

July 24, 2012

The Regular meeting of the Otsego County Board of Commissioners was held in the County Building at 225 West Main Street, Room 100. The meeting was called to order at 9:30 a.m. by Chairman Paul Beachnau. Invocation by Commissioner Ken Borton, followed by the Pledge of Allegiance led by Commissioner Lee Olsen.

Roll call:

Present: Clark Bates, Paul Beachnau, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Motion by Commissioner Clark Bates, to approve the regular minutes of July 10, 2012 with attachments as corrected. The minutes were corrected to read, Commissioner Ken Borton attended the NACO Conference in Pittsburgh. Ayes: Unanimous. Motion carried.

Consent Agenda:

Motion to approve the Elmira Township 2013-2014 Land Use Agreement. Ayes: Unanimous. Motion carried. (see attached)

Motion to approve the Hayes Township 2013-2014 Land Use Agreement. Ayes: Unanimous. Motion carried. (see attached)

Motion to approve the Probation Copier purchase request. Ayes: Unanimous. Motion carried. (see attached)

Administrator's Report:

John Burt reported on the Groen property; Capping land DNR bill signed.

Committee Reports:

Motion by Commissioner Ken Borton, to reappoint Jim Hilgendorf to the Otsego County Planning Commission for a term of 3 years ending August 25, 2015. Ayes: Unanimous. Motion carried.

Mary Sanders reported on the MTA meeting held on July 17, 2012.

Correspondence:

Chairman Paul Beachnau received a letter from the DEQ; Letter from SANE; a notice to Mike Thompson regarding 9-1-1 Compliance; Public hearing request from the City of Gaylord regarding tax exemption in the Industrial facility.

New Business:

Motion by Commissioner Bruce Brown, to approve the July 17, 2012 Warrant in the amount of \$121,236.98 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Richard Sumerix, to approve the July 24, 2012 Warrant in the amount \$182,475.61 as presented. Ayes: Unanimous. Motion carried.

Motion to adopt Resolution OCR 12-22 honoring Rudi Edel.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion to adopt Resolution OCR 12-23 honoring Joe Duff.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion to adopt Resolution OCR 12-24 honoring the Diocese of Gaylord.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion to adopt Resolution OCR 12-25 Discharge of Mortgage Carl W. Dykman and Veronica A. Dykman.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Board Remarks:

Commissioner Erma Backenstose: Otsego Lake Township meeting.
SANE meeting.

Commissioner Ken Borton: NACO Conference.

Commissioner Bruce Brown: Alpenfest.

Commissioner Rich Sumerix: Bagley Township Meeting.

Chairman Paul Beachnau: Alpenfest.

Meeting adjourned at 9:57 a.m.

Paul M. Beachnau, Chairman

Susan I. DeFeyter, Otsego County Clerk

CONTRACT FOR MUNICIPAL LAND USE SERVICES ADMINISTRATION
(LAND USE PLANNING, ZONING, ZONING ADMINISTRATION AND
BUILDING CODE COMPLIANCE)
2013-2014

WHEREAS, Otsego County (the County) and Elmira Township (the Township) agree that it is in the interest of the Citizens of the County and the Township and the overall development of the County and the Township to centralize administration of Land Use Services; and

WHEREAS, the County and the Township agree that Land Use Services includes Land Use Planning, Zoning and Zoning Administration and Enforcement; and

WHEREAS, the County and the Township agree that because the County's offices are centrally located and because the County can provide professional and administrative personnel, and office space to the Township so that the land use within the Township can be developed uniformly with joint cooperation and with one location for citizens to go for more efficient service with one set of rules.

Agreements

The County and the Township hereby enter into this Contract for services. This contract shall be in effect for a period of two (2) years beginning January 1, 2013 and continuing in effect until December 31, 2014.

Responsibilities of the Township

1. Funding for the Land Use Services Zoning function is distributed among participating townships using an equal blend of the latest State Equalized Values and population for each township (see Attachment A). Elmira Township agrees to provide a total of \$6,180.00 in 2013 and \$6,180.00 in 2014 to assist in covering the costs of operation and staffing of the Planning & Zoning Department
2. The Township will pay the annual contribution amount as noted above by May 1st of each year of this contract.
3. The Township Board will select their representative, with confirmation by the Otsego County Board of Commissioners, to serve on the Otsego County Planning Commission.

Responsibilities of the County

1. The County shall provide full and complete professional Land Use Planning.
2. The County shall provide professional planning personnel on staff to assist Township officials from all Townships within Otsego County, officials from the City of Gaylord, the Village of Vanderbilt, citizens, land owners and developers with Land Use Planning questions and procedures and municipal cooperation.

3. The County shall maintain digital maps for zoning and land use planning purposes.
4. The County shall appoint and operate a County Planning Commission for the purposes of administering the County Plan and the County Zoning Ordinance.
5. The County shall appoint and operate a County Zoning Board of Appeals for the purposes of interpreting and ruling on requests involving administration of the Zoning Ordinance.
6. The County shall ensure that the Township is informed and advised of any proposed land use changes or proposed ordinance text changes or special land use requests or other similar requests presented to the Planning Commission and any requests presented to the Zoning Board of Appeals involving land within the Township.
7. The County shall provide professional personnel on staff to administer and enforce the zoning ordinance regulations and all other land use regulations.
8. The County shall regularly provide reports to the Township at the Township Association meetings. The report shall include but is not limited to a financial report showing the expenses of the Planning & Zoning Department, the fee schedule for permits issued, the number and type of permits issued; and the revenue received.
9. The County will pay for legal expenses related to zoning functions and decisions.
10. Funds related to the Otsego County Land Use Department Planning & Zoning will be maintained in a fund separate from the County's General Fund.

Either party may terminate this Agreement for any or no reason upon one hundred eighty (180) day written notice.

In the event of termination of this Agreement, the Township shall be responsible only for costs pro-rated to the date of termination.

Otsego County and Elmira Township.

Entered into this 12th day of July 2012 between Otsego County and Elmira Township

Otsego County

Elmira Township

John Burt, County Administrator

Diane Franckowiak
Diane Franckowiak, Supervisor

Susan DeFeyter, County Clerk

Susan Schaedig
Susan Schaedig, Township Clerk

ATTACHMENT A

Funding

Based on SEV and Populations combined, municipalities would be responsible for the following costs:

<u>Township</u>	<u>2013 Cost</u>	<u>2014 Cost</u>
Bagley	\$10,300.00	\$10,300.00
Charlton	\$6,180.00	\$6,180.00
Chester	\$4,120.00	\$4,120.00
Corwith	\$6,180.00	\$6,180.00
Dover	\$2,060.00	\$2,060.00
Elmira	\$6,180.00	\$6,180.00
Hayes	\$7,210.00	\$7,210.00
Livingston	\$8,755.00	\$8,755.00
<u>Otsego Lake</u>	<u>\$7,210.00</u>	<u>\$7,210.00</u>
Total	\$58,195.00	\$58,195.00

CONTRACT FOR MUNICIPAL LAND USE SERVICES ADMINISTRATION
(LAND USE PLANNING, ZONING, ZONING ADMINISTRATION AND
BUILDING CODE COMPLIANCE)
2013-2014

WHEREAS, Otsego County (the County) and Hayes Township (the Township) agree that it is in the interest of the Citizens of the County and the Township and the overall development of the County and the Township to centralize administration of Land Use Services; and

WHEREAS, the County and the Township agree that Land Use Services Includes Land Use Planning, Zoning and Zoning Administration and Enforcement; and

WHEREAS, the County and the Township agree that because the County's offices are centrally located and because the County can provide professional and administrative personnel, and office space to the Township so that the land use within the Township can be developed uniformly with joint cooperation and with one location for citizens to go for more efficient service with one set of rules.

Agreements

The County and the Township hereby enter into this Contract for services. This contract shall be in effect for a period of two (2) years beginning January 1, 2013 and continuing in effect until December 31, 2014.

Responsibilities of the Township

1. Funding for the Land Use Services Zoning function is distributed among participating townships using an equal blend of the latest State Equalized Values and population for each township (see Attachment A). Hayes Township agrees to provide a total of \$7,210.00 in 2013 and \$7,210.00 in 2014 to assist in covering the costs of operation and staffing of the Planning & Zoning Department
2. The Township will pay the annual contribution amount as noted above by May 1st of each year of this contract.
3. The Township Board will select their representative, with confirmation by the Otsego County Board of Commissioners, to serve on the Otsego County Planning Commission.

Responsibilities of the County

1. The County shall provide full and complete professional Land Use Planning.
2. The County shall provide professional planning personnel on staff to assist Township officials from all Townships within Otsego County, officials from the City of Gaylord, the Village of Vanderbilt, citizens, land owners and developers with Land Use Planning questions and procedures and municipal cooperation.

3. The County shall maintain digital maps for zoning and land use planning purposes.
4. The County shall appoint and operate a County Planning Commission for the purposes of administering the County Plan and the County Zoning Ordinance.
5. The County shall appoint and operate a County Zoning Board of Appeals for the purposes of interpreting and ruling on requests involving administration of the Zoning Ordinance.
6. The County shall ensure that the Township is informed and advised of any proposed land use changes or proposed ordinance text changes or special land use requests or other similar requests presented to the Planning Commission and any requests presented to the Zoning Board of Appeals involving land within the Township.
7. The County shall provide professional personnel on staff to administer and enforce the zoning ordinance regulations and all other land use regulations.
8. The County shall regularly provide reports to the Township at the Township Association meetings. The report shall include but is not limited to a financial report showing the expenses of the Planning & Zoning Department, the fee schedule for permits issued, the number and type of permits issued; and the revenue received.
9. The County will pay for legal expenses related to zoning functions and decisions.
10. Funds related to the Otsego County Land Use Department Planning & Zoning will be maintained in a fund separate from the County's General Fund.

Either party may terminate this Agreement for any or no reason upon one hundred eighty (180) day written notice.

In the event of termination of this Agreement, the Township shall be responsible only for costs pro-rated to the date of termination.

Otsego County and Hayes Township.

Entered into this 10th day of July 2012 between Otsego County and Hayes Township

Otsego County

Hayes Township

John Burt, County Administrator

Mary M. Sanders
Mary M. Sanders, Supervisor

Susan DeFeyter, County Clerk

Richard B. Ross
Richard B. Ross, Township Clerk

ATTACHMENT A

Funding

Based on SEV and Populations combined, municipalities would be responsible for the following costs:

<u>Township</u>	<u>2013 Cost</u>	<u>2014 Cost</u>
Bagley	\$10,300.00	\$10,300.00
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Dover	\$2,060.00	\$2,060.00
Elmira	\$6,180.00	\$6,180.00
Hayes	\$7,210.00	\$7,210.00
Livingston	\$8,755.00	\$8,755.00
<u>Otsego Lake</u>	<u>\$7,210.00</u>	<u>\$7,210.00</u>
Total	\$58,195.00	\$58,195.00

OCR 12-22
Recognition of 2012 Alpenfest der Bürgermeister – Rudi Edel
Otsego County Board of Commissioners
July 24, 2012

WHEREAS, Rudi Edel was born in the Detroit area, and spent his summers at a farm in Dover Township here in Otsego County, later buying 40 acres of property in the area at the age of 16; and

WHEREAS, Rudi spent his life in service to our community through his profession as well as through his passion for volunteering; and

WHEREAS, after graduating from high school, Rudi joined the navy during the Vietnam War and was stationed on a destroyer off the coast of Africa and the Mideast; and

WHEREAS, Rudi later became a police officer first in Harper Woods and then later for the Otsego County Sheriff's Office under Sheriff Ralph Holewinski in 1973; and

WHEREAS, Rudi and his wife Sandi married in 1975 and built a house on the Dover Township property, fulfilling a lifelong dream; and

WHEREAS, Rudi took the job of Otsego County Court Administrator in 1977, a position he held until his retirement in 2009; and

WHEREAS, those of us that have worked with Rudi know that he always brings enthusiasm and energy to any project he undertakes; and

WHEREAS, the Gaylord Herald Times has named Rudi Edel as the 2012 Alpenfest der Bürgermeister; and

WHEREAS, the County of Otsego recognizes that one of its greatest assets is the strength, diversity and commitment of its community members; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners, hereby recognizes and honors the outstanding contributions that Rudi Edel continues to make in our community.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

OCR 12-23
Recognition of 2012 Alpenfest Parade Marshal – Joe Duff

Otsego County Board of Commissioners
July 24, 2012

WHEREAS, Joe Duff has been either city or village manager in several communities including Archbold, OH; Mattawan; and Mackinaw City; and

WHEREAS, Joe has been a resident of Gaylord since he moved here over 14 years ago, along with his wife Diane and daughters Brynn and Geena, to be the Gaylord City Manager; and

WHEREAS, Joe's knowledge is an asset that is appreciated by his staff and others that work with him; and

WHEREAS, Joe is a vital part of our community helping to make downtown and the rest of the City vibrant and attractive; and

WHEREAS, Joe has been active with Alpenfest since his arrival helping to ensure that he and the City does everything it can to enable visitors to have a wonderful experience; and

WHEREAS, the Alpenfest Board of Directors and the Gaylord Area Chamber of Commerce has named Joe Duff as the 2012 Alpenfest Parade Marshal; and

WHEREAS, the County of Otsego recognizes that one of its greatest assets is the strength, diversity and commitment of its community members; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners, hereby recognizes and honors the outstanding contributions that Joe Duff has made to our community and to Alpenfest.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

OCR 12-24
Recognition of 2012 Alpenfest Honored Industry – Diocese of Gaylord
Otsego County Board of Commissioners
July 24, 2012

WHEREAS, the Diocese of Gaylord was established over 40 years ago; and

WHEREAS, the Diocese of Gaylord covers the 21 most northern counties of Northern Lower Michigan and includes 80 parishes and 17 Catholic schools; and

WHEREAS, the Diocese of Gaylord contributes locally through volunteer participation and donations to local nonprofit groups; and

WHEREAS; the Diocese of Gaylord also provides social work services to any who need them in the community; and

WHEREAS, the Alpenfest Honors Committee has named the Diocese of Gaylord as the 2012 Alpenfest Honored Industry; and

WHEREAS, the County of Otsego recognizes the importance of involvement by our local faith-based institutions in the community and the significant contributions they make; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners, hereby congratulates the Diocese of Gaylord as being the recipient of the 2012 Alpenfest Honored Industry.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

RESOLUTION NO. OCR 12-25
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
July 24, 2012

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 2275 Watson Hills, Vanderbilt, Michigan 49795 and has a mortgage recorded in the office of the Register of Deeds for Otsego County Michigan, in Liber 0666, Pages 632-639, in the name Carl W. Dykman and Veronica A. Dykman, husband and wife, Otsego County Records and

WHEREAS, said Mortgage has been paid in full; now, therefore, be it

RESOLVED, that Otsego County hereby issues a DISCHARGE OF MORTGAGE to, Carl W. Dykman and Veronica A. Dykman, husband and wife, Otsego County Records and, be it further

RESOLVED, that the Otsego County Administrator, on behalf of the Otsego County Board of Commissioners, be authorized to sign said document.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS: