

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS  
FINANCE/BUSINESS MEETING  
March 9, 2010**

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

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

- A. Approve Monthly Finance Claims: Finance = \$32,595.08 - Prepays = \$744,381.53
- B. Budget Adjustments - Inter-budget Transfer (Sheriff's Department) totaling \$3,589.56 relative to payroll; Raise/Lower Revenues and Expenditures as follows: Fund 101, Departments 301, 351 and 412 total budget increase of \$13,736; Fund 215 total budget decrease of \$2,041
- C. Sheriff Department 2010 Vehicle Proposal – Purchase of two 2010 Ford vehicles in amount of \$48,535.16
- D. Correspondence:
  1. Alger County Resolution Objecting to Election Management System License Renewal Fees
  2. Berrien County Resolution Supporting Efforts to Stop the Migration of Asian Carp into Great Lakes
  3. Huron and Saginaw Counties Resolutions in Support of Final Report of the Legislative Commission on Statutory Mandates
  4. Wexford County Resolution Calling for the Modification of State Act 312 of 1969
  5. Correspondence from Huron Pines in Appreciation
  6. Correspondence from State Representative Kevin Elsenheimer Regarding Cheboygan County Resolution 10-06 & Resolution 10-09
  7. Correspondence from MAC Regarding three Cheboygan County resolutions
  8. NEMCOG Project Review Dated 2/19/10 – Notice of Intent by Alpena Community College to Apply for Federal Assistance from USDA
  9. NEMCOG Public Notice Dated 2/2/10 – Proposed Fill in Wetlands Adjacent to Lake Huron
  10. NEMCOG Public Notice Dated 2/10/10 – Corps of Engineers Northcentral Northeast Regional Supplement to the 1987 Wetland Delineation Manual
  11. NLEA President's Report February 2010
  12. Public Notice of Proposed May 4, 2010 Oil and Gas Lease Auction
- E. Minutes:
  1. Commissioners Finance/Business Meeting of February 9, 2010 and Committee of the Whole Meeting of February 23, 2010
  2. North Country Community Mental Health Board – January 21, 2010
  3. C.C.E. 9-1-1 Monthly Financial Report for January 2010
  4. Health Board Meeting of January 19, 2010
  5. NMSAS Board of Directors Meeting of December 7, 2009
  6. Cheboygan County Fair Board – February 1, 2010
  7. Cheboygan County Airport Authority Board Meeting – December 10, 2009
  8. Cheboygan County Economic Development Corporation – January 21, 2010
  9. Cheboygan County Brownfield Redevelopment Authority Meeting - January 21, 2010
  10. Cheboygan County Department of Public Works Meeting – January 19, 2010
  11. Cheboygan County Road Commission – January 21, 2010, February 3, 2010 & February 4, 2010
  12. Cheboygan City Council – January 26, 2010 & January 28, 2010

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13. Planning Commission Meeting – February 3, 2010
14. ZBA Meeting – December 23, 2009

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

**CITIZENS COMMENTS** – None

**SCHEDULED VISITORS** – None

**FINANCE DIRECTOR'S REPORT** - Finance Director Kari Kortz presented the revenue and expenditures report for the General Fund for the month ended January 31, 2010. She reported total year-to-date revenue of \$240,449.33 versus \$320,903.29 last year at that time. Ms. Kortz reported expenditures year-to-date of \$962,177.20, or 8.61% of budget, compared to \$840,382.39 last year as of the end of January.

### COMMITTEE REPORTS

Commissioner Redmond reported attending the Intergovernmental Planning Group and a Benton Township Board meeting. He said Benton Township is disappointed regarding problems faced by the Holy Cross group to acquire the Black River School. He said the next meeting of the Board Appointments & Procedures Committee would be Thursday.

Commissioner Bolinger said he attended the Walker and Forest Townships' Board meetings.

Commissioner Mushlock attended the Fair Board Meeting and meetings of the Inverness and Mullett Township Boards.

Commissioner Socha attended the FEMA Board Meeting regarding the emergency food and shelter program. She reported funding was reduced by nearly \$9,000 this year. This year the approximate breakdown was as follows: Salvation Army \$11,500; Women's Resource Center \$4,000; St. Thomas Food Pantry \$3,000; The Lord's Kitchen and Wesleyan Church \$1,500 each; United Way \$2,000; Veteran Services \$1,000 and the Red Cross \$500. She also met with Jack Messer, Emergency Management Director, and reported attending the Planning Commission Meeting and said the Child Caring Institution Ordinance would be presented to this board at the next meeting. She also reported attending the Burt Township Meeting and public hearing on the trail way. She said Burt Township Board discussed the gypsy moth infestation and plans to investigate the extent of the infestation and how to deal with. Mullett Township Supervisor Bill Morgan said Mullett Township has contracted to have a good portion of the west side of the township sprayed for gypsy moths. Commissioner Wallace said he believes the county may still have funds in the old gypsy moth fund. Discussion was held. Administrator Overton will check on the amount in that fund and also contact the townships regarding gypsy moth infestation.

### OLD BUSINESS

Commissioner Redmond presented a new Cheboygan County Waterways Commission Ordinance which would primarily change the management and financial structure of the waterways commission. This ordinance was discussed at the last Committee of the Whole meeting and was drafted by Civil Counsel.

**Motion** by Commissioner Redmond, seconded by Commissioner Page, to adopt Cheboygan County Ordinance #2 of 2010 Cheboygan County Waterways Commission Ordinance (copy on file in County Clerk's Office), to be effective 30 days after publication. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Chairperson Socha said the Fairgrounds Usage and Fee policies were also discussed at the last Committee of the Whole Meeting. Since then, input from the Fair Board was received with minor modifications made, as well as the changes directed at the last Board of Commissioners' meeting have been made. The goal of the new fairgrounds policy is to standardize rules, regulations and fees thereby providing consistent guidelines for scheduling/hosting events at the Fairgrounds. Administrator Overton said he spoke with Joann Spies Behringer regarding the use of alcoholic beverages on the grounds and she feels the family did not want alcohol on the property; however, he pointed out the deed does not

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address alcohol. He also pointed out changes to camping fees for county residents and non-county residents. Chairperson Socha requested references to any specific events, such as wanigan event, be removed as she prefers not to single out any event. Commissioner Page said any references to examples should be deleted as well. Chairperson Socha question under definitions “not limited to”. Civil Counsel Bryan Graham said to be clear it should be changed to “the County Administrator, Maintenance Manager and/or Fair Grounds Manager”. Commissioner Page said the heading for “Smoking” should be changed to “Tobacco Use”

**Motion** by Commissioner Makima, seconded by Commissioner Page, to adopt the Cheboygan County Fairgrounds Usage & Fees Policy, with the above changes. A roll call vote was taken. Motion carried with 6 yes, 1 no (Commissioner Wallace) and 0 absent.

**Motion** by Commissioner Redmond, seconded by Commissioner Bolinger, to adopt Resolution 09-33 2010 Fee Resolution Amendment #1 and authorize the Chairperson to sign. A roll vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

### NEW BUSINESS

Administrator Overton presented a resolution in support of Merit Network, Inc.’s application to the Broadband Technology Opportunities. He said if Merit receives funds from round two, it has chosen to expand broadband by installing fiber optic lines within Cheboygan County. The proposed route for this line was recently changed so that it runs through Wolverine, Indian River and along US27 to Cheboygan on its way to Mackinaw City. This change occurred as a result of representatives of the townships of Tuscarora, Mullett, and Inverness contacting Merit and informing them of the greater population and potential broadband market along this corridor. Commissioner Page said the Broadband Co-op would continue to push for true rural broadband, but this would be a good opportunity to bring fiber into Cheboygan County. Chairperson Socha praised Community Development Director Steve Schnell for the work he put forth on this resolution.

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

#### RESOLUTION 10-11

**WHEREAS**, Merit Network, Inc. is proposing to expand affordable Broadband opportunities in Cheboygan County and is making application to the Broadband Technology Opportunities Program (BTOP) under the second round of funding for the American Recovery and Reinvestment Act (ARRA), and

**WHEREAS**, the Cheboygan County Economic Development Corporation (EDC), in its 2009 Strategic Plan, has a goal to ensure that our workforce meets the needs of industry both today and tomorrow. A main objective of this goal is to improve opportunities for our residents to receive higher education and advanced workforce training. MERIT’s expansion of affordable broadband into Cheboygan County would provide access to online universities and job training programs perfectly suited to the residents of this rural county, and

**WHEREAS**, our rural county has been a favorite destination for many vacationers and will be a viable destination for those same people to move their businesses once affordable broadband is available. Cheboygan County is poised for growth as it is an attractive place for our seasonal visitors to settle permanently. This will only happen if they are able to bring with them some of their business opportunities, which is absolutely dependent on affordable broadband, and

**WHEREAS**, Merit’s proposed project will extend the potential for broadband coverage to Cheboygan County’s township halls throughout Cheboygan County, which often serve also as community centers and social hubs for our rural community. With affordable broadband our townships will be better able to serve their constituents, and

**WHEREAS**, with affordable broadband coverage our County will be able to accomplish our goal of entrepreneurial support for more home-based businesses. Studies show that home based franchises have a much greater likelihood of success since there are lower startup costs and broadband is a key element of success.

**THEREFORE BE IT RESOLVED**, that the Cheboygan County Board of Commissioners supports the application by Merit Networks, Inc., to the Broadband Technology Opportunities Program (BTOP) under the second round of funding of the ARRA

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

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Maintenance Director Tim Mason and Recycling Coordinator Dan O'Henley requested approval to purchase a Skid-Steer loader with pallet forks and grapple for the Recycling Department. Mr. Mason said the following three bids were received: **Ginop Sales:** Alanson - New Holland L-180 **\$48,015.00**; **Vaughn West:** Traverse City - John Deere 326D **\$40,047.38**; and **Classic Farm Equipment:** Williamsburg - Bobcat S650 **\$29,928.28**, these prices all include Government discounts. This loader could be used for other county related work outside of recycling. The money is available in the recycling budget.

**Motion** by Commissioner Redmond, seconded by Commissioner Page, to award the bid to Classic Farm Equipment of Williamsburg for a Bobcat S650 in the amount of \$29,928.28. Motion carried with 7 yes, 0 no and 0 absent.

Mr. Mason and Mr. O'Henley also presented four lease agreements for use of the fair grounds. Discussion held on required insurance binders that name the County of Cheboygan which is addressed in the new policy.

**Motion** by Commissioner Redmond, seconded by Commissioner Wallace, to approve and authorize the Chairperson to sign, the Fairground Event Agreement between Cheboygan County and Jordan World Circus for May 7, 2010 for the carnival area; the Fairground Event Agreement between Cheboygan County and North Country Animal Assisted Therapeutic Program for May 22, June 5, June 12, June 29 and June 26, 2010 for six to eight stalls in the horse barn and the horse arena; the Fairground Event Agreement between Cheboygan County and Vietnam Veterans of America #274 for the Moving Wall Memorial Display for May 12, 2010 to May 17, 2010 for the carnival area; the Fairground Event Agreement between Cheboygan County and the American Cancer Society Relay for Life on June 12 and 13, 2010 for Barns 5, 6, quonset, midway and carnival area, all contingent upon updating and meeting policy regarding certificates of insurance naming Cheboygan County. Motion carried with 7 yes, 0 no and 0 absent.

Finance Director Kari Kortz presented a Purchasing Policy revision. She reviewed the following changes that are to be made: Reordering the paragraphs included in the document to follow the flow of purchasing; Removing the Sole Vendor Listing from the Purchasing Policy and making it an attachment for ease of making changes to the list in the future; Updating the Sole Vendor Listing by adding: 1) 360 Service for personal property tax prep and 2) Blarney Castle Oil Company for Marine Division fuel and 3) CDW-G for anti-virus software updates and 4) Sunguard Public Sector, Inc. for 911 workstation maintenance and 5) Universal Handling Equipment for recycling bins and 6) Williams Office Equipment for copiers and maintenance; Updating the Prepaid Check Writing Procedure by: Adding - 1) Fund 226 for recycling hauling fees and recycling processing fees and 2) Fund 293 for soldiers relief funding, and Deleting - 1) Fund 287: Mackinac County Social Services and 2) Fund 290: State Flow Thru for DHS and 3) Fund 298: Probate Court 25%.

**Motion** by Commissioner Mushlock, seconded by Commissioner Bolinger to adopt the revised Cheboygan County Purchasing Policy 300-2, Sole Vendor Listing 300-2A and Prepaid Check Writing Procedure 300-2B to become effective March 10, 2010 and authorize the Chairperson to sign. A roll call vote was taken. Motion carried with 7 yes, 0 no and 0 absent.

Clerk/Register Mary Ellen Tryban presented a resolution objecting to the Election Management System Renewal Fees being negotiated by the State of Michigan Bureau of Elections with the vendors. She explained that in 2004, the State purchased voting equipment and software for all local units and counties with funds received through the federal Help America Vote Act; maintenance, license fees and support through the 2008 election cycle was included under the HAVA purchase. Each county received election management software at that time. Counties throughout the state have used this software to varying degrees. Many counties, like Cheboygan County, have not opted to use this software for programming ballots, as this is a very time consuming and technical aspect, and utilize a vendor to provide programming. As the proposed resolution states, we use the software to program memory cards for the AccuVote tabulators, upload election results and generate various reports. The contracted pricing the State of Michigan has been working on for the software license fee, which now counties will be responsible for paying, has not taken into account that not all counties utilize all aspects of the software. If this is not changed, the license fee for Cheboygan County most likely would be approximately \$6,000.

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Several counties included Charlevoix, Gogebic, Schoolcraft, Barry and Alger have adopted similar resolutions.

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

**Resolution 10-12  
RESOLUTION OBJECTING TO ELECTION MANAGEMENT  
SYSTEM LICENSE RENEWAL FEES**

**WHEREAS** the State of Michigan has entered into contract pricing for software license fees established for the GEMS Election Management Systems; and,

**WHEREAS** the pricing is the same for all who utilize the software regardless of whether the County performs the programming, or a vendor performs the programming and the County only utilizes the software for programming the memory cards, uploading local election results, and preparing the reports subsequent to the election; and,

**WHEREAS** Cheboygan County does not program for elections and utilizes a vendor to provide the programming for elections; and,

**WHEREAS** Cheboygan County only utilizes the software to program the memory cards for the AccuVote tabulators, upload local election results, and the system compiles the results, generating various post election reports; and,

**WHEREAS** this is a very small component of the election process and the license renewal fee is excessive for this component; and

**WHEREAS** the cost of this license renewal is an unfunded mandate required by the State of Michigan; and,

**NOW THEREFORE BE IT RESOLVED** that the Cheboygan County Board of Commissioners objects to the contract license cost for GEMS Election Management Systems in the current structure, and encourages the State of Michigan to negotiate a fee structure which incorporates a prorated payment schedule for counties who do not utilize the entire programming element of the GEMS software.

**BE IT FURTHER RESOLVED** that copies of this resolution be forward to Senator Jason Allen, State Representative Kevin Elsenheimer, State Representative Gary McDowell, Governor Jennifer Granholm, Secretary of State Terri Lynn Land, Director of the Bureau of Elections Christopher Thomas and the County Clerks in the other 82 Michigan Counties.

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

Administrator Overton presented a contract for Drug Court on behalf of Judge Scott Pavlich. The contract provides for counseling services by Diane Lissfelt and was reviewed by Civil Counsel. Discussion held on the vagueness of the contract as well as the drug court budget for 2010.

**Motion** by Commissioner Page, seconded by Commissioner Mushlock, to approve the FY 2010 Independent Contractor Agreement between Cheboygan County and Diane Lissfelt, LMSW, ACSW, CAAC, being the fourth and final of the providers for Drug Court, and authorize the Chairperson to sign. Motion carried with 7 yes, 0 and 0 absent.

**CITIZENS COMMENTS** – Tony Matelski said the wind turbine he installed on his property has increased his property taxes by about \$70 per year.

Sheriff Clarmont said his department was awarded a Byrne Grant in the amount of \$14,544, and thanked Finance Director Kari Kortz and the Board for assisting with and approving the grant application.

**BOARD MEMBER COMMENTS** – Chairperson Socha said it appears there will not be a quorum for the March 23, 2010 Committee of the Whole meeting.

**Motion** by Commissioner Bolinger, seconded by Commissioner Wallace, to cancel the regularly schedule Committee of the Whole Meeting on March 23, 2010 and direct the County Clerk to post that information. Motion carried with 7 yes, 0 no and 0 absent.

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Commissioner Page distributed Earth Week brochures. Earth Week will be held April 14<sup>th</sup> through the 22<sup>nd</sup>. Chairperson Socha said the Board could consider adoption of a resolution in support of Earth Week. Commissioner Page said he would provide a proposed resolution to Administrator Overton.

Chairperson Socha said she received posters and other items advertising the 2010 Census if anyone would be interested in these items contact her.

**Motion** by Commissioner Wallace, seconded by Commissioner Makima, to adjourn to the call of the Chair. Meeting adjourned at 11:07 a.m.

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Mary Ellen Tryban  
Cheboygan County Clerk/Register

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Linda Socha  
Chairperson