

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
November 6, 2007**

The meeting 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.

Chairperson Socha requested in order to accommodate many in the audience that Old Business be moved before Committee Reports, and that Item C under Old Business, Road Commission Membership, be moved to Item A. She also noted that the Administrator's Contract, as an employment agreement falls within the responsibilities of the Board Appointments and Procedures Committee and included in the committee's report by Commissioner Redmond.

Motion by Commissioner Bolinger, seconded by Commissioner Mushlock, to approve the agenda with the above changes and to approve the consent agenda as presented, consisting of the following items:

- A. Approve Minutes of the September 11, 2007 Finance/Business Meeting, the September 25, 2007 Committee of the Whole Meeting, the October 9, 2007 Finance/Business Meeting and the October 23, 2007 Committee of the Whole
- B. Approve Monthly Finance Claims – Finance = \$73,635.23; Prepaids = \$871,666.78
- C. Budget Adjustments – Inter-budget Transfers: 1) Equalization Dept. transfer \$1,812.00 from 101-225-719.00 Part-time to 101-225-718.00 Full-time GIS Administrator; 2) Child Care transfer \$1,500.00 from 292-149.711-00 Retirement to 292-149-712.00 Fringe, and transfer \$150.00 from 292-157-711.00 Retirement to 292-157-712.00 Fringe. Raise Revenues and Expenditures totaling \$33,049.00; General Fund 101 total budget increase of \$21,242 (\$316.00 District Court, \$2,613.00 Administrative Office, \$275.00 Sheriff's Department, \$1,538.00 Animal Control, \$16,500.00 Medical Examiner) – Fund 214 total budget increase of \$1,177.00 (S.A.N.E.) – Fund 249 total budget increase of \$273.00 (Building Dept.) – Fund 270 total budget increase of \$2,286.00 (Veterans Assistance) – Fund 294 total budget increase of \$4,071.00 (Veterans Trust) – Fund 595 total budget increase of \$4,000.00 (Jail Commissary). Inter-budget Transfers Drain Commissioner transfer \$180.00 from 101-275-863-00 Travel to 101-275-706-.00 Per Diems and Raise Revenue and Expenditures totaling \$500.00 (Drain Commissioner)
- D. Brownfields Quarterly Progress Report
- E. Communications:
 - 1. Antrim County Resolution in Opposition to U.S. HB 811 Regarding Elections
 - 2. Bay County Resolution to Repeal Choice Provisions of PA 141 of 2000 & Endorse the 21st Century Energy Plan
 - 3. Bay County Resolution to Fully Fund Crucial Local & County Programs
 - 4. C.C.E. Board of Directors minutes of July 18, 2007
 - 5. Health Board minutes of August 23, 2007
 - 6. North Country Community Mental Health Board minutes of September 20, 2007
 - 7. Michigan Northern Counties Association minutes of September 17, 2007
 - 8. Cheboygan County Fair Board minutes of September 10, 2007
 - 9. Cheboygan County Housing Commission minutes of October 3, 2007
 - 10. Board Appointments & Procedures minutes of October 15, 2007
 - 11. Cheboygan County Road Commission minutes of September 27, 2007 and October 11, 2007
 - 12. Cheboygan City Council minutes of September 25, 2007 and October 9, 2007

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13. Planning Commission minutes of October 3, 2007

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

CITIZENS COMMENTS

Comments against increasing the County Road Commission membership from three members to five members were received from Waverly Township Supervisor Tony Matelski, Road Commissioner Mike Donovan, County Resident Don Horrocks, Road Commission Engineer/Manager Luke Houlton, Road Commission Chairman Don Spray, and Nunda Township Supervisor John Moore. Most of the comments received against the change were concerns with the cost of two additional commissioners. Those who spoke in favor of the increase in membership were Aloha Township Supervisor Chuck Maziasz, MTA Chairperson and Benton Township Supervisor Bruce Brandt, Beaugrand Township Supervisor MarciaRocheleau, and Mullett Township Treasurer Karen Morgan. Those in favor of the increase seem to believe it would result in better representation and communication.

SCHEDULED VISITORS

Sheriff Clarmont presented a certificate of retirement to Sergeant Rusty Veihl accompanied by his wife Judy. Sheriff Clarmont said Sergeant Veihl has been with the department for the past 30 years. Sergeant Veihl thanked the entire board, and said he has been honored to serve the citizens of Cheboygan County. He also thanked his wife, his parents, and all the partners he has had over the last 30 years. Chairperson Socha presented a certificate of appreciation to Sergeant Veihl, with pride and regret, on behalf of all the citizens of the county.

Probate Judge Robert Butts presented a certificate of appreciation on behalf of the Probate & Family Court to George Olson, the 4-H Mentor Program Coordinator, who is stepping down due limitation of service to this program. Judge Butts said George Olson approached him shortly after he was elected probate judge to voice his interest in doing something for children and families. When the mentor position was available George came to mind and stepped up. Chairperson Socha also presented a certification of appreciation on behalf of the board and all the citizens of the country. George said it has been a great opportunity to be part of this program and he looks forward with pride to see it continue on.

Straits Regional Ride Director Mike Couture said Richard Fenlon has worked for the bus system since its inception and will be retiring in just a few days. He will be missed as he has mentored other employees and is always willing to go the extra mile. Chairperson Socha presented Richard Fenlon a certificate of appreciation and thanks from the board and citizens of the county. Dick thanked the board for continuing SRR and taking over the system from Otsego County.

Chairperson Socha said Cora Ann Waldron could not be in attendance, but a certificate of appreciation will be sent to Ms. Waldron for her many years of dedicated service on Cheboygan County Construction Code Board of Appeals

FINANCE DIRECTOR'S REPORT – Finance Director Kari Kortz presented the revenue and expenditures report for the General Fund for the month ended September 30 2007. She reported as of September 30, 2007 total revenue was of \$6,451,126.32 versus \$6,511,788.30 million last year at that time, a decrease of approximately \$60,000. Ms. Kortz reported expenditures were \$6,868,052.33 million, or 67.19% of budget, compared to \$6,577,759.63 last year as of the end of September. She reviewed the Fund Balance quarterly report and Summary of General Fund Expenses by Category, which also is a quarterly report.

OLD BUSINESS

Administrator Overton said since the passage of House Bill 4315, which allows the Board of Commissioners to increase the number of members on the county road commission from three to five, there has been much discussion and debate. In August this Board held a public hearing at the Cheboygan High School Auditorium as required by the legislation and requested by the Cheboygan

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Chapter of the Michigan Townships Association. Chairperson Socha said if approved, the terms would be staggered 6-year terms with election at the next general election. Board discussion was held, with most commissioners voicing concerns and opinions.

Motion by Commissioner Wallace, seconded by Commission Mushlock, pursuant to HB 4315 to authorize a change in the road commission membership from 3 to 5 members with 6-year staggered terms with positions to be placed on the ballot at the next general election. A roll call vote was taken. Motion carried with 5 yes, 2 no (Commissioners Makima and Bolinger), and 0 absent.

Lisa Fought of the NLEA presented a resolution for adoption that would declare the County's intent to establish a Brownfield Redevelopment Authority and set the date for a public hearing. Civil Counsel has revised all of the information and made necessary changes.

Motion by Commissioner Wallace, seconded by Commissioner Redmond, to adopt the following resolution, noting the date of the Public Hearing as December 11, 2007:

RESOLUTION 07-025

Intent to Create and Provide for the Operation of a Brownfield Redevelopment Authority

WHEREAS, the Board of Commissioners of Cheboygan County (the "Commission") has determined that there are or may be certain environmentally distressed properties in the County of Cheboygan and that the continued existence of such property can limit, hinder or delay the redevelopment or revitalization within the County, and, accordingly, that it is in the best interests of the public to facilitate the implementation of plans relating to the identification and treatment of environmentally distressed property so as to promote revitalization within the County of Cheboygan; and

WHEREAS, in order to further such interests, it is appropriate for the Commission to create and provide for the operation of a brownfield redevelopment authority within the County of Cheboygan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act");

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Commission hereby determines that is in the best interests of the public to promote the redevelopment of environmentally distressed areas of the County, and in order to do so, to facilitate the implementation of brownfield plans relating to the designation and treatment of environmentally distressed property within the County.
2. The Commission hereby declares its intention to create and provide for the operation of the Authority within the County of Cheboygan pursuant to and in accordance with the provisions of the Act.
3. The Commission hereby declares that the Cheboygan County Brownfield Redevelopment Authority will exercise its powers with respect to eligible property only if the city, village or township in which the eligible property is located concurs with the provisions of a brownfield plan for that eligible property in accordance with the Act; and
4. A public hearing shall be held before the Commission on December 11, 2007 at 9:30 a.m. in the Commission Chambers, Cheboygan County Building, 870 Main Street, Cheboygan, Michigan, on the adoption of a resolution creating the Authority within the County of Cheboygan.
5. Cheboygan County Board of Commissioners shall give notice to the public of the public hearing by causing notice to be published twice, in the form attached hereto as Exhibit A, in the Cheboygan Daily Tribune, a daily newspaper of general circulation in the County of Cheboygan, the first of which will be not more than 40 or less than 20 days before the hearing date.

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

Administrator Overton presented Ordinance #02 of 2007 Cheboygan County Recycling Ordinance for approval. The ordinance had been reviewed and discussed at the last Committee of the Whole Meeting. He asked if there were any questions or concerns with this ordinance. He noted the ordinance provides for a fee to be adopted for those residents in opt-out townships to participate in recycling, and that fee would be adopted by resolution at a later date. Discussion held among the board members included the violation section, contaminated loads, which could be costly, poverty tax exemptions, and the importance of recycling in regards to our natural resources.

Motion by Commissioner Wallace, seconded by Commissioner Page, to adopt Cheboygan County Recycling Ordinance No. 2 of 2007, as follows, and authorize the Chair to sign:

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**CHEBOYGAN COUNTY
Ordinance # 02 of 2007**

AN ORDINANCE PURSUANT TO SECTION 11(j) OF ACT 156 OF THE PUBLIC ACTS OF 1851, AS AMENDED, BEING MCL 46.11(j), RELATING TO THE CHEBOYGAN COUNTY RECYCLING PROGRAM

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

Section 1. Name.

This Ordinance shall be known as the “Cheboygan County Recycling Ordinance.”

Section 2. Legislative Findings; Purpose.

Cheboygan County has adopted a Solid Waste Management Plan, as required under Part 115 of the Natural Resources and Environmental Protection Act of 1994, being Act 451 of the Public Acts of 1994, as amended. A component of the Solid Waste Management Plan is the County's Recycling Program, which encompasses waste reduction and collection of consumer source separated services and related educational programs. Pursuant to Section 8a(1) of the Urban Cooperation Act of 1967, being MCL 124.508a(1), the Cheboygan County Board of Commissioners has imposed by resolution an annual surcharge of \$24.00 on households within those townships of the county that have entered into interlocal agreements with the county relating to the collection and disposition of the surcharge. The purpose of the household surcharge imposed is for waste reduction programs and for the collection of consumer source separated materials for recycling or composting including, but not limited to, recyclable materials, as defined in Part 115 of the Natural Resources and Environmental Protection Act, being MCL 324.11501 to 324.11550, household hazardous wastes, tires, batteries, and yard clippings. Because not all townships in the county have entered into the required interlocal agreements, the surcharge will not be imposed on households uniformly throughout the county. Although the household surcharge will not be imposed in some townships within the county, the Cheboygan County Board of Commissioners finds that some residents within the townships that have not entered into the required interlocal agreements may still desire to participate in the county recycling program by voluntarily paying a recycling fee. In addition, the Cheboygan County Board of Commissioners finds that it would be inequitable for residents to deposit their recycling materials with the county recycling program without paying either the household surcharge or the voluntary recycling fee. Therefore, the purpose of this Ordinance is to provide procedures to allow residents of townships that have not entered into the required interlocal agreements to participate in the county recycling program through the payment of a voluntary recycling fee and to prohibit residents of townships that have not entered into the required interlocal agreements from depositing their recycling materials with the county recycling program without paying either the household surcharge or the voluntary recycling fee.

Section 3. Definitions. As used in this Ordinance,

“Ashes” means the residue resulting from the burning of wood, coal, coke or other combustible material.

“Cheboygan County Recycling Department” means the department within Cheboygan County with the responsibility to oversee and administer the Cheboygan County recycling program.

“Commercial recyclable materials” means recyclable materials resulting from the operation of business enterprises and institutions.

“Construction waste” means waste from building construction, alteration, demolition or repair including, but not limited to excavated earth, stones, brick, concrete, plaster, lumber and roofing.

“Garbage” means all animal and vegetable wastes resulting from the handling, preparation, cooking or consumption of foods.

“Hazardous waste” means waste, or a combination of waste and other discarded material, including solid, liquid, semisolid or containing gaseous material, which, because of its quality, concentration or physical, chemical or infectious characteristics pose a substantial present or potential hazard to human health or the environment.

“Household” means a mobile home and a single unit building or portion thereof, including but not limited to a house, apartment, and condominium unit, which provides complete independent living facilities (permanent provisions for living, sleeping, eating, cooking and sanitation) for one (1) family for residential purposes and which is occupied for residential purposes at any time during the year.

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"Household recyclable materials" means recyclable materials resulting from the ordinary course of living within a household.

"Household surcharge" means the annual surcharged imposed by resolution of the Cheboygan County Board of Commissioners pursuant to Section 8a(1) of the Urban Cooperation Act of 1967, being MCL 124.508a(1), on households within those townships of the county that have entered into interlocal agreements with the county relating to the collection and disposition of the surcharge.

"Person" means an individual, firm, corporation, association, partnership, limited liability company, or other legal entity.

"Recyclable materials" means source separated materials, site separated materials, high grade paper, glass, metal, plastic, aluminum, newspaper, corrugated paper, yard clippings, and other materials that may be recycled or composted.

"Site separated material" means glass, metal, wood, paper products, plastics, rubber, textiles, garbage, yard clippings, or any other material approved by the department that is separated from solid waste for the purpose of conversion into raw materials or new products. Site separated material does not include the residue remaining after glass, metal, wood, paper products, plastics, rubber, textiles, or any other material approved by the department is separated from solid waste.

"Source separated material" means glass, metal, wood, paper products, plastics, rubber, textiles, garbage, yard clippings, or any other material approved by the department that is separated at the source of generation for the purpose of conversion into raw materials or new products including, but not limited to, compost.

"Township recycling fee" means a charge imposed by a township within Cheboygan County on households for the collection of consumer source separated materials for recycling or composting including, but not limited to, recyclable materials, as defined in Part 115 of the Natural Resources and Environmental Protection Act, being MCL 324.11501 to 324.11550, household hazardous wastes, tires, batteries, and yard clippings.

"Yard clippings" means leaves, grass clippings, vegetable or other garden debris, shrubbery, or brush or tree trimmings, less than 4 feet in length and 2 inches in diameter, that can be converted to compost humus. Yard clippings do not include stumps, agricultural wastes, animal waste, roots, sewage sludge, or garbage.

Section 4. Prohibited Conduct.

- (a) No person shall deposit household recyclable materials in any container used by the Cheboygan County Recycling Department to collect those materials, unless that person has paid the household surcharge, a township recycling fee, or obtained a permit from the Cheboygan County Recycling Department authorizing the deposit of household recyclable materials.
- (b) No person shall deposit commercial recyclable materials in any container used by the Cheboygan County Recycling Department to collect household recyclable materials.
- (c) No person shall deposit ashes, construction waste, garbage, or hazardous waste in any container used by the Cheboygan County Recycling Department to collect household recyclable materials.

Section 5. Permit; Fee.

Any person who has not paid the household surcharge and who desires to participate in the Cheboygan County recycling program, shall obtain a permit from the Cheboygan County Recycling Department under the terms and conditions of this section. Before receiving the permit authorized herein, the person shall pay a recycling fee to the Cheboygan County Recycling Department, the amount of which shall be determined from time to time by resolution of the Cheboygan County Board of Commissioners. After obtaining the permit authorized herein, the person shall display the permit in the bottom right hand corner of the windshield of the motor vehicle used to transport the household recyclable materials to the recycling collection sites. The recycling permits authorized herein may be issued for multiple years not to exceed five (5) years.

Section 6. Violations; Penalties.

- (a) Any person who violates any provision of this Ordinance, except Section 4(c), shall be responsible for a municipal civil infraction as defined in Public Act 126 of 1994, amending Public Act 236 of 1961, being Sections 600.101 - 600.9939 of the Michigan Compiled Laws and shall be punished as follows:

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- (1) For a first offense, the person shall be fined not less than \$100.00, nor more than \$200.00, plus the costs of prosecution and other sanctions provided by law.
 - (2) For a second or subsequent offence occurring within two (2) years of the date the person was found responsible for the first or immediately preceding offense, the person shall be fined not less than \$200.00 nor more than \$500.00, plus the costs of prosecution and other sanctions provided by law.
- (b) Officers of the Cheboygan County Sheriff's Department are hereby authorized to issue municipal civil infractions under this Ordinance directing offenders to appear in court.
- (c) Any person who knowingly violates Section 4(c) of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred and 00/100 Dollars (\$500) and/or by imprisonment in the county jail for not more than ninety (90) days.

Section 7. Nuisance Per Se.

A violation of this Ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.

Section 8. Separate Court Action.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding or a criminal prosecution, the County may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 9. 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 10. Effective Date.

This Ordinance shall become effective fifty (50) days following its enactment.

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

COMMITTEE REPORTS

Commissioner Redmond presented recommendations from the Board Appointments & Procedures Committee, including a proposed new employment Agreement between the County and Administrator Overton. Commissioner Redmond said the agreement is basically an extension of the present agreement with a 4% increase in salary for 2008, some changes in language regarding the use of the county supplied automobile and the provided cell phone, and the administrator's evaluation process also was modified slightly. Civil Counsel Bryan Graham said also conditions that no longer apply, such as moving expenses, were removed. The new agreement would be effective January 1, 2008 thru December 31, 2010, with salary for 2009 and 2010 being addressed following annual evaluations. Commissioner Redmond said comparable counties were looked at in determining the revised contract. Commissioner Page asked if any employment contract proposals are bound by binding arbitration. Discussion held, Civil Counsel said binding arbitration is a labor issue and he prefers to make decisions on arbitration when the dispute is known, as arbitration is always an option.

Motion by Commissioner Redmond, seconded by Commissioner Makima to approve new employment agreement between the County and Michael Overton as County Administrator, as presented, and authorize the Chair to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Overton said almost two years have gone by and he appreciates extending his contract and hopes to serve the board well for the next three years.

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Commissioner Redmond also presented the recommendations from the Board Appointments & Procedures Committee on reappointments to the Waterways Commission, the Housing Commission, the Department of Public Works, the Zoning Board of Appeals, the Airport Authority, and Construction Code Board of Appeals.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to reappoint George Pike and Ronald Ramsey to new three-year terms on the **Cheboygan County Waterways Commission** commencing January 1, 2008 thru December 31, 2010. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Wallace, to reappoint Ron Tebo to a new five-year term on the **Cheboygan County Housing Commission** commencing January 1, 2008 thru December 31, 2012. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Bolinger, to reappoint John D. Moore and Ralph Hemmer to new three-year terms on the **Cheboygan County Zoning Board of Appeals** commencing January 1, 2008 thru December 31, 2010. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Bolinger, to reappoint Del Reynolds and Louis Vassilakos to new three-year terms on the **Cheboygan County Airport Authority** commencing January 1, 2008 thru December 31, 2010. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Bolinger, to reappoint James E. Muschell to a new two-year term on the **Cheboygan County Construction Code Board of Appeals** commencing January 1, 2008 thru December 31, 2009. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Redmond, seconded by Commissioner Makima, to reappoint Garfield Geyer to a new three-year term on the **Department of Public Works** commencing January 1, 2008 thru December 31, 2010. Motion carried with 7 yes, 0 no and 0 absent.

Commissioner Redmond said the Fair Board appointment recommendations were made last night and will be discussed at the Board Appointments & Procedures Committee meeting on Wednesday. Chairperson Socha said the third person on the Airport Authority whose term expires has reconsidered and does wish to serve another term.

Commissioner Wallace said the recent NMSAS meeting included a round table discussion on drug abuse, with Detective Todd Ross testifying; all 26 counties present at the meeting were amazed at the drug problems occurring. Commissioner Wallace suggested the Board of Commissioners hold an education session and workshop on substance abuse in the county. Chairperson Socha said the board would be holding an extensive board planning session in January at the Committee of the Whole meeting.

Commissioner Page attended the NEMCSA meeting Grayling where homeless awareness was discussed and reported there are a surprising number of homeless in northern Michigan. He said many of the various county offices are not aware of the numerous programs available through NEMCSA. Chairperson Socha suggested scheduling a NEMCSA representative to address the board regarding NEMCSA programs; the administrator's office to contact NEMCSA.

Commissioner Mushlock reported attending the Community Mental Health Board meeting, a meeting of the Housing Commission and the Fair Board meeting. Chairperson Socha said she noticed in the minutes of the Housing meeting that there may be an opening on that committee. She said the appointment would flow through the Board Appointments & Procedures Committee.

Commissioner Bolinger attended a Nunda Township meeting; 511 Community Corrections Advisory Board meeting, discussed GED; Michigan Northern Counties, discussed 911 funding and legislation to change township government; Health Board Meeting, nurse shortage, flu shots; the NEMCOG meeting in Gaylord, heard a report on county economic development, old plywood plant discussed, and overpass south of Gaylord; Pigeon River Council meeting discussed timber management and

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harvest. He also reported attending the LEPC meeting and Rapid Response exercise in the county building. Commissioner Page asked if state campsites closed this summer would be reopened; probably not unless fees increased.

Commissioner Socha reported attending the LEPC meeting, an item of concern was when the Fiber Optic phone line was cut earlier this year, we probably should have had EOC opened at that time, she will check with Emergency Management on that. She said there has been discussion of possibly combining LEPC with a Planning Committee, she does not favor that. She said she would report on both of these issues after more discussion with those involved. She also attended the Northern Cheboygan County Inter-municipality Planning Commission meeting, that group has been working on a comprehensive plan for surrounding townships. The group plans discussion on the pros and cons of annexation versus 425 Agreements for the December meeting. She reported attending the Rapid Response drill in the building; and a recent SANE meeting. She said the Byrne grant for SANE will be ok for 2008; that contributions from other counties continue to decline, but SANE is financially ok at present. Cheboygan County continues to have numbers that more than justifies involvement in SANE. A report from the Michigan Natural Resources Trust Fund Grant Program shows that only 4 other counties received more than Cheboygan County, \$22,095,100.

NEW BUSINESS

Straits Regional Ride Director Mike Couture presented the transportation agreement between Cheboygan County on behalf of Straits Regional Ride (SRR) and Straits Area Services, Inc. (SASI) and explained the agreement. This is a two year agreement; year one 3% increase over 2006 amount of \$77,792 to \$80,051.57, and year two an increase of 36.2% over 2007 amount of \$80,051.57 to \$110,000.00. Year one financial impact leaves counties of Emmet, Presque Isle & Cheboygan still subsidizing SASI roughly \$27,000.00. Year two brings SASI up to the point that we no longer have to subsidize SASI to operate and includes 3% for inflation.

Motion by Commissioner Makima, seconded by Commissioner Redmond, to approve the transportation agreement between Cheboygan County on behalf of Straits Regional Ride (SRR) and Straits Area Services, Inc. (SASI), as drafted by Civil Counsel and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Overton presented the Cheboygan County Council on Aging Lease for the Sand Road and Wolverine locations which have been modified substantially. He said the modifications resulted from the combining of the Sand Road and Wolverine location agreements. In addition to only one agreement, the term of the agreement has been reduced to five years with an optional five year renewal. The new agreement also enhances the casualty and liability insurance requirements for the properties by transferring the cost to CCCOA. The agreement was drafted by civil counsel and has been reviewed and approved by Mike Bur, Executive Director of the CCCOA.

Motion by Commissioner Bolinger, seconded by Commissioner Page, to approve the 5-year lease agreement between Cheboygan County and the Cheboygan County Council on Aging and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Administrator Overton presented an agreement between Cheboygan County and Presque Isle County for the 89th District Court. He briefly outlined the history of this agreement. Cheboygan County authorized an agreement on January 1, 2003 with Presque Isle County for the Joint County Financing of the 89th District Court and its employees. This agreement allowed Cheboygan County to be the Administrative County for payment of all salaries, expenses, fringe benefits and termination benefits of the District Court employees. The Presque Isle County Board of Commissioners passed a motion terminating the 89th District Court Joint Agreement effective August 1, 2007, preferring to use their own personnel for the functions of their District Court. Therefore, other than Judge Johnson, no Cheboygan County court personnel work for Presque Isle County. This in effect increases total staff hours available to Cheboygan County by 4.9% and the cost of the Cheboygan County 89th District Court by 4.72%. Attorneys for both Counties have reviewed and approved the new agreement for joint County financing of the 89th District Court Judge.

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Motion by Commissioner Redmond, seconded by Commissioner Bolinger, to approve the Cheboygan and Presque Isle County Agreement for joint County financing of 89th District Court Judge and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Clerk/Register Mary Ellen Tryban said that this year Cheboygan Memorial Hospital is celebrating its 65th Anniversary, and in commemoration of that she prepared a resolution of recognition. Discussion held on importance of the hospital to this community.

Motion by Commissioner Bolinger, seconded by Commissioner Wallace, to adopt the following resolution:

**RESOLUTION 07- 028
RECOGNIZING THE 65TH ANNIVERSARY OF CHEBOYGAN MEMORIAL HOSPITAL**

Whereas, in 1929 a committee of prominent citizens met to discuss and began a fund-raising campaign to build a hospital in Cheboygan; and

Whereas, the goal of that committee was realized on October 31, 1942 with the official opening of Community Memorial Hospital, now known as Cheboygan Memorial Hospital; and

Whereas, the citizens of Cheboygan County have witnessed much growth and considerable change in the hospital since its opening in 1942; and

Whereas, Cheboygan Memorial Hospital has a distinguished legacy of offering excellent health care to the citizens of this county and surrounding counties; and

Whereas, Cheboygan Memorial Hospital, the largest employer in Cheboygan County, has a huge economic impact on Cheboygan County.

NOW, THEREFORE BE IT RESOLVED, that the Cheboygan County Board of Commissioners hereby recognizes the 65th Anniversary of Cheboygan Memorial Hospital and congratulates the hospital administration, physicians, nurses and the entire staff for continuing to provide quality care with compassion, gentleness, and personal attention.

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

Chairperson Socha said she had hoped to have a resolution from the county recognizing servicemen and veterans with Cheboygan County ties; however, due to the loss of the VA Director's wife, it has not been prepared yet.

District Health Department #4 Environmental Health Director Scott Smith presented Resolution 07-029 District Health Dept. (DHD) #4 Sanitary Code, Part IX – Water Supply for adoption. He explained that in 1996, when this was last adopted, Presque Isle County elected to have their own sanitary code, but now desires to join with the other counties. Each member County must re-adopt the resolution per DHD legal counsel.

Motion by Commissioner Bolinger, seconded by Commissioner Makima to adopt the following resolution and authorize the Chairperson to sign:

**RESOLUTION NO. 07-029
OF 2007**

WHEREAS, Michigan law, being 1978PA 368, Sec.2441(1), requires that a regulation of a district health department be approved by the governing entity of each of its members;

WHEREAS, this county is a member of District Health Department #4 and the Board of Commissioners is the governing entity of this county;

WHEREAS, the District Health Department #4 regulation known as "PART IX - Water Supply" as part of the District Health Department No. 4 Sanitary Code did not apply to Presque Isle County previously; and

WHEREAS, Presque Isle County desires that this regulation now apply to it;

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BE IT RESOLVED that the attached regulation, known as “PART IX - Water Supply” as part of the District Health Department No. 4 Sanitary Code, adopted by the Board of Health of District Health Department #4 is approved and adopted as being effective in all counties comprising District Health Department #4 and to the extent that this regulation may have been previously adopted and approved by this county, any such prior approval and adoption is ratified and confirmed.

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

Human Resources Director Tim Garey presented the annual MERS resolution for Benefit “E” for retired personnel. Each year MERS calculates what it would cost to provide a 2% increase for retired employees for the upcoming year. Though it is not an obligation, the County has approved this annual increase every year since 2000. The total accrued liability for the 2% per year increase is \$77,300, which will be paid off in annual increases of \$4,212 in our contributions. This increase would raise Cheboygan County’s liability to \$481,997 based on current actuarial values and will benefit 58 individuals. Discussion held.

Motion by Commissioner Bolinger, seconded by Commissioner Wallace, to approve Resolution 07-027 (copy on file in County Clerk’s office) and authorize the Chairperson to sign the proposed 2008 Benefit Program “E” increase for retired personnel. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Assistant Prosecutor Eric Kaiser presented the annual Title IV-D contract between Department of Human Services and the Prosecuting Attorney’s Office. He explained this contract is for Title IV-D funding for child support services in Cheboygan County, and is a renewal for one year only. The federal and state government reimburses the county 66% of expenses incurred in establishing paternity and support orders. The contract had been reviewed by finance and the administrator.

Motion by Commissioner Bolinger, seconded by Commissioner Redmond, to approve the Title IV-D Contract No. CSPA-08-16002 between the Michigan Department of Human Services and the County of Cheboygan for the Prosecuting Attorney’s Office and authorize the Chairperson to sign. Commissioner Wallace asked how this compares to last year’s. The Finance Director said last year the amount was \$74,541, the amount approved for this year is just over \$77,000, however we may not use all of it. Discussion held on child support and collections, Mr. Kaiser said he would have figures put together. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

IS Manager Matt Hellens reported that a new website design has been completed and is ready for implementation. He said Clockwork Logic offers a Content Management System that would allow for easy updates to the content of the county’s site without having to modify the html or script. Not only would this give every department the ability to modify their content, but it would also allow Information Systems to do significant content organization changes with a significant time savings. The tool also comes with several modules including an events calendar, photo gallery, and search engine. Every department within the county has expressed great interest on expanding their capabilities to serve the public. This Content Management System will give them the ability to use the county’s new website to achieve that goal. Legal Counsel has reviewed the agreement for form and function. If the contract is approved, the initial setup fee is \$1000, with an ongoing fee of \$50 per month or \$600 annually. He said additional template integrations (additions to website design) to be billed hourly at \$200 for the first hour and \$50 for each additional hour.

Motion by Commissioner Redmond, seconded by Commissioner Bolinger, to approve the website development and hosting agreement with Clockwork Logic, Inc. and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

CITIZENS COMMENTS

Assistant Prosecutor Eric Kaiser complimented the board on passing the recycling ordinance. He advised that he lives approximately seven miles from the Cheboygan County line in Emmet County. Mr. Kaiser related that since assuming his position as assistant prosecutor for Cheboygan County about fourteen months ago, he has played a roles, including one trial, in the first two drug related

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homicide cases in Cheboygan County ever, and both cases were successful. He also reported court statistics for 2006 and 2007 (through November 1, 2007) as follows:

District Court - Miscellaneous Cases Filed	2006 = 1,044	2007 (thru 11-1-07) = 1,200
District Court – Cases Pled	2006 = 642	2007 (thru 11-1-07) = 866
Jury Trials - District Court	2006 = 3	2007 = 7
Circuit Court	2006 = 3	2007 = 8

Mr. Kaiser said his record in court has proven to be more successful than previous to him assuming the position. He suggested that if the board puts together a session on drug problems in the county that they ask Detective Ron Nightingale of the Michigan State Police to participate as he is extremely knowledgeable on the drug situation in the county.

Marcia Rocheleau, Beaugrand Township Supervisor, on behalf of the Cheboygan Chapter of the Michigan Township Association, thanked the board for addressing the road commission matter. She also said as a member of the Inter-municipality Planning Commission that any county commissioner is welcomed to attend that group's meetings, especially the December meeting on annexation.

BOARD MEMBER COMMENTS - None

A short break for lunch was taken from 12:20 p.m. to 12:35 p.m. at which time the meeting reconvened. All commissioners were present, as well as Administrator Overton, Treasurer Cronan, and Finance Director Kortz.

Administrator Overton distributed and explained organizational charts depicting three scenarios with regards to a Parks and Recreation Department; current, no parks & recreation, and with parks & recreation. The changes depicted in the scenarios would affect the Fair Board, County Marina and County Maintenance Department. Lengthy discussion followed. Harbormaster Curtis Chambers arrived at 1 p.m. Assistant Prosecutor Eric Kaiser arrived at 1:15 p.m. Discussed wages of fair board officers and salaries, including equipment rental. Chairperson Socha said she would like to see complete information on the Parks & Rec Department and also on the proposed moves within the building with money put into contingency until all available information is presented as a whole. Administrator Overton explained he only expects to determine if the board wants to include proposed changes in the budget or contingency, not to act on approval or disapproval of a Parks & Rec Department and changes within the building. Commissioner Page said if county could ever take the state parks that were closed earlier this year over there would be a greater need for a Parks & Rec Department. A budget was developed of a little over \$86,000 based on the full step with a Parks & Rec Department. Ms. Kortz said the Maintenance Dept, Fair Board and Marina budgets and revenue also were all changed to reflect a parks & recs department. Administrator Overton said the small step is all in the budget now. Redmond pointed out with the small step no one in budget to handle fair grounds outside of the actual fair. Lengthy discussion on items included in the budget without rationale. Administrator Overton said the fair board does not want to manage the fairgrounds. He said contingency is no different than fund balance. Ms. Kortz asked if she should eliminate parks & rec budget and make changes to the other affected departments. Chairperson Socha asked if the board was in agreement to the space changes and new pole barn presented at the last meeting or something similar. The consensus was it was okay....on parks & rec should put money in contingency and gather more information and rationale.

Dept 784 Soil Conservation \$0 – tree sale transferred to MSUE. They are not going to fund this position.

Dept 802 Plat Board \$250 - funded same as last year.

Dept 900 Special Appropriations \$79,554 – grant monies now is not fully funded. That the budget should be their best guess. The same thing with all the other departments.

Dept 902 Appro/Transfers to Other Funds \$833,756 - Eliminated county fair; increased the law library. FOC #215 shows as revenue and not as the county appropriation. It is only moved when requested – increase in the appropriation. Child care/Wel #291 #256 reduced as now receipted in differently. Jaws of life same as last year. CCE911 capitol fund #450 – to be set up and request that annually – set up as a separate fund. Crt House preservation – increased. Recycling fund #226 new appropriate this year.

Dept 954 Insurances \$142,500 - estimated costs.

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Balances General Fund \$11,056,268
Fund 102 Family Counseling Fund Dept 400 Revenue Control \$7,000
Fund 102 Family Counseling Fund Dept 131 Circuit Court \$7,000
Dept. 400 revenue control
Dept 301 Sheriff \$4,000
Fund 108 Dept. 253 County Treasurer \$82,368
Fund 111 Probation Enhancement Fund Dept. 131 Circuit Court \$4,000
Fund 112 Victim's Restitution Fund Dept. 131 Circuit Court \$5,700
Fund 114 County Remonumentation Grant Dept. 247 – Should have final numbers by December 31st
Fund 201 Road Commission – just a pass through - budget is balanced at a later time.
Fund 210 Jaws of Life Fund to change \$3,500 **Everything else** in the budget from this point on is the same – skipped down
Fund 215 Friend of the Court approved overtime in this budget for hourly positions – 1 Saturday per month for each caseworker.
Fund 216 Maps should be completed at a later date.
Fund 226 Recycling – revenue is expected to go because there are more households in the county. 30 hours for the employee and increase in fringes. Lengthy discussion on locations for recycling.
Fund 230 Cellular Phone Flow Through & Fund 231 CCE 911 4% Phone Surcharge - Matched budget with CCE numbers.
Fund 241 EPA Grant – carry over from previous budget and finalize this by the end of the year.
Fund 249 Building Department Fund – Building Permits down. Eliminate new inspector. No raise for Bldg. Official. Chairperson Socha read from minutes regarding budget. Until that position is justified it cannot go into the minutes. Eliminate fee increase. Leave hour increase for Office Manager – has been justified.
Fund 270 Veterans Assistance Fund - Significant growth in this fund and donations. Veterans Administrator works for the Veterans Board. Lengthy discussion. \$18,700 based on past activities.
Fund 277 Senior Citizens Millage – ok
Fund 281 & 282 Eliminated 282 - receipting in 281 & 283.
Fund 283 No longer have to fund it so it will just be used up.
Fund 286 No longer exists.
Fund 290 DHS – flow through.
Fund 292 has gone up to \$90,000 – child care costs have increased. Offset of 50%. Ms. Kortz would like to do a complete overhaul of this fund. She is working with Mike Grulke to get figures from the state.
Fund 418 Debt Services Fund – no longer paying – rent \$17,365 for the building is going into the general fund. The lease was looked at.
Fund 297 The County could not take over contract and referred to SARR.
Fund 450 already talked about matches the general fund.
Fund 509 County Marina - Revenue based on the recommendation of 2007 - \$7,000 taken out of the marina. Broke even per Mr. Chambers. Make changes back – discuss later. Add to Salary resolution. Cost allocation to be put back as it was. Full time seasonal position for Harbor Master would work under Parks & Recreation Director. Mr. Chambers stated that things are working well with the Marina. He stated that he has 18 yrs. experience. His contract has been renewed every year and he has had good evaluations. Administrator Overton read salary stats from HR report for other Harbor Master. Commissioner Redmond stated that Waterways Commission reappoints the Harbor Master each year. Chairperson Socha stated that last year's salary resolution did not include the harbor master, marina patrol, etc. A salary can be frozen until they have caught up. A pay increase of 3 percent was given last year. Commissioner Page stated that no one likes to talk about pay decreases. An obvious solution would be for Mr. Chambers to accept the Parks & Recreation Director position. Commissioner Redmond stated that scheduling events at the Fairgrounds could be fit into the Harbor Master position for example. Commissioner Redmond would like to see a list of activities of events for the Fairgrounds. Chairperson Socha stated that there is a need to pull this Budget together, if final adoption for the budget is to be December 11th. Commissioner Bolinger stated that the monies cannot be co-mingled. Commissioner Socha commented on the circuit court survey regarding salaries recommendation. She suggested that it could be tweaked. More discussion to be held at the next meeting. Commissioner Page suggested Mr. Chambers supply a job description for the commissioners, Parks & Recreation Director and Fair Board events

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Fund 561 Fair – took out Contributions not getting the grant – took out fringe, seasonal help, \$15,000, ground maintenance, directors' salary \$600. Commissioner Mushlock explained president's and vice-president's salaries for the fair board. Commissioner Socha asked if the treasurer gets \$3500. Prize monies to be cut out of premium account. President and Vice-president reduced to \$600.00 with difference to be placed in equipment rental. Secretary's & Treasurer's salaries to remain the same as last year.

Fund 588 – SRR – Contributions from Other Funds 82% of deficit for entire year, deficit caused by an increase in costs mostly from wages & fringes. SRR Director Mike Couture to report at next Committee Of the Whole meeting. Also Treasurer to report on the 714 Fund

BOARD COMMENTS

Commissioner Mushlock said the Administrator's update reported someone in district court returning from sick leave. She said the Board should send get well cards.

Commissioner Page said call in pay does not make sense for salaried employees. Discussed changes in benefits mid term, and also intern money. Chairperson Socha asked clerk if she received a FOIA request for the tapes from the Commissioners Meetings. Clerk said the prosecutor requested copies, but did not do a FOIA request. Discussed when changes in elected salaries can be addressed.

Motion by Commissioner Makima, seconded by Commissioner Bolinger, to adjourn. Meeting adjourned at 4:22 p.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson