

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
RECONVENED MEETING
October 29, 2009**

The reconvened 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.

Chairperson Socha advised that both Commissioners Mushlock and Wallace were excused. She said Commissioner Mushlock is in Ann Arbor with her husband and Commissioner Wallace is in the hospital. Roll called and a quorum present.

PRESENT: Commissioners Socha, Makima, Redmond, Page, and Bolinger

ABSENT: Commissioners Mushlock and Wallace (excused)

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

Motion by Commissioner Redmond, seconded by Commissioner Makima, to approve the agenda as presented. Motion carried with 5 yes, 0 no and 2 absent.

Chairperson Socha reminded everyone of the Board's meeting format and stated action would be taken on the rezoning issue under New Business. She noted that the prior action taken by this Board to adopt the Planning Commission recommendation regarding this rezoning request was not valid due to the notification error by the County at that time. She said this is not a vote to approve or disapprove a specific project; and all comment and correspondence on this matter was included in this board's packets. She said a motion regarding a rezoning issue requires a majority vote of the full seated board not the quorum today to pass, so 4 votes would be required.

BRIEF CITIZENS COMMENTS – Attorney Christopher Lindsay addressed the Board representing Budzinski and Eichenhorn, adjacent property owners to the proposed rezoning property. Mr. Lindsay said it would be preferred by his clients that the Lake & Stream area be extended 100 feet from the shore rather than the 50 feet as the proposed ordinance currently states. He said he attended the Planning Commission meetings where this rezoning was discussed. He said, if this is approved, the protective wall should be constructed of material such as brick or block or at least a hedge that retains its foliage year around.

NEW BUSINESS

Community Development Director Steve Schnell presented an in depth PowerPoint presentation of the property being considered for rezoning and reviewed the planning and zoning process that leads to a rezoning. He reviewed the findings and facts that were considered by the Planning Commission before their recommendation to proceed with the rezoning; and reviewed and explained the property in detail using maps of the area. He reminded the Board than in considering rezoning to commercial it is important to consider all of the permitted uses in commercial zoned areas.

Civil Counsel Peter Wendling urged the board to keep in mind the question before them today is not related to an assisted living facility, it is strictly to be viewed as a rezoning. He said the future land use map of this property designates this area's future use as General Commercial; and very few areas in the master plan are slated to be zoned commercial as this one is and this should be considered. Asked board to consider recommendation from the PC and proceed. Discussion held.

Motion by Commissioner Makima, seconded by Commissioner Bolinger, to approve Zoning Ordinance Amendment #82 rezoning certain portions of real property from Lake and Stream Protection (P-LS) and Agricultural & Forestry Management (M-AF) to Commercial Development (D-CM) with the exception of a fifty foot (50') wide area of land along the Cheboygan River's edge on Parcel A as labeled on the revised application and the south forty feet (40') of Ms. Dedenbach's property which shall remain in the Lake and Stream Protection District based upon the finds of fact adopted by the planning commission and hereby adopted by the Cheboygan County Board of Commissioners and including all

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written correspondence, public comment and exhibits of record from the Cheboygan County Planning Commission. Discussion, Commissioner Page voiced concerns with types of uses commercial zoning would allow on this property should the proposed development fail. Chairperson Socha said she believes everyone is aware of the risk and to vote on that and not the project. She also complimented Mr. Schnell and his staff. A roll call vote was taken. Motion carried 5 yes, 0 no and 2 absent.

BOARD MATTERS FOR DISCUSSION

Soil Conservation – Administrator Overton said he spoke to Buddy Ormsbee and he has moved away from what he presented on Tuesday, as given the times it is not time to create a new department. Mr. Ormsbee has suggested considering the regular budget (\$14,340) for Soil Conservation and look to utilize community service if possible.

Regarding the District Court matter, Administrator Overton said he spoke with Judge Barton regarding the letter received. She said she would pursue the matter. Discussion held on personnel files and position changes within departments.

Sheriff Clarmont said he talked to Dar McKinley regarding the GED program, and she said there is a tester available at this time.

Recycling (Fund 226) – Administrator Overton distributed a wage comparison assessment compiled by Human Resource Director. The \$28,119 recommended for Recycling Coordinator would not include fair manager \$10,000. Lengthy discussion on separate pay for multi positions held by the same person. Need more information on this for a decision.

Fund 267 Drug Court – no grant funding – Administrator Overton said this would be on the agenda for the November 10th meeting with a revised budget. Prosecutor Vizina said for training he would anticipate 8 individuals attending. Discussion held expending money for non-county employees to attend training. From the general fund county contribution would be 22,000. There will be more discussion on this at November 10th meeting.

Fund 276 SAYPA – Anticipate losing funding from MSUE, without adding for losing those funds, \$32,000 would come from general fund. Discussion held on grant applications not being reviewed by the Finance Director as happened with Drug Court and SAYPA grants. If we lose funds from MSUE no additional funds will be appropriated.

Senior Citizens Millage - Requested budgets but are awaiting recommendation from the committee, \$19,000 to be reserved.

Child Care – Not complete at this time.

Chairperson Socha asked what would be needed from the board at this time. A meeting on the budget will be scheduled for any further needed budget discussion.

Discussion held on lowering recycling fee from the current \$24.00 per year for opt-in townships.

Motion by Commissioner Redmond, seconded by Commissioner Page, to lower the recycling fee to \$20.00 for opt in townships and leave fees the same for residents of opt out townships same, to be effective December 1, 2009 and included on the Fee Resolution. Motion carried with 5 yes, 0 no and 2 absent.

Motion by Commissioner Makima, seconded by Commissioner Redmond, to adjourn to the call of the chair. Meeting adjourned at 12:29 p.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson