matter; and having reviewed the financial numbers and researched the legality, there was one cost he could not put a number to, the loss of a community police department that has been in existence for so many years. He said after considering the many factors, his recommendation would be that contracting with the City of Cheboygan for police services would not be in the best interest of the citizens of this county, but if board decides to continue researching he would continue to do so.

Commissioner Makima said he has been approached several times and as a member of this board for 17 years, he believes the majority are not in favor of the abolishment of the city police department. Commissioner Bolinger said he always has public safety and public health at the top of his agenda. Commissioner Redmond said for the majority of his life he was a city resident, he worked for the school district as transportation director during which time he became close with the city police department. He said the City of Cheboygan is the hub of the county and he feels it's important to keep the city police department. He said he has heard from constituents both in the City and in Benton Township and many want to keep the police department. Commissioner Page posed two questions....who speaks for the City of Cheboygan and what is the role of County Commission. He said you could look at petitions, read council minutes, etc., but legally the city council and mayor are the only ones authorized to speak for the City of Cheboygan. They know their budget and this is a budget item. I assume the city council has done a lot of study on their budgets and should be allowed to move forward on this matter if they so desire. This is a revenue neutral item for the county and it would not negatively impact or endanger the sheriff's operations. Commissioner Page said he thinks they should move forward. Commissioner Mushlock said schools and the library are not funded only by the city; also many taxpayers pay taxes to the city for properties owned within the city. She stated she was not in favor of the merger. Commissioner Wallace said he believes the sheriff would have to increase supervision in his department to handle the city. He said public safety was the number one priority of respondents to the survey done by the county several years ago, and to eliminate the city police may be counterproductive.

Chairperson Socha said having been in township and county government for 22 years and having faced many, many hard votes that may affect a relative, she has always voted in the best interest of her constituents. She said with the current chief of police, Kurt Jones, being her cousin, civil counsel was consulted as to whether it would be a conflict for her to vote on this matter, and was advised by civil counsel that this was not a legal conflict and she was obligated to vote. Chairperson Socha read an in depth synopsis of her concerns with elimination of the Cheboygan City Police Department and in summary stated she sees no positive impact, not even significant monetary savings, to warrant this drastic change in police services. Commissioner Page said the elected officials set their budgets and it should be up to the City how they set their budget.

Motion by Commissioner Makima, seconded by Commissioner Bolinger, that Cheboygan County does not enter into any further negotiations at this time with the City of Cheboygan regarding police services. Chairperson Socha voiced concern with "at this time". The motion and second were withdrawn and amended to remove "at this time" by Commissioners Makima and Commissioner Bolinger. Motion same w/o words. Roll call. A roll call vote was taken. Motion carried with 6 yes, 1 no (Commissioner Page) and 0 absent.

FINANCE DIRECTOR'S REPORT - Finance Director Kari Kortz presented the revenue and expenditures report for the General Fund for the month ended August 31, 2009. She reported total year-to-date revenue of \$4,455,996.44 versus \$3,786,005.74 last year at that time. Ms. Kortz reported expenditures year-to-date were \$6,806,680.66, or 58.43% of budget, compared to \$6,392,085.23 last year as of the end of August.

ADMINISTRATOR'S REPORT – None

COMMITTEE REPORTS

Commissioner Makima reported attending the Michigan Northern Counties meeting where HR Director Tim Gengle spoke on Human Resources duties and noted he did an excellent job. He also advised that the County Fair Board will be looking for a new secretary.

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Commissioner Wallace said he would be scheduling a meeting of the Senior Millage Appropriation Committee in the near future.

Commissioner Redmond attended nine meeting lately and reported there are two vacancies on the Cheboygan County Economic Development Corporation Board.

Commissioner Bolinger attended the Board Meeting held at Audies in Mackinaw City, the LEPC meeting, Health Board meeting, Jail Utilization meeting, NEMCOG meeting an the Forest and Walker Township Board meetings.

Commissioner Mushlock attended the North Country Community Mental Health Board meeting and noted with all of the state budget changes CMH is looking hard at their budget this year and will not be filling open positions. She also said that since CMH is an authority they cannot request addition funding from the counties. Commissioner Mushlock also reported attended the Inverness and Mullett Township Board meeting.

Commissioner Page attended eight meetings. He reported that the Humane Society still has an interest in remodeling the building; they made \$13,000 on the summer garage sale; and 73 animals were destroyed in September, 35 were adopted. He distributed a news article from Petoskey news review regarding broadband, and explained the possible grants available for broadband. He said Region IV Council on Aging and NMCSA still need to get word out on programs available such as free legal services on civil matters for those 60 years and older; the fuel subsidy program for those at or below the poverty level; the weatherization program for those at or below 200% of poverty level; the senior grandparents and companions must be 55 years or older and willing to give 20 hours per week, \$2.65 an hour plus mileage. Commissioner Page said the Head Start state budget has not been finalized, and the governor will be seeking a 17 million dollar increase in the MI Choice program for seniors to stay home rather than go to a nursing home. Administrator Overton said we must get the available literature out to various groups t.

Commissioner Socha reported attending the Beaugrand and Mackinaw Township Board meetings, the SANE meeting, the Michigan Farm Bureau annual dinner meeting, and a LEPC meeting. She reminded everyone of the required LEPC training and upcoming drill.

OLD BUSINESS - None

NEW BUSINESS

Prosecutor Daryl Vizina introduced the new Assistant Prosecutor Aaron Gauthier. Mr. Gauthier was hired effective 9/14/2009 and was the most qualified candidate for the position. Chairperson Socha welcomed Mr. Gauthier to the County Building. Prosecutor Vizina said this is a unique position in the prosecutor's office and requested that he be allowed family medical coverage under the "Other Eligible Employees" section of the Medical Insurance policy 500-16. He provided the financial impact this would have on the budget. Chairperson Socha said the Board could approve a change in the policy to include salaried professional employees under "other eligible employee" then it would not be a specific change. The positions included would be accountant, planner and assistant prosecuting attorneys. Discussion was held.

Motion by Commissioner Redmond, seconded by Commission Page, to approve a policy change to Policy #500-16 to include salaried professional employees under "other eligible employees" section of the medical insurance policy, effective and retroactive to September 1, 2009, authorize the chairperson to sign and authorize necessary budget adjustments. Further discussion with Commissioner Wallace concerned with the fairness and the definition of other eligible employees. Administrator Overton said it would be for the three positions (accountant, planner and assistant prosecuting attorneys) which positions are difficult to fill. Mr. Overton said the county values all of its employees. A roll call vote was taken. Motion carried with 6 yes, 1 no (Commissioner Wallace) and 0 absent.

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Commissioner Page said we do need to look at fairness on this issue at sometime. He said if everyone's co-pays and premiums go up that's fair, but excluding coverage for family coverage is not fair. Chairperson Socha said that issue would be looked at during contract time.

Fair Manager Dan O'Henley said that in July while preparing for the 2009 fair, the ground crew located a time capsule. It was located where the new pond was installed in front of the large fair sign at the main gate. The capsule is from the years 1954 – 1955. It has the entry information that includes names and address, what club you were in for that year. The unique thing is that the exhibits were by township 4-H, before the County had a MSU Extension Office. He said the Fair Board would like approval from the Board of Commissioners to give the time capsule to the Historical Society to preserve the information.

Motion by Commissioner Mushlock, seconded by Commissioner Bolinger, to donate the 4-H time capsule found at the County Fair Grounds to the Cheboygan County Historical Society for display. Motion carried with 7 yes, 0 no and 0 absent.

Housing Director Shar Grawey presented requests for approval of the Housing Department Fair Housing Policy, a Fair Housing Resolution and appoint a contact person for Fair Housing. It is a requirement that these documents are adopted by the Board of Commissioners and be included with the 2009 Michigan State Housing Development Authority – Community Development Block Grant Application. It is also MSHDA's requirement that a Fair Housing contact person be appointed. the Cheboygan County Housing Commission recommended appointment of Sharlayne Grawey as the Fair Housing contact person.

Motion by Commissioner Page, seconded by Commissioner Bolinger, to adopt the Cheboygan County Housing Commission Fair Housing Policy. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Mushlock, seconded by Commissioner Makima to adopt the following resolution:

**RESOLUTION 09-29
FAIR HOUSING RESOLUTION**

WHEREAS, under the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968, it is illegal to deny housing to any person because of race, color, religion, gender, physical or mental disabilities or national origin; and,

WHEREAS, under the Michigan Elliott-Larsen Civil Rights Act, PA 453 of 1976, as amended, it is illegal to deny the opportunity to obtain housing to any person because of religion, race, color, national origin, age, sex, height, weight, familial status, or marital status;

LET IT BE KNOWN TO ALL PERSONS that it is the policy of The Cheboygan County Board of Commissioners to implement programs to ensure equal opportunity in housing for all persons regardless of religion, race, color, national origin, age, sex, height, weight, familial status, or marital status. Therefore, Cheboygan County does hereby pass the following Resolution:

BE IT RESOLVED that Cheboygan County Housing Commission shall not discriminate in the sale, rental, leasing, or financing of housing because of religion, race, color, gender, physical or mental disabilities, national origin, age, height, weight, familial status, or marital status;

Cheboygan County Housing Commission will assist all persons who feel they have been discriminated against because of religion, race, color, gender, physical or mental disabilities, national origin, age, height, weight, familial status, or marital status to seek equity under federal and state laws by providing information to said persons on how to file a complaint with the Michigan Department of Civil Rights.

Cheboygan County Housing Commission will at a minimum post this policy or the Fair Housing poster or other posters, flyers or other information which will bring to the attention of owners of real estate, developers and builders their respective responsibilities and rights under the Federal Fair Housing Law and Michigan Elliott Larsen Act.

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

Motion by Commissioner Mushlock, seconded by Commissioner Redmond, to accept the Cheboygan County Housing Commission recommendation and appoint Sharlayne Grawey as the Fair Housing contact person. Motion carried with 7 yes, 0 no and 0 absent.

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Housing Director Grawey presented a resolution for the Application for the 2009 Michigan State Housing Development Authority – Community Development Block Grant – Housing Resource Fund. Approval to apply for this funding will allow the Cheboygan County Housing Rehabilitation Program to continue financially assisting low income homeowners with repairs to their homes. The 2009 application will be submitted in the amount of \$175,000. The funding amount is allocated based on population and is a two year grant term. Matching funds for this grant are funds from the USDA Rural Development Housing Preservation Grant, recaptured funds from The 1980's Small Cities Grant, recaptured funds from previous MSHDA & USDA RD Grants, Local Lenders, Homeowner Contributions, Salvation Army, Department of Human Services, NEMCSA's Weatherization Program, and the Veteran's Administration. The MSDHA CDBG funding will be in the form of deferred loans and 0% - 3% Interest loans. The terms are based on household income. A lien in the form of a mortgage will be placed on the property until it is satisfied. The Cheboygan County Housing Commission Board unanimously approved applying for the 2009 MSHDA CDBG at the January 2009 meeting.

Motion by Commissioner Wallace, seconded by Commissioner Makima, to adopt the following resolution and authorize the Chairperson to submit the application for the 2009 Michigan State Housing Development Authority - Community Development Block Grant - Housing Resource Fund and authorize all other required documentation for the grant. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Ms Grawey presented a request to amend the Housing Department By-laws. She said that pursuant to Article III – Meetings of the By-Laws of the Cheboygan County Housing Commission's annual meeting is to be held on the 3rd Thursday of January. The annual report is presented at the annual meeting. Because the annual report is completed prior to the audit, it is subject to change. She said Finance Director Kari Kortz suggested that the annual report be presented after the audit is complete and the figures verified. This amendment to the By-Laws would move the Cheboygan County Housing Commission Annual Meeting date from the 3rd Thursday of January to the 3rd Thursday of June. The Cheboygan County Housing Commission recommends the change. She pointed out an additional change was made to the by-laws by civil counsel with the addition of the following wording to the end of the second sentence from the end of Article 1, Section 3 Term Length...."following written charges and a public hearing before the Board of Commissioners".

Motion by Commissioner Wallace, seconded by Commissioner Redmond, to accept the recommendation from the Cheboygan County Housing Commission Board recommendation to amend the Cheboygan County Housing Commission By-laws to change the date of the annual meeting from the 3rd Thursday in January to the 3rd Thursday in June and the addition of the following wording to the end of the second sentence from the end of Article 1, Section 3 Term Length...."following written charges and a public hearing before the Board of Commissioners". A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Equalization Director Joe Lavender stated that there are three steps that needed to take place for collection of taxes. The Board needs to adopt a resolution for the millage rate that will be levied for 2009, adopt the apportionment report, and adopt the tax resolution. Every year the Board is required to direct the spread of taxes in terms of millage rates. The County apportionment report shows all the information in a columnar format and contains all the tax rates by all taxing authorities within Cheboygan County.

Motion by Commissioner Wallace supported by Commissioner Bolinger, to adopt the following resolution.

Resolution 09-027 2009 MILLAGE RATE RESOLUTION

WHEREAS, Cheboygan County has the authority to levy its own maximum allowable millage rate of 6.3922 mills distributed as follows: 5.6592 mills for General County Operations and .4830 mills for Senior Citizens Operations and .2500 mills for Ambulance Authority and,

WHEREAS, it has been determined that to maintain basic county services, it will be necessary to levy the maximum allowable rate of 6.3922 mills; and,

WHEREAS, notice of the public hearing was given, and a public hearing was held as the County Budget Hearing;

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NOW THEREFORE BE IT RESOLVED, that the County of Cheboygan shall levy the maximum allowable millage of 6.3922 for 2009.

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

Motion by Commissioner Redmond supported by Commissioner Wallace, to adopt the 2009 Cheboygan County Apportionment Report as presented (Copy on file in County Clerk's office). A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Wallace supported by Commissioner Redmond, to adopt the following resolution.

**Resolution 09-028
TAX RESOLUTION**

BE IT HEREBY RESOLVED, that there be raised by taxation and that the Cheboygan County Board of Commissioners are hereby authorized and directed to spread upon the several assessment rolls and tax rolls of the County: County Tax, Township Tax, School Tax and any special taxes in the amounts as adopted by the County Board of Commissioners in the 2009 Apportionment Report. An amount of the above mentioned taxes not to exceed the schedule of millage as determined by the Apportionment Report adopted by the Cheboygan County Board of Commissioners at their annual meeting held on October 13th, 2009.

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

Administrator Overton presented the Specialized Services Public Transportation Agreement for Straits Regional Ride on behalf of SRR Director Mike Couture. Mr. Overton said this is an annual grant from MDOT for the Cheboygan County Council on Aging in the amount of \$25,000.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to approve the MDOT Project Authorization Cheboygan County Board of Commissioners FY 2010 Specialized Services Operating Assistance Program sub-recipient being Cheboygan County Council on Aging, term of agreement October 1, 2009 through September 30, 2010, in the proposed amount of \$25,000, Agreement No. 2007-0191, Authorization No. Z12, Project No. 107782 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Community Development Director Steve Schnell presented Zoning Ordinance Amendment #80 – Add Bed & Breakfast to the Commercial (D-CM) Zoning District. He said Bed and breakfasts are defined as: *An owner-occupied dwelling where lodging and breakfasts are provided for compensation to three or more individuals.* The Master Plan states that commercial areas should include "tourist support services". Bed and breakfast lodging is a valuable asset for economic development in a tourist-oriented area. Bed and breakfasts provide an opportunity for homeowners to create additional income. By definition, B&B's must be run by the people who are the residents of the property which keeps bed and breakfasts compatible with existing residential neighborhoods. Mr. Schnell said the Planning Commission has recommended this zoning ordinance amendment for approval finding that this use was compatible with the Master Plan and was most likely an oversight.

Motion by Commissioner Makima, seconded by Commissioner Bolinger to adopt the following Zoning Ordinance Amendment:

CHEBOYGAN COUNTY

Zoning Ordinance Amendment # 80

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 TO ADD BED AND BREAKFAST AS A PERMITTED USE IN THE COMMERCIAL DEVELOPMENT (D-CM) ZONING DISTRICT.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

Section 1. Add Section 6.2.44

Section 6.2 of the Cheboygan County Zoning Ordinance No.200 is hereby amended to add a new subsection 6.2.44, which shall read in its entirety as follows:

6.2.44 Bed and Breakfast

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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 7 yes, 0 no and 0 absent.

IS Director Matt Hellens presented Policy 400-1 Cell Phone Policy for board approval. Mr. Hellens and Administrator Overton explained the policy. The IRS states that all personal use of mobile phones is deemed a taxable benefit. This policy achieves the goal of being compliant with the IRS' regulations. Now that we've consolidated most of our phones under one account, we're able to analyze the minutes used much easier and assess a fair taxable value to individuals. Each person with a phone will sign a form stating whether or not they intend to make personal calls on the device. If they choose not to, they will not be taxed at all. The policy also is intended to prioritize Cheboygan County business over personal use. So if someone's personal item caused any overage charges, then that individual will be responsible for reimbursing the county for any extra charges assessed to the county account. Based on our usage over the past 8 months and the minutes we have available, that scenario will rarely happen if at all.

Motion by Commissioner Page, seconded by Commissioner Bolinger, to adopt Cheboygan Policy 400-1 Cell Phone Use Policy and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

County Clerk/Register Mary Ellen Tryban said the terms of Dale Giddings (Democrat) and Susan Muschell (Republican) on the Board of County Canvassers expire on November 1, 2009. She said pursuant to MCL 168.24c she contacted the county committee of each political party and requested names of nominees for the party's expiring seat on the Board. The law states that each party is to provide the county clerk with three nominees. The following names were submitted by the Republican Party: Susan Muschell, Susan M. Engstrom, and Jack K. Zlotow. The following names were submitted by the Democratic Party: Dale Giddings, Stuart Bartlett, Bonnie West. The terms of these appointments are four (4) years, expiring November 1, 2013. Clerk Tryban said that MCL 168.24c requires the County Board of Commissioners to fill the two vacancies on the Board by electing a Republican member and a Democratic member from the submitted names; and, Michigan election law specifies that the County Board of Commissioners use ballots when filling the seats. A ballot was distributed to each commissioner and were collected and tallied by the Clerk. Sue Muschell was elected as the Republican member of the Board of Canvassers and Dale Giddings was elected as the Democratic member.

Correspondence from the Genesee County Drain Commissioner regarding Cheboygan County Drain Commissioner Dennis Lennox's concerns and actions in regards to water withdrawal from Lake Huron by Genesee County was discussed. Among items discussed was to send a letter of clarification that this board did not authorize the Cheboygan County Drain Commissioner to appeal the Genesee County permit application process.

Motion by Commissioner Wallace, seconded by Commissioner Makima, to authorize the Administrator, conferring with civil counsel, to answer the letter from the Genesee County Drain Commissioner's Office on behalf of the County Board and send a copy of the letter to Ted Henry, Chairman of the Genesee County Board of Commissioners and to Dennis Lennox, Drain Commissioner Cheboygan County. Administrator Overton said he talked with the Genesee County Drain Commissioner and was told currently Genesee County purchases water from the City of Detroit and now would get water direct rather than through Detroit. Commissioner Page stated a new system most likely would use less water. Motion carried.

Chairperson Socha read a letter from Monica B. Reyes, Director of the Michigan Certified Public Manager Program at Saginaw Valley University advising that Administrator Overton earned the Michigan Certified Public Manager designation and was part of the inaugural graduating class for the State of Michigan CPM. The letter stated that the Certified Public Manager Program is a nationally accredited professional

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development program. Chairperson Socha congratulated Administrator Overton on behalf of the Board of Commissioners.

CITIZENS COMMENTS – None

BOARD MEMBER COMMENTS

Chairperson Socha advised it was not her intent to cutoff any commissioner from comment during the police services discussion. Commissioner Page said that for a very tense issue it was handled well.

Commissioner Wallace commented on the importance of alerting the public as to available programs as Commissioner Page discussed earlier. Discussion held, Commissioner Page said a 2-1-1 service could be an important tool for people to become aware of available programs. Chairperson Socha added also coordinating with surrounding counties who may have an alternate call center would also be important.

Commissioner Redmond questioned the process for filling a County Road Commissioner vacancy. Civil Counsel Bryan Graham will research the matter and advise. Chairperson Socha said it is sad to lose Mike Donovan from the Road Commission and noted his last day would be November 30, 2009.

Commissioner Makima said he has the information on Human Resources he received at the Michigan Northern Counties meeting if anyone would like to read it.

Administrator Overton advised the increase in health insurance premiums currently look to be approximately 27%, or \$337,500.

Motion by Commissioner Redmond, seconded by Commissioner Wallace, to adjourn to the call of the Chair. Meeting adjourned at 12:17 p.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson