

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS  
FINANCE/BUSINESS MEETING  
October 14, 2008**

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.

**Motion** by Commissioner Makima, seconded by Commissioner Redmond, to approve agenda as presented. Motion carried with 7 yes, 0 no and 0 absent.

**Motion** by Commissioner Bolinger, seconded by Commissioner Redmond to approve Consent agenda consisting of the following items:

- A. Approve Monthly Finance Claims - Finance = \$28,393.92; Prepaids = \$881,351.48
- B. Budget Adjustments – Raise Revenues and Expenditures in the amount of \$200 in line items 100-400-675.00 Contributions and Donations and 101-301-970.01 Equipment-New; \$4,000 in line items 101-400-673.00 Sale of Fixed Assets and 101-331-970.01 Equipment – New; \$3,966.00 total in the following funds: \$1,400 in line item 101-400-650.02 Registration/Entry Fees, \$2,280 into 101-400-654.09 Grand Stand Receipts, \$286 into 101-400-655.03 50/50 Raffle and \$787 into 101-700-955.01 Carried Forward Fund Equity, \$277 into 101-751-725.18 50/50 Payout/Expenses, \$158 into 101-751-725.22 Ribbons/Trophies, \$24 into 101-751-730.00 Postage, \$70 into 101-751-807.00 Personal Services, \$1,050 into 101-751-810.37 Cheboygan Area Schools, \$85 into 101-751-900.00 Advertising, \$195 into 101-751-949.00 Equipment Rental and \$1,320 into 101-751-959.05 Cash Drawing – Prizes; Inter-budget Transfer in the amount of \$20,677.25 to the following funds: \$3,640 from 276-159-810.01 Night Watch to 276-156-810.01 Night Watch, \$1,260 from 276-159-810.01 Night Watch to 276-156-810.07 MSU-Contract Services, \$8,959.75 from 276-159-810.07 MSU-Contract Service to 276-156-810.07 MSU-Contract Service, \$380.25 from 276-159-810.36 Contract-Counseling to 276-156-810.07 MSU-Contract Service, \$6,437.25 from 276-159-810.36 Contract-Counseling to 276-156-810.36 Contract-Counseling; \$275 from 101-145-706.00 Per Diems to 101-145-863.10 Travel/Lodging/Meals etc.; \$300 from 101-191-727.00 Office Supplies to 101-191-712.00 Fringe; \$4,188 to the following funds: \$694 from 101-700-955.01 Carried Forward Fund Equity to 101-265-720.00 Seasonal, \$116 from 101-700-955.01 Carried Forward Fund Equity to 101-265-712.00 Fringe, \$2,894 from 101-700-955.01 to 101-751-720.00 Seasonal and \$484 from 101-700-955.01 Carried Forward Fund Equity to 101-751-712.00 Fringe; \$300 from 101-191-727.00 Office Supplies to 101-191-712.00 Fringe; \$8,848 to the following funds: \$5,169 from 101-270-718.00 to 101-691-718.00 Full Time and \$3,679 from 101-270-712.00 Fringe to 101-691-712.00 Fringe; \$5,640 to the following funds: \$3950 from 101-682-703.32 to 101-682-810.00 Contractual Services, \$830 from 101-700-955.01 Carried Forward Fund Equity to 101-682-810.00 Contractual Services and \$860 from 101-700-955.01 Carried Forward Fund Equity to 101-682-712.00 Fringe; \$15 from 101-784-706.00 Per Diems to 101-784-852.00 Telephone; \$2,123 to the following funds: \$1712 from 561-556-955.01 Carried Forward Fund Equity to 561-556-720.00 Seasonal and \$411 from 561-556-955.01 Carried Forward Fund Equity to 561-556-712.00 Fringe; and \$2,200 from 101-700-955.01 Carried Forward Fund Equity to 101-253-958.00 Bank Charges.
- C. Resolution 08-023 Benefit “E” Adjustment for 2009 Retirement Allowances (Copy on file in the County Clerk’s office)
- D. Correspondence:
  - 1. Clinton & Mecosta County Resolutions Opposing House Bill 6112
  - 2. Lenawee County Resolution Regarding Low Capacity Wells

**FINANCE/BUSINESS MEETING – OCTOBER 14, 2008**

3. Montcalm County Resolution in Opposition to House Bill 6070 and in Support of House Bill 5892
  4. Tuscola County Resolution Supporting House Bill 5398
- E. Minutes:
1. Commissioners Finance/Business Meeting of September 9, 2008
  2. North Country Community Mental Health Board – August 21, 2008
  3. Michigan Northern Counties Association – September 15, 2008
  4. Health Board – August 20, 2008
  5. NMSAS Board of Directors – July 7, 2008
  6. Northern Michigan Community Corrections Advisory Board – June 13, 2008
  7. Cheboygan County Housing Commission – July 16, 2008
  8. Veterans Affairs Committee – May 15, 2008
  9. Cheboygan County Fair Board – July 21, 2008 and September 8, 2008
  10. Jail Utilization Committee – July 16, 2008
  11. Cheboygan County Road Commission – August 28, 2008, September 11, 2008 and September 25, 2008
  12. Cheboygan City Council – August 26, 2008 and September 9, 2008
  13. Planning Commission Minutes – August 20, 2008
  14. ZBA – August 25, 2008

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

**BRIEF CITIZENS COMMENTS-** None

**SCHEDULED VISITORS -** None

**FINANCE DIRECTOR'S REPORT** – Finance Director Kari Kortz gave the revenue and expenditures report for the General Fund for the month ended August 31, 2008. She reported total year-to-date revenue of \$3,785,542.13 versus \$6,068,869.75 for last year at this time. The only thing new for August is that interest earnings are now showing up lower than last year. She stated that there is a shortfall in revenue of \$2.2 million. This is due to the change in the tax levy which is causing the county taxes not to be collected until July 1 and due to tax collections being down. Commissioner Socha stated that the tax levy change was due to the state and the loss of state shared revenue. The shift that was mandated by the state has caused the cash flow for this year to be down, which was expected. At this time, the cash flow right now is at 34% of the revenue and at 67.7% of expenditures. She stated that the county departments have worked very hard to keep expenditures down knowing that this year was going to be touchy for cash flow. Ms. Kortz reported expenditures year-to-date of \$6,392,085.23, or 57.71% of budget, compared to \$6,289,080.98 for last year as of the end of August. Discussion held.

**COMMITTEE REPORTS**

Commissioner Makima reported attending a Cheboygan City Council, a Road Commission, and a Fair Board Meeting.

Commissioner Wallace reported that he will be attending a CCE 911 meeting to be held tomorrow regarding the New Fiscal Year. He also reported attended a Jail Utilization Meeting. There is a group of treatment specialists for drug abuse who are attempting to secure Camp Pellston for a Juvenile Treatment Facility. The program is to use the White Feather method, which is the Indian Spirituality for building trust.

Commissioner Redmond reported attending a Benton Township meeting.

Commissioner Bolinger reported attending a Michigan Northern Counties Association meeting, a District #4 Health Board meeting, Community Mental Health meeting, NECOG meeting, Community Corrections meeting, Public 11 meeting, a no spill demonstration held in Gaylord by the DNR, and a MAC Board of Directors meeting held in Lansing.

## FINANCE/BUSINESS MEETING – OCTOBER 14, 2008

Commissioner Mushlock said she attended an Inverness and Mullet Township meeting, and a Fair Board meeting. She stated that the Fair Board was commended for how well it went this year and how well it worked with the County Maintenance Department on the grounds.

Commissioner Page attended a MSU Extension Council meeting, a NEMSCA meeting, a Humane Society Board Meeting. He stated that the Humane Society is still moving ahead with their architectural plans for their proposed addition and he suggested that they get those to the Board for a presentation. Discussion held regarding home foreclosures and leaving their animals behind.

Commissioner Socha reported attending an Office of Emergency Management Emergency Operations Center and activation drill in conjunction with the Sault Coast Guard Dire Straits drill. They tested the Cheboygan Counties overall emergency operations command center capabilities used for law, fire, communications, government, finances, human resources, damage assessment, transportation, GIS, etc... The drills went well and through each drill they learned where they are weak and where they can work through Emergency Management should they ever be in a position of ever having an emergency. The Public Information Joint Command Center, headed by Tim Cook in Mackinaw City, did an exceptional job. She reported attending a Northern Cheboygan County Municipal Planning Committee Meeting and the addition of Steve Schnell to the committee. It has been a positive move especially with his land use expertise and his mapping capabilities. There was much discussion relative to the projected land usage map and land use prescription for the City, Beaugrand, Benton and Inverness Townships. She passed the map around that they had been working on. She stated that it is not complete yet, but the next major component would be to work on the transportation aspect. It is hopeful that someone from the Road Commission would participate in these meetings. She reported attending a Northern Lakes Economic Allegiance Board meeting held at the Little Traverse Bay Band of Odawa Indians Governmental Center in Harbor Springs. She announced that there is a Geographic Information for Michigan Community Building the National Spatial Data Training seminar on December 8 2008 in Gaylord.

Commissioner Makima announced that the Northern Michigan Counties is doing a tour of the CCE 911 office and the recycling center on Monday, October 29, 2008 with lunch being served at the Emmet County Fairground.

### **OLD BUSINESS**

Commissioner Redmond stated that as the Chair for the Board Appointments and Procedures Meeting this process was started approximately six (6) months ago, a number of comparables were used and many issues were resolved. There is a deadline of November 1<sup>st</sup>, 2008. Lengthy discussion held regarding the increase in per diems.

**Motion** by Commissioner Redmond, seconded by Commissioner Wallace, to adopt Resolution 08-022 the 2009 Elected Officials Salary and Wage to become effective 1/1/2009, and authorize the chair to sign. Lengthy discussion held regarding per diem increase; which was proposed in this resolution to increase from \$30/\$60 to \$35/\$65. Commissioner Bolinger said that due to the state of the economy, he would not support an increase in per diems. Civil Counsel Bryan Graham advised that at this time a motion to amend the resolution prior to adoption in regards to per diems would be procedurally appropriate, if desired. He stated a motion to amend the resolution should be voted on first, then the current motion on the floor.

**Motion** by Commissioner Bolinger, seconded by Commissioner Makima, to amend Resolution 08-022, the 2009 Elected Officials Salary and Wage to eliminate the increase in per diems. Discussion continued on the many other committees and boards affected by per diems. Chairperson Socha stated that the matter could be brought up again at a later date if the economy was to improve and this board thought it appropriate.

**FINANCE/BUSINESS MEETING – OCTOBER 14, 2008**

A roll call vote was taken on the motion to amend Resolution 08-022. Motion carried with 4 yes, 3 no (Commissioners Redmond, Page, & Wallace) and 0 absent.

Civil Counsel advised the motion currently on the floor now would be to approve Resolution 08-022 made by Commissioner Redmond and seconded by Commissioner Wallace. Commissioner Page moved to eliminate the reduction in the prosecutor's salary reflected in the resolution. Chairperson Socha stated that the proposed 2009 salary for the prosecutor was based on comparables, which consistently show the salary to be the highest of all comparable salaries. Commissioner Page's motion failed for lack of support. The Amended Resolution 08-022 is as follows:

	<b>2008 Salary</b>	<b>2009 Increase %</b>	<b>2009 Increase \$</b>	<b>2009 Salary</b>
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**BOARD of  
COMMISSIONERS**

Chairperson	\$ 4,950.00	3.03%	\$ 150.00	\$ 5,100.00
Commissioner	\$ 4,500.00	2.22%	\$ 100.00	\$ 4,600.00

**CLERK / REGISTER of  
DEEDS**

Clerk/Register of Deeds (Inclusive)	\$ 57,201.08	3.14%	\$ 1,798.92	\$ 59,000.00
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**PROSECUTOR**

Prosecuting Attorney	\$ 94,226.21	-9.79%	\$ (9,226.21)	\$ 85,000.00
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**SHERIFF**

Sheriff	\$ 59,707.03	5.18%	\$ 3,092.97	\$ 62,800.00
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**TREASURER**

Treasurer - Base Pay	\$ 53,873.53	2.99%	\$ 1,612.47	\$ 55,486.00
Treasurer - Agent Fee*	\$ 2,238.00	3.40%	\$ 76.00	\$ 2,314.00
Total Salary^	\$ 56,111.53	3.01%	\$ 1,688.47	\$ 57,800.00

**OTHER**

Drain Commissioner	\$ 500.00	20%	\$ 100.00	\$ 600.00
Medical Examiner	\$ 7,200.00	0%	\$ -	\$ 7,200.00
Surveyor	\$ 500.00	20%	\$ 100.00	\$ 600.00

	<b>2008 Per Diem Rate</b>	<b>2009 Increase %</b>	<b>2009 Increase \$</b>	<b>2009 Per Diem Rate</b>
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**FINANCE/BUSINESS MEETING – OCTOBER 14, 2008**

**ELECTED BOARD  
PER DIEMS**

Chairperson Per Diem	\$30 / \$60**	0%	\$ -	\$30 / \$60**
Commissioner Per Diem	\$30 / \$60**	0%	\$ -	\$30 / \$60**

Total Budgeted Per Diems = \$30,800

**NON-ELECTED BOARD PER  
DIEMS**

Drain Commissioner	\$30 / \$60**	0%	\$ -	\$30 / \$60**
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Total Budgeted Per Diems = \$1,500

Elections	\$30 / \$60**	0%	\$ -	\$30 / \$60**
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Total Budgeted Per Diems = \$2,500

Fair Board	\$30 / \$60**	0%	\$ -	\$30 / \$60**
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Total Budgeted Per Diems = \$8,400  
Maximum of \$600 per Fair Board Member, based  
on level of participation.

Jury Board	\$30 / \$60**	0%	\$ -	\$30 / \$60**
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Total Budgeted Per Diems = \$6,350

Planning and Zoning	\$30 / \$60**	0%	\$ -	\$30 / \$60**
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Total Budgeted Per Diems = \$14,000

Plat Board	\$30 / \$60**	0%	\$ -	\$30 / \$60**
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Total Budgeted Per Diems = \$250

Soldiers Sailors Relief Commission	\$30 / \$60**	0%	\$ -	\$30 / \$60**
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Total Budgeted Per Diems = \$1,260

Tri-County Emergency Management	\$30 / \$60**	0%	\$ -	\$30 / \$60**
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Total Budgeted Per Diems = \$2,100

Waterways Commission	\$30 / \$60**	0%	\$ -	\$30 / \$60**
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Total Budgeted Per Diems = \$800

*\*\* More than 1 meeting per day / full day meeting / out of County meeting*

**NOTES RELATED TO THE 2009 SALARY AND  
WAGE RESOLUTION**

Prosecutor's salary for 2010, 2011  
and 2012

The raise for each of these years will be equal to COLA as defined below or 3%, whichever is less.

Clerk's salary for 2010, 2011 and  
2012

## FINANCE/BUSINESS MEETING – OCTOBER 14, 2008

The raise for each of these years will be equal to COLA as defined below or 3%, whichever is less.

Treasurer's salary for 2010, 2011 and 2012

The raise for each of these years will be equal to COLA as defined below or 3%, whichever is less.

\* - Currently estimated for 2009, funded from Fund 516 - 100%

Tax Payment Fund

^ - Funded 10% from Fund 517 - Tax Foreclosure Fund

Sheriff's salary for 2010, 2011 and 2012

The raise for each of these years will be equal to COLA as defined below or 3%, whichever is less.

Other elected officials salaries will remain the same from 2009 through 2012.

### **Cheboygan County Cost of Living Adjustment (COLA) 2009 Determination:**

The annual COLA is equal to the percentage increase in the Consumer Price Index for

All Urban Consumers (CPI-U) for the Midwest Urban Area from the average for the 12-month

time periods of September 2006 through August 2007 and September 2007 through August 2008 as published by the United States Department of Labor, Bureau of Labor Statistics.

*Adopted by the Cheboygan County Commissioners on the following date to be effective January 1, 2009*

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

### **NEW BUSINESS**

County Surveyor Jim Granger presented a summary on the State Highway Dept. (MDOT) developing the MI Spatial Reference Network with Continuously Operating Reference Station (CORS) units. These GPS ground stations provide continuous three dimensional coordinates which enables the development of MI State Plane Coordinates (MSPC). These coordinate units provide the base upon which any Geographic Information System (GIS) is developed so that the mapping in the computer relates to and represents actual physical location of a object on the ground. The County Remonumentation program will also utilize the CORS to obtain the MSPC on all section corners and other property controlling corners, which will be furnished to the County GIS department and, in turn, allow for the incorporation of accurate land parcel information into the GIS mapping that will also reflect the land's real position on the ground. This information will be utilized by the Equalization office and the Register of Deeds office.

Preliminary field reconnaissance has established that the optimal location for the CORS unit is on the west side of the Courthouse approximately 80' to 100' from the building. The CORS unit also requires a DSL connection into the County's high speed internet service. The CORS unit, once installed, would be owned, operated and maintained by MDOT. The total cost for a CORS is estimated at \$45,100. MDOT is requesting a minimum contribution of \$10,000 by the county. Several counties in Northern Michigan, and most counties in southern Michigan, have one CORS unit and some counties have several. However, in the immediate area, the closest CORS units are Charlevoix, Otsego, Alpena, and Mackinaw counties. These units are too far to provide the level of accuracy needed to establish valid coordinates. A CORS located in Cheboygan County would provide multiple benefits. He stated that the \$10,000 provided by the County in 2009

FINANCE/BUSINESS MEETING – OCTOBER 14, 2008

would be recovered in 2010 as an additional appropriation to the State Remon Grant funding to the County. Discussion held.

**Motion** by Commissioner Bolinger supported by Commissioner Redmond, to authorize the County Surveyor to make application to MDOT for the installation of a CORS unit in Cheboygan County and the allocation of \$10,000 for the 2009 fiscal year with the expected return in 2010 from the State Remon Grant Funding. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Airport Manager Del Reynolds thanked the Board of Commissioners for their continued support and cooperation through the grant process. He gave an update regarding challenges with the fuel costs and keeping the costs down, which they have effectively done. Airport Assistant Manager Gary Painter presented a request for the removal and replacement of two (2) 550 gallon storage tanks for equipment fuel, which do not comply with the current DEQ regulations. He stated that since they have a need for them for fueling equipment required for maintenance at the airport, they will need to replace them with two (2) 300 gallon double wall skids, above ground tanks with pump meters. Due to insurance requirements by the contractors, they have been limited to only two bids for removal and there are only limited companies that offer the replacements tanks. He stated that Oscar W. Larson Company is the acceptable low bid at a cost of \$8,373 for the new tanks and \$3,995 for the removal of the old tanks, totaling \$12,360. Discussion held.

**Motion** by Commissioner Bolinger supported by Commissioner Mushlock, to provide the Cheboygan County Airport with funding not to exceed \$12,360 required to proceed with the replacement tanks and removal of the old tanks and authorize the necessary budget adjustments to be made. A roll call was taken. Motion carried with 7 yes, 0 no and 0 absent.

Straits Regional Ride Director Mike Couture thanked the Board of Commissioners and anyone that rode on the SRR bus to the CCE 911 tour. He presented the MDOT Project Authorization 2007-0191/Z10, which are annual monies provided by MDOT to assist in paying for the CCOA senior transportation services. The County of Cheboygan functions as the pass-through for the specialized transportation services operating assistance monies at \$1.20 per mile up to a maximum \$25,000.

**Motion** by Commissioner Makima supported by Commissioner Redmond, to approve the MDOT project 2007-0191/Z10 and authorize the chair to sign. Motion carried with 7 yes, 0 no and 0 absent.

Mike Couture presented a request for the MDOT Project Authorization 2007-0191/Z3/R1 Video Camera System. These cameras will be used to reduce County liability due to passenger slips, trips and falls, and to document any incidents or accidents the bus or passengers have during loading, unloading or driving the bus. He had received three (3) bids, but he was recommending the purchase to Apollo Video Systems based on consultation with Information Systems and completely meeting the bid specifications. He stated that SRR filed for a grant from Michigan Risk Management Authority, which was awarded on August 30, 2008 with six months to use in the amount of \$12,000. He also recommended revision of the capital storage building project from \$12,500 (\$10,000 State & \$2,500 Federal) with no local match of \$10,000 State with \$2,500 local match to purchase the video surveillance cameras. Discussion held.

**Motion** by Commissioner Bolinger supported by Commissioner Redmond, to approve the purchase and installation of video camera systems to Apollo Video System in the amount of \$26,223, with \$12,000 coming from the MMRMA Grant, \$10,000 from the Rural Task Force Grant and \$4,223 from the County matching funds. Also to approve the MDOT Project Authorization 2007-0191/Z3/R1, Project No. 77473A, revised project authorization Cheboygan County Board of Commissioners Fiscal Year 2007 Section 5311 Capital/Surface Transportation Program for the purpose of Revision 1 to add a line item for video surveillance cameras and equipment, reduce

FINANCE/BUSINESS MEETING – OCTOBER 14, 2008

state matching funds by \$2,500, add local matching funds of \$2,500, and adjust funding to fund the new line item and authorize the chair to sign. 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 2008, 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 Redmond supported by Commissioner Wallace, to adopt the following resolution.

**Resolution 08-020  
2008 MILLAGE RATE RESOLUTION**

**WHEREAS**, Cheboygan County has the authority to levy its own maximum allowable millage rate of 6.1422 mills distributed as follows: 5.6592 mills for General County Operations and .4830 mills for Senior Citizens Operations; and,

**WHEREAS**, it has been determined that to maintain basic county services, it will be necessary to levy the maximum allowable rate of 6.1422 mills; and,

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

**NOW THEREFORE BE IT RESOLVED**, that the County of Cheboygan shall levy the maximum allowable millage of 6.1422 for 2008.

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

**Motion** by Commissioner Bolinger supported by Commissioner Redmond, to adopt the 2008 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 Redmond supported by Commissioner Bolinger, to adopt the following resolution.

**Resolution 08-021  
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 2008 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 14, 2008.

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

Recycling Director Dan O'Henley presented the development of a new recycling center at the Aloha Township Hall located at 2037 Mann Road. This would be a three container site, which is the same as in Cheboygan and in Indian River. He stated that this site is needed to service central and southern townships such as Aloha, Koehler, Waverly, and northeast Ellis. Lengthy discussion held regarding site preparations, costs, the signing of a lease agreement, and concerns regarding the surrounding neighbors.

**Motion** by Commissioner Redmond seconded by Commissioner Bolinger, to authorize the Cheboygan Recycling Department to develop a new recycling site at 2037 Mann Road. Motion carried with 7 yes, 0 no and 0 absent.

Community Development Director Steve Schnell presented a zoning ordinance amendment, which pertained only to the Residential (D-RS) and Lake and Stream (P-LS) zoning districts. Storage buildings are currently allowed on properties in those districts where a home exists. In those cases, they were approved as accessory buildings. This amendment allows storage buildings to be built without a home existing on the property. This practice is allowed now only in the Agriculture Forestry (M-AF) zoning district. Private storage buildings were granted zoning permits in the P-LS and D-RS districts for many years without support in the zoning ordinance for such a practice. He stated that when this error was corrected, they received many complaints. After addressing this with the Planning Commission, they expressed a desire to correct the zoning ordinance to meet the past practice. In doing so, it was decided that some extra controls should be in place to make sure that the storage buildings were compatible with surrounding residentially used properties. Discussion held.

**Motion** by Commissioner Page supported by Commissioner Wallace, to approve the following Ordinance:

**CHEBOYGAN COUNTY**  
**Zoning Ordinance Amendment # 77**

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 TO ADD PRIVATE STORAGE AS A PRIMARY ALLOWABLE USE IN THE D-RS, D-MR, AND D-LS DISTRICTS WITH ADDITIONAL REQUIREMENTS.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

**Section 1. Amendment of Article 2.**

Article 2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to amend the following definition, which shall read in its entirety as follows:

**PRIVATE STORAGE BUILDING**

A building or structure that is used for private non-commercial storage of materials that are owned by the property owner and used only by the property owner and does not have permanent facilities for living, sleeping, cooking, and/or sanitation including but not limited to a toilet facility.

**Section 2. Amendment of Section 20.3b.**

Section 20.3.b. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

b. Any new construction in a commercial or industrial zoning district, except single-family, duplex residential, and private storage buildings.

**Section 3. Add Section 17.23**

Article 17 of the Cheboygan County Zoning Ordinance No.200 is hereby amended to add a new section 17.23, which shall read in its entirety as follows:

**17.23 PRIVATE STORAGE BUILDINGS AND USES**

Cheboygan County recognizes the desire and/or need of some citizens to have a parcel that is used primarily for indoor storage of items that are typically used in a home or to store equipment used for maintenance of a single family home or enjoyment by the residents of a single family home. Private storage is a primary use, not subordinate to another use on the same property. Placement of a private storage building on the property should support the future placement of a residence.

**17.23.1 STANDARDS**

The following standards apply to private storage buildings and uses only in the Residential (D-RS), Mixed Residential (D-MR), and Lake and Stream (D-LS) zoning districts. Private storage buildings that are allowed in other zoning districts do not have to abide by this section, but must follow all other applicable standards.

a. The structure shall not serve as a residence or dwelling of any kind.

## FINANCE/BUSINESS MEETING – OCTOBER 14, 2008

- b. No home occupations or home occupation related activity can occur on the property or within the building.
- c. Only goods and material storage is permitted in the private storage structure. The structure is not to be used for human habitation at any time.
- d. If within thirty (30) feet of a side property line, all such private storage buildings must be screened from view of the side property lines with a solid evergreen hedge with a minimum height of six (6) feet or privacy fence with a minimum height of six (6) feet.
- e. No more than two (2) private storage buildings are allowed per acre of contiguous property under the same ownership as recorded with the office of the register of deeds with a maximum of four (4) storage buildings allowed for all properties under the same ownership.
- f. The total floor area of the foot print of all private storage buildings on the same lot of record shall not exceed 1,600 square feet per acre of contiguous property under the same ownership as recorded with the office of the register of deeds with a maximum of 6,000 square feet of storage for all contiguous property under the same ownership.
- g. In the D-LS district, all private storage buildings must meet a minimum setback from the water's edge of 50 feet and must meet all other applicable setbacks for the zoning district in which located.
- h. No bathroom facilities are permitted in the private storage structure.
- i. The structure may not be used to house or support animals of any type.
- j. The structure cannot be used for any commercial and/or business uses including the storage of materials, vehicles or other items used for commercial or business purposes.

### **Section 4. Amendment of Section 4.2**

Section 4.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new subsection 4.2.11, which shall read in its entirety as follows:

4.2.11 Private storage buildings, subject to the requirements of Section 17.23

### **Section 5. Amendment of Section 5.2.**

Section 5.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new subsection 5.2.7, which shall read in its entirety as follows:

5.2.7 Private storage buildings, subject to the requirements of Section 17.23.

### **Section 6. Amendment of Section 10.2**

Section 10.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new subsection 10.2.4, which shall read in its entirety as follows:

10.2.4 Private storage buildings, subject to the requirements of Section 17.23

### **Section 7. 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 8. 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.

## **CITIZENS COMMENTS**

Laurie Rova, Aloha Township resident, stated that she is married to a Vietnam Veteran who relies on the Veterans office and expressed her displeasure regarding that departments' secretary's inability to use the computer accurately.

Richard Jankoviak, Inverness Township resident, questioned if the 2009 Elected Officials Salary and Wage increase, was a cost of living increase. Finance Director Kari Kortz indicated the county uses the Midwest Rural CPI, which is at 4.23 as of August 31, 2008. Then Mr. Jankoviak questioned the health insurance benefits paid for by the county and out of pocket expenses paid by the employees. Commissioner Socha explained the contract policies and the union contract

negotiating process, whereby, they use comparables from other counties. Also he questioned how long an employee and newly elected official needs to work before they receive health insurance benefits. Administrator Overton stated that a newly elected official receives health insurance benefits immediately and other newly employees have to wait approximately 1½ months before they are eligible. If there is need for a Family Plan the employee can pay the premium, but the county does not pick that up until after they have been employed for five (5) years. Commissioner Wallace clarified that the benefit package is part of the total salary. Commissioner Redmond stated that an employer cannot pick and choose who gets health insurance because it is set by law. He suggested that Mr. Jankoviak look at a study from NEMCOG that is relative to counties. Civil Counsel Graham stated that the compensation for the Road Commission must be approved by statute by this Board of Commissioners and the monies that is ultimately paid to the Road Commissioners comes from the Road Commission's budget.

Gail Southwell Walker Township resident questioned why people who are old enough are not put on Medicare. Administrator Overton stated that there is a law that states employer groups with 20 or more employees on the payroll, 65 years or older including spouses always have to be provided the group health insurance plan, which should be their primary insurance and Medicare as their secondary insurance.

Don Horrocks of the City of Cheboygan questioned if the Cheboygan County Board of Commissioners takes an increase in per diems, can the County Road Commissioners turn it down. Civil Counsel Graham explained that they cannot turn it down.

**BOARD MEMBER COMMENTS**

Commissioner Bolinger recommended that everyone get a flu shot.

Commissioner Page commented that the Farmers Almanac is predicting a tough winter.

**Motion** by Commissioner Makima, seconded by Commissioner Wallace, to adjourn to the call of the Chair. Meeting adjourned at 12:12 P.M.

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Karen L. Brewster  
Chief Deputy Clerk Register

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Linda Socha  
Chairperson