

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
FINANCE/BUSINESS MEETING
February 11, 2009**

The regular meeting of the Cheboygan County Board of Commissioners was called to order in the Commissioners Room by Chairperson Linda Socha at 9:30 a.m.

Roll called and a quorum present.

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

ABSENT: None

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

Administrator Overton requested a request for additional compensation regarding the Victim's Advocate/Child Support Specialist positions in the Prosecutor's Office be added to the agenda as Item 7B.

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

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

- A. Approve Monthly Finance Claims – Finance = \$29,154.00; Prepaids = \$1,099,881.254
- B. Budget Adjustments – Inter-department transfers from carried forward fund equity totaling \$44,986, \$2,500.00 to 101-131-863.10, \$41,886 to 101-243-810.00, and \$600 to 101-731-853.00; Inter-budget transfer of \$3,923 from 101-229-712.00 to 101-139-712.00; Raise/Lower Revenues and Expenditures for \$6.00 in the 2008 budget and \$4,854.46 in the 2009 budget
- C. Top O Michigan Outboard Racing Club Request of Waiver of "No Wake" Ordinance on August 8 & 9, 2009
- D. Approval of Health Insurance Opt Out Provision for Cheboygan County Road Commissioners – 35% of health insurance premium, not to exceed \$5,000 annually
- E. Housing Department Bid Recommendation for Project H-07-278 – Totaling \$29,108.52, as follows Simmons & Sons Builders \$19,567.72, Morgan Electric \$4,764.80 and Standard Plumbing & Heating \$4,776.00
- F. Correspondence:
 1. NLEA Thank You Letter to Board of Commissioners for Financial Investment
 2. Benton Township Thank You Letter to Equalization Staff for Processing Tax Bills
 3. NEMCOG Project Review Dated 1/13/09 – Notice of Intent by Friends Together to Apply for Federal Assistance from USDA
 4. NEMCOG Project Review Dated 2/4/09 – Notice of Intent by Forest Township to Apply for Federal Assistance from USDA
 5. Lake County Resolution in Support of Funding MITA Infrastructure Improvement Plan
 6. Lake County Resolution in Support of Mason County Board of Commissioners Joining the Michigan Association of Counties
- G. Minutes:
 1. Commissioners Finance/Business Meeting of January 13, 2009 and Committee of the Whole Meeting of January 27, 2009
 2. North Country Community Mental Health Board – December 18, 2008
 3. Health Board – December 16, 2008
 4. C.C.E. 9-1-1 Monthly Financial Report for December 2008; Director's Report of January 21, 2009; Board of Directors Meeting of 12/17/08; and Board of Directors 2009 Meeting Schedule
 5. Northern Michigan Community Corrections Advisory Board – September 19, 2008
 6. Northern Lakes Economic Alliance Board of Directors – November 20, 2008
 7. Cheboygan County Waterways Commission – October 16, 2008
 8. Cheboygan County Economic Development Corporation – December 18, 2008
 9. Cheboygan County Fair Board – January 5, 2009

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10. Cheboygan County Road Commission – January 2, 2009 (2 sets)
11. Cheboygan City Council – December 9, 2008 (2 sets) & December 23, 2008

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

CITIZENS COMMENTS – None

SCHEDULED VISITORS – The new office manager in the Prosecutor's Office, Kim Barker, reported on staff changes in that department. Peggy Mills is now the Victims Advocate; Kristen Skiera, the part time office assistant; and Dawn Dailey, the Child Support Specialist. Ms. Barker also presented a request from Prosecutor Daryl Vizina regarding additional compensation for Peggy Mills, part of which is associated with her simultaneous work in both the Victim Advocate and the Child Support positions and for an increase of 5 hours per week for 4 weeks effective February 23, 2009.

Motion by Commissioner Bolinger, seconded by Commissioner Redmond, to approve the request from the Prosecutor's office compensating the employee for all duties performed under the two positions as described, adopt the budget adjustments, amend the 2009 Wage Resolution to reflect the change, this is a one approval. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

FINANCE DIRECTOR'S REPORT - None

COMMITTEE REPORTS

Commissioner Makima attended the MAC Conference and reported on the Workman's Comp Board that Cheboygan County received approximately \$32,000 rebate. Most discussion at the conference was on layoffs, jail overcrowding and cutbacks. He also reported attending a session on drain commissioners and a session presented by Attorney Peter Cole.

Commissioner Redmond attended the Benton Township meeting. He also said the Board Appointments & Procedures Committee has been seeking and working on appointments and reappointments to various boards and commissions. He reminded the commissioners of the administrator's evaluation forms they received.

Commissioner Bolinger reported attending a NEMCOG meeting, Health Board meeting, jail meeting, PRC meeting, and an ORV meeting in Nunda Township, as well as a meeting on invasive species and the MAC Conference. At the MAC Conference he attended panels on court performance and justice reinvestment to deter crime and lower recidivism. He also attended the MAC Board of Directors meeting and met with legislators for breakfast. He said he is against sentencing guideline changes and early release of prisoners.

Commissioner Mushlock attended the Fair Board meeting and board meetings of Inverness and Mullett Township. She said Inverness Township heard a report on recycling.

Commissioner Page reported the Mackinaw City Senior facility passed the health inspection with flying colors and is ready to begin operations. He attended an MSUE meeting and reported on some amazing programs run through the Extension Office. He said it appears MSUE budgets will see a 10% reduction in funding. He also attended the Humane Society meeting and reported the society's treasurer has resigned. He said he urged the Humane Society to get information on renovations to the county administrator. He attended the NEMCSA meeting in Alpena and said a weatherization program was to be included in the federal stimulus package; and also more money is expected for emergency home heating. He said it is important to get this information to county residents Commissioner Page also attended the Koehler and Aloha Township meetings.

Commissioner Socha attended the Hebron Township meeting where discussion was held on the ORV Ordinance, economic stimulus and invasive species in Paradise Lake. She had information on a free pipeline educational training session to be held March 1st at the Inn at Bay Harbor for anyone interested in attending. She also referred to the February MAC Newsletter regarding state cell phone contracts being extended to local government and requested the administrator to look into that. She said temperature

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control and air quality are among issues in this building that needs to be addressed. Administrator Overton said he would like to get approval to look into more efficiency in this building.

Commissioner Page announced the Humane Society will be hosting a Soup Supper Fundraiser at the VFW Hall on February 20th. He also said the Broadband Cooperative will be addition four additional directors from the eleven county area. He said they hope to be able to have a public conference to announce the plan for broadband internet connections to Northern Michigan sometime in April.

Commissioner Redmond drew attention to an article and picture of the new Lincoln Avenue Bridge.

OLD BUSINESS - None

NEW BUSINESS

Chairperson Socha read proposed Resolution 09-06 in Support of County Remonumentation Programs.

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

**RESOLUTION 09-06
RESOLUTION OF SUPPORT FOR
COUNTY REMONUMENTATION PROGRAM**

WHEREAS, the State of Michigan is considering the various uses of proposed economic stimulus monies from the Federal Government, and,

WHEREAS, in 2006, the State of Michigan Legislature removed \$15,000,000 from the State Survey and Remonumentation fund in an effort to balance the state budget for that year, and,

WHEREAS, in Section 54.271 of Act 345 of 1990, the Legislature cited specific funding levels for the program which have not been met, and,

WHEREAS, since the removal of these funds in 2006, statewide funding for the program has decreased from \$10,134,000 in 2006 to \$4,000,000 in 2009, and,

WHEREAS, the removal of these funds has seriously impaired the effectiveness and progress of this program, and,

WHEREAS, the remonumentation program has been extremely beneficial to all residents of the State of Michigan, since the original corner positions of the Public Land Survey control the boundaries of every parcel in Cheboygan County and the State of Michigan, and,

WHEREAS, this program is designed to recover, monument, record and perpetuate these original corner positions, and,

WHEREAS, the information provided by this program is also designed to be the basis of all municipal GIS within the State, and,

WHEREAS, these additional funds will benefit the implementation of each County wide GIS, which is intended to assist in 911 emergency responses,

THEREFORE BE IT RESOLVED, that the Cheboygan County Board of Commissioners are in support of the use of \$15,000,000 of the economic stimulus monies for the State of Michigan Survey and Remonumentation Program for 2009 and an additional \$15,000,000 to supplement the program through fiscal year 2010.

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

Chairperson Socha read proposed Resolution 09-08 in Support of Topinabee Development Association. Commissioner Makima requested the word "county" be strike from the fifth paragraph; and Commissioner Wallace at the end of the second from the last paragraph, "residents of Mullett Township" should be changed to "members of the Topinabee Development Association".

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

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Resolution 09-08

Whereas, The residents of Mullett Township in the County of Cheboygan, Michigan desire to improve the image and aesthetics of the Village center of Mullett Township known as Topinabee,

Whereas, Said citizens have formed the Topinabee Development Association for the purpose of facilitating these improvements and enhancing the beauty of its waterfront location,

Whereas, *The Mission of the Topinabee Development Association is to preserve and enhance the unique historical character and charm of Topinabee while promoting future growth and development of its business district,*

Whereas, The stakeholders have raised funds to develop a Proposed Village Enhancement Master Plan as a first step in the rejuvenation process which includes a Streetscape Plan as well as proposed improvements for the public and private buildings in the village,

Whereas, The residents desire to utilize the conceptual Streetscape Plan to obtain grants and other funding from Federal, State, Township and private sources,

Whereas, The residents desire to use the monies obtained from grants and other sources to implement the plan that will be developed,

Whereas, The proposed Streetscape improvement program will stimulate the local economy, support tourism, improve the environment, increase tax revenues and promote civic pride,

Whereas, The Cheboygan County Board of Commissioners supports improvement and enhancement efforts within the community,

Whereas, The Cheboygan County Board of Commissioners supports and embraces the goals, objectives and vision being developed and pursued by the Topinabee Development Association,

Be It Resolved Therefore, That the Cheboygan County Board of Commissioners endorses and supports the efforts of the Topinabee Development Association.

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

Drain Commissioner Dennis Lennox presented a resolution to encourage legislators to abolish the Office of Drain Commissioner in Cheboygan County. Commissioner Page questioned the request for additional funding for 2009. Mr. Lennox said in his opinion either increase appropriation to the office or abolish it. Lengthy discussion held. Mr. Lennox said according to PA 40 of 1956, counties with a population over 12,000 must elect a drain commissioner. In Counties that meet the population exemption, the County Board of Road Commissioners is charged with performing the drain commissioner's statutory duties. Chairperson Socha said if adopted, this resolution would start the process by urging the legislature to address the issue with legislation and eventually would have to be approved by the voters in the county.

Motion by Commissioner Makima, seconded by Commissioner Redmond, to adopt the following resolution as read by Chairperson Socha:

Resolution 09-09

WHEREAS, Section 280.21 of Public Act 40 of 1956, commonly known as the Michigan Drain Code, requires a County Drain Commissioner be elected in counties with a population over 12,000, as determined by the last United States decennial census.

WHEREAS, many counties having population in excess of 12,000 may find it more expedient, economical and in the best public interest to have the duties of the County Drain Commissioner vested in the Board of County Road Commissioners.

WHEREAS, because of the population quota of 12,000 here in before mentioned, certain counties, including the County of Cheboygan, are electing County Drain Commissioners only because of said statutory regulations.

NOW, THEREFORE, be it resolved that Cheboygan County Board of Commissioners request for the third time since 1955, that the Michigan Legislature amend said section of Public Act 40 of 1956 to allow counties under 35,000, as determined by the United States decennial census, to abolish the office of County Drain Commissioner

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and transfer statutory duties and responsibilities to the Board of County Road Commissioners if the duly registered electors vote in the affirmative in a general election.

BE IT FURTHER RESOLVED, that the Cheboygan County Board of Commissioners hereby requests its legislators, Senator Jason Allen and Representatives Kevin Elsenheimer and Gary McDowell, to introduce the legislation providing for such amendment.

Discussion held. Commissioner Page wanted more information from the Road Commission, the Community Development Director and the townships. A roll call vote was taken. Motion carried with 6 yes, 1 no (Commissioner Page) and 0 absent.

Sheriff Dale Clarmont said bids were sought for inmate food service with the Carnation Restaurant the only business submitting a sealed bid.

Motion by Commissioner Makima, seconded by Commissioner Bolinger, to accept the submitted bid of the Carnation Restaurant dated January 2, 2009 at \$2.70 per meal for the term of the contract and to authorize the Chairperson of the Cheboygan County Board of Commissioners to sign the three year contract, beginning April 1, 2009 through March 31, 2012 with the Carnation Restaurant for the Cheboygan County Sheriff Department Jail Inmate Food Services. Motion carried with 7 yes, 0 no and 0 absent.

Maintenance Director Tim Mason presented a proposal to purchase a new Animal Control truck. He said the animal holding box, radio and light bar from the old truck would be transferred to the new truck. Three bids were received for the truck as well as separate bids for moving the animal holding box, radio and light bar.

Motion by Commissioner Makima, seconded by Commissioner Mushlock, to award the bid for the new truck to Wernig & Jones for the amount of \$19,581.00, box work to Elmers Auto Body for the amount of \$879.60 and radio work to Tel-rad for the amount of \$400.00. Motion carried with 7 yes, 0 no and 0 absent.

Recycling Coordinator Dan O'Henley presented a proposed fee schedule for commercial recycling. He outlined the process as follows:

1. Business fills out application
2. Site visit by coordinator to determine type and quantity of recyclables
 - if the recycling coordinator and business determines that the business
 - (a) has more than 50% of their trash as recyclables, their cost would be set at 40% of their annual trash disposal bill including dumpster fee;
 - (b) if we determine that 10% to 50% of their trash is recyclable, the cost would be set at 20% of their annual trash disposal bill including dumpster fee with a minimum of \$36 per year;
 - (c) if we determine that less than 10% if their trash is recyclable, then their fee would be set at \$36 per year unless the volume is determined to be extremely high.

Mr. O'Henley said each request for commercial recycling would be considered individually. Administrator Overton said commercial recycling is a voluntary program and the formula presented would be monitored closely; and if approve the commercial program would become effective immediately. Discussion held. Finance Director Kortz asked how the commercial fee would be billed. The billing method is yet to be determined.

Motion by Commissioner Page, seconded by Commissioner Mushlock, to approve and adopt the proposed commercial recycling plan and fee structure as set forth with billing to be determined. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

SRR Transportation Director Mike Couture presented the 2010 MDOT Annual Application. Mr. Couture noted that for 2010 the estimated State Funds total \$305,081, Federal Funds \$137,038, Local Funds \$356,369 and Farebox \$58,000.

Motion by Commissioner Redmond, seconded by Commissioner Mushlock, to approve and authorize the Chairperson to sign documentation for 2010 Annual Application, and to adopt Resolution 09-07 of Intent

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to Apply for Financial Assistance for Fiscal Year 2010 (Copy on file in County Clerk's Office). Commissioner Redmond advised that the Straits Regional Ride has approved this along with the next two items. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Mr. Couture presented the Hoekstra Transportation and MDOT Third Party Contract, the mechanism to pay Hoekstra Transportation and be reimbursed by MDOT funds not to exceed \$884,004 for the purchase of eight buses. Chairperson Socha was concerned with the contract citing the Cheboygan County Board of Commissioners rather than Cheboygan County and also the address of Levering Road. Civil Counsel said it would be difficult to make those changes at this time.

Motion by Commissioner Mushlock, seconded by Commissioner Wallace, to approve the Subcontract Agreement relative to MDOT contracts 2007-0191/Z9/S4 and 2007-0191/Z4 between Cheboygan County and Hoekstra Transportation, Inc. in the amount not to exceed \$884,004 and authorize the Chairperson to sign. Motion carried with 7 yes, 0 no and 0 absent.

Mr. Couture presented the annual letter of understanding between Cheboygan, Emmet and Presque Isle Counties to operate Straits Regional Ride. He said the document was reviewed by Civil Counsel in 2008 and reflects no changes other than the year.

Motion by Commissioner Makima, seconded by Commissioner Bolinger, to accept and authorize the Chairperson to sign the letter of understanding regarding the operations of Straits Regional Ride between Cheboygan, Emmet and Presque Isle Counties for fiscal year 2009. Motion carried with 7 yes, 0 no and 0 absent.

Clerk Mary Ellen Tryban presented Amended Exhibits A to the annual remonumentation contracts which were approved earlier this year. Ms. Tryban explained notification was received from the State of Michigan regarding a reduction in the 2009 grant amounts for Remonumentation. The original amount of the 2009 Remonumentation Grant for Cheboygan County was \$30,438, the reduced amount is \$18,785.

Motion by Commissioner Mushlock, seconded by Commissioner Bolinger, to approve Amended Exhibit A to the Professional Services Agreement between Cheboygan County and Granger and Associates, authorize the Chairperson to sign and approve necessary budget adjustments. Motion carried with 7 yes, 0 no and 0 absent.

Motion by Commissioner Mushlock, seconded by Commissioner Redmond, to approve Amended Exhibit A to the Professional Services Agreement between Cheboygan County and Fullford Surveying & Mapping for Remonumentation, authorize the Chairperson to sign and approve necessary budget adjustments. Motion carried with 7 yes, 0 no and 0 absent.

Human Resource Director Tim Garey presented a revision to Personnel Policy 100-4, Severe Weather Policy, to include a roster of employee contacts and phone numbers, as well as additional guidance for notifying employees when County operations are closed or delayed due to inclement weather.

Motion by Commissioner Redmond, seconded by Commissioner Mushlock, to approved revised Personnel Policy 100-4, Severe Weather policy, and Personnel Policy 100-4A, Severe Weather Notification Roster, and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Chairperson Socha announced that Mr. Garey would be leaving in the near future and thanked him for all the work he has done for the County. Administrator Overton said Tim has accepted a job in North Dakota, a very good opportunity and promotion for him.

CITIZENS COMMENTS – None

BOARD MEMBER COMMENTS – Commissioner Makima noted the Health Department has had temporary layoffs and also reported Alpena County has been assessed a surcharge for not paying their entire appropriation.

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Commissioner Socha noted the EPA notified LEPC that animal feeding operations will be required to report continuous emissions.

Commissioner Redmond asked if the board could get a monthly update on building permits issued with comparisons to 2008 and possibly other years. Administrator Overton said he would request that information from the Construction Code Department.

Motion by Commissioner Makima, seconded by Commissioner Mushlock, to adjourn to the call of the Chair. Meeting adjourned at 11:40 a.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson