

- Call to Order** The Meeting was called to order by Chairman Tamlyn.
- Pledge of Allegiance** County Clerk, Gail A. Martin led those present in the Pledge of Allegiance to the Flag.
- Roll Call** The Emmet County Board of Commissioners met for a Regular Scheduled Meeting on Thursday, July 16, 2009 at 6:00 P.M. in the Board of Commissioners Room, County Building, Petoskey. Present were: Leroy Gregory, Daniel Plasencia, Thomas Shier, Jack Jones, Thomas Foltz, Lester Atchison and James Tamlyn.
- Public Comment** John Marshall, under consideration for appointment to the Emmet County Land Bank Authority Board, introduced himself to the Board.
- Approval of Minutes** Motion made by Jones and supported by Shier to approve the June 9, 2009 Board of Commissioners Administrative Committee Meeting Minutes and the June 11, 2009 Regular Board of Commissioner Meeting Minutes, upon striking of the last sentence under Committee Reports on Page 429, "It was mentioned that if Emmet County went forward with the enhancement of the current system, the County may absorb the Friendship Center Bus System".  
  
Motion carried in a unanimous voice vote.
- Claims** Motion made by Foltz and supported by Jones to approve July 2009 Claims in the amount of \$1,357,854.94.  
  
Motion carried in a unanimous roll call vote.
- Old Business**  
**Appointment to Bay Bluffs Expansion Project Committee** Motion made by Atchison to nominate Louis Fantini to serve as an "at large" committee member on the Bay Bluffs Expansion Project Committee. Gregory supported the nomination and asked that nominations be closed at this time.  
  
In a unanimous voice vote, Louis Fantini was appointed as an "at large" committee member to serve on the Bay Bluffs Expansion Project Committee.
- New Business**  
**Sheriff Department 2008 Annual Report** Motion made by Foltz and supported by Plasencia to accept the Emmet County Sheriff Department's 2008 Annual Report, as presented.  
  
Motion carried in a unanimous voice vote.
- Re-appointment of County Surveyor** Motion made by Shier and supported by Jones to re-appoint Dick Oelke as the Emmet County Surveyor (2 year term).  
  
Motion carried in a unanimous voice vote.
- Appointments to Land Bank Authority Board** Motion made by Atchison and supported by Foltz to nominate all four (4) individuals who have expressed an interest in serving on the Emmet County Land Bank Authority Board (Mark Ashley, Bryan Gillet, John Marshall and Chuck Laughbaum) and that each Board Member cast a vote for the three (3) individuals they would like to appoint.  
  
In a roll call vote:  
Gregory voted for Laughbaum, Marshall and Ashley.  
Shier voted for Ashley, Marshall and Laughbaum.  
Plasencia voted for Ashley, Marshall and Gillett.  
Jones voted for Ashley, Marshall and Laughbaum.  
Foltz voted for Ashley, Gillett and Marshall.  
Atchison voted for Ashley, Marshall and Laughbaum.  
Tamlyn voted for Marshall, Gillett and Laughbaum.  
  
A tally of the votes cast indicated that Ashley received six (6) votes; Marshall received seven (7) votes; Laughbaum received five (5) votes; and Gillett received three (3) votes. Ashley, Marshall and Laughbaum, having received the majority of votes, were appointed to serve on the Land Bank Authority Board.

**Purchase of Mobile Data Computers for Sheriff Department**

Motion made by Shier and supported by Plasencia approving the Sheriff Department’s purchase of mobile data computers (\$23,645.00 total cost, \$25,000.00 budgeted).

Motion carried in a unanimous roll call vote.

**Snowmobile Law Enforcement Grant**

Motion made by Jones and supported by Gregory to approve and authorize the Emmet County Sheriff to sign Snowmobile Law Enforcement Grant Program - Grant Application.

Motion carried in a unanimous roll call vote.

**ORV Education Grant**

Motion made by Jones and supported by Plasencia to approve and authorize the Emmet County Sheriff to sign an Off-Road Vehicle (ORV) Safety Education Program - Grant Application.

Motion carried in a unanimous roll call vote.

**Register of Deeds Annual Back Scanning Project With US Imagining**

Motion made by Atchison and supported by Shier for the approval of an annual back-scanning agreement with US Imaging, Inc. (Register of Deeds - \$13, 860.00/budgeted).

Motion carried in a unanimous roll call vote.

**Letter of Support for Blissfest Music Organization to Apply for Grant**

Motion made by Atchison and supported by Shier to approve and authorize Johnson, County Controller, to sign letter of support for Blissfest Music Organization to apply for a USDA Grant.

Motion carried in a unanimous roll call vote.

**Jaws of Life Contracts**

Motion made by Jones and supported by Shier to approve and authorize Chairman to sign the following Jaws of Life Contracts (each contract \$4,500.00):

- Carp Lake Township
- Harbor Springs Area Fire Authority
- Littlefield Township
- Village of Mackinaw City
- Resort-Bear Creek Township Fire Control Board
- Village of Pellston

Motion carried in a unanimous roll call vote.

**Search & Rescue Services Agreement**

Motion made by Foltz and supported by Plasencia to approve and authorize Chairman to sign Agreement regarding Search & Rescue Services, subject to the County’s receipt of a list of expenditures of equipment/training (Contract amount \$5,500.00).

Motion carried in a unanimous roll call vote.

**Michigan State Housing Development Authority Housing Rehabilitation Forms**

Motion made by Atchison and supported by Shier to approve and authorize Chairman to sign the following Michigan State Housing Development Authority Housing Rehabilitation documents, as required by the State of Michigan:

- Statutory Checklist
- Request for Release of Funds and Certification

Motion carried in a unanimous roll call vote.

**Approval of Case #89C-98**

Motion made by Plasencia and supported by Gregory for the approval of Case #89C-98, Forrest Friend, for a Modification to an existing Mixed Use PUD-1 at 4086 S US-31 Hwy in Section 27 of Maple River Township based on the facts presented in this case, the Emmet County Master Plan identifies the property as “mixed use”, the highway right-of-way is 150' wide, the pavement is over 50' from the structure, a previous setback modification had been granted, the permitted uses include sit-down (no drive-thru) restaurant or deli and the front setback modification to permit an open-air patio with seating up to two feet from the road right-of-way, and on condition that the PUD agreement be amended to reflect the changes made. (Attachment #1)

Motion carried in a unanimous roll call vote.

**Resolution & Land Acquisition Project Agreement - Project #TF08-143**

Motion made by Jones and supported by Atchison to approve a Resolution Regarding Agreement with the Michigan Department of Natural Resources (Land Acquisition) and authorize Chairman to sign Land Acquisition Project Agreement, Project # TF08-143, Emmet County/Maple River Acquisition. (Attachment #2)

Motion carried in a unanimous roll call vote.

**Resolution & MDOT Contract No. 09-5335**

Motion made by Shier and supported by Atchison to approve a Resolution and authorize Chairman and County Clerk to sign MDOT Contract No. 09-5335, on behalf of the Emmet County Board of Commissioners (M-119 non-motorized trail construction). (Attachment #3)

Motion carried in a unanimous roll call vote.

**Reprint Emmet County Recreational Brochures**

Motion made by Shier and supported by Jones for the approval to reprint additional copies of the seven (7) Emmet County recreational brochures at a cost of up to \$6,668.00.

Motion carried in a unanimous roll call vote.

**Reprint IMAGINE Magazine**

Motion made by Atchison and supported by Gregory for the approval to reprint additional copies of the IMAGINE Magazine at a cost of up to \$8,300.00.

In a roll call vote, Gregory, Shier, Jones, Foltz, Atchison and Tamlyn voted yes; and Plasencia voted no. Motion carried with a majority roll call vote.

**Schurz Communications, Inc. Internet Advertising**

Motion made by Atchison and supported by Gregory for the approval to utilize the services of Schurz Communications, Inc. for internet advertising at a cost of \$750.00 per month for a period of three months only, with an updated report at the end of the three (3) month period detailing the activity of the internet website.

In a roll call vote, Gregory, Shier, Jones, Atchison, Plasencia and Tamlyn voted yes; and Foltz voted no. Motion carried with a majority roll call vote.

**Resolution in Support of Northern MI Substance Abuse Services**

Motion made by Foltz and supported by Atchison for the approval of a Resolution to be signed by Chairman in support of the continuance of the current structure and funding of coordinating agencies of Northern MI Substance Abuse Services (NMSAS). (Attachment #4)

In a roll call vote, Foltz, Gregory, Shier, Jones, Atchison and Tamlyn voted yes; and Plasencia voted no. Motion carried with a majority roll call vote.

**Compensation for 2009 Summer Intern at McGulpin Point Lighthouse**

Motion made by Atchison and supported by Gregory for the approval for Emmet County to pay \$2,500.00 to the 2009 Summer intern at McGulpin Point Lighthouse, Wawatam Township.

Motion carried in a unanimous roll call vote.

**Disposition of Donated Funds Collected at McGulpin Point Lighthouse**

Motion made by Gregory and supported by Atchison for the approval to apply donated funds collected at McGulpin Point Lighthouse, Wawatam Township towards the compensation (\$9.00 per hr.) of the “volunteer workers” at the lighthouse (hours are from 12:00 noon until 5:00 PM everyday through Labor Day).

Motion carried in a unanimous roll call vote.

**Agreement With AECOM Regarding Courthouse Boiler Design & Construction**

Motion made by Jones and supported by Atchison approving Marty Krupa, Assistant Controller, to sign Agreement with AECOM for services regarding the Emmet County Courthouse Boiler Design and Construction (budget estimate \$25,380.00/based on hourly services).

Motion carried in a unanimous roll call vote.

**Emmet County to Serve as Financial Agent for OEM** Motion made by Plasencia and supported by Shier for the approval for the County of Emmet to serve as the financial agent for Office of Emergency Management (OEM) in applying for the FY 2008 Interoperable Emergency Communications Grant Program.

Motion carried in a unanimous roll call vote.

**Resolution of Support for Community Corrections to Apply for Grant FY 2010** Motion made by Jones and supported by Atchison for the approval of a Resolution of Support for Community Corrections to Apply for a Northwest Michigan Regional Community Corrections Grant Application FY 2010. (Attachment #5)

Motion carried in a unanimous roll call vote.

**SANE Employment Agreement** Motion made by Foltz and supported by Jones to authorize Chairman to sign an Employment Agreement entered into between the County of Emmet (County as fiduciary for SANE) and Straits Area Narcotics Enforcement (SANE) and James W. Robinson (Employee).

Motion carried in a unanimous roll call vote.

**Committee Reports** Plasencia stated that he has been working with Laurie at Parks & Recreation regarding the erosion issue located at Camp Pet-O-Se-Ga and that there are grants available through Tip O’ The Mitt to assist with this problem.

**Communications** Letter received from Paige Perry, ELP - Trails Program Analyst, from the Department of Natural Resources - Forest, Mineral and Fire Management Division offering detailed information regarding the consideration of an Ordinance to allow Off-Road Vehicles (ORV’s) on the County road right-of-way, pursuant to Public Act 240 of 2008. (Attachment #6)

- Announcements**
- 1) Board of Commissioners Administrative Committee Meeting: **Tuesday, August 11, 2009 at 2:00 P.M.** in the Board of Commissioner’s Room.
  - 2) Public Hearing Regarding Draft ORV/ATV Ordinance: **Thursday, August 13, 2009 at 5:45 PM** at the **Emmet County Fairgrounds** Community Center, Petoskey, Michigan.
  - 3) Board of Commissioners Regular Scheduled Meeting: **Thursday, August 13, 2009 at 6:00 PM** at the **Emmet County Fairgrounds** Community Center, Petoskey, Michigan.

**Public Comment** There was no public comment.

**Adjournment** There being no further business, meeting was adjourned.

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Gail A. Martin, County Clerk

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James E. Tamlyn, Chairman