

August 28, 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 Paul Liss.

Roll call:

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

Excused: Doug Johnson.

Motion by Commissioner Clark Bates, to approve the regular minutes of August 14, 2012 with attachments as presented. Ayes: Unanimous. Motion carried.

Consent Agenda:

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

Administrator's Report:

John Burt reported on the Airport contract; Roof leak at 500 Livingston Blvd; Groen Property part time person.

Motion by Commissioner Paul Liss, to approve the FY 2012 budget amendment for the Building & Grounds Fund (fund 637) for \$10,000 for the repair/replacement of a portion of the roof at 500 Livingston Blvd. Ayes: Unanimous. Motion carried. (see attached)

Department Head Report:

Sheriff Jim McBride reported on the Sheriff's department.

Committee Reports:

Motion by Commissioner Lee Olsen, to adopt Resolution OCR 12-29 placing the Recycling Millage question on the November 6, 2012 ballot.

Roll Call Vote:

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

Nays: Paul Liss.

Excused: Doug Johnson.

Motion carried/Resolution adopted. (see attached)

Roberta Tholl reported on the Road Commission.

**Correspondence:**

Chairman Paul Beachnau received correspondence from Vanderbilt Community Church; NEMCOG;

Rachel Frisch reported on the June 2012 financials.

**New Business:**

Motion by Commissioner Ken Borton, to approve the August 21, 2012 Warrant in the amount of \$248,396.12 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Bruce Brown, to approve the August 28, 2012 Warrant in the amount \$118,661.86 as presented. Ayes: Unanimous. Motion carried.

**Other Business:**

Brenda Cross requested 21 day extension regarding Planning Commission.

**Board Remarks:**

Commissioner Clark Bates: City Council meeting.

Commissioner Lee Olsen: County Picnic.

Meeting adjourned at 10:30 a.m.

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Paul M. Beachnau, Chairman

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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 Chester 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). Chester Township agrees to provide a total of \$4,120.00 in 2013 and \$4,120.00 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 1<sup>st</sup> 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 Chester Township.

Entered into this 14 day of August 2012 between Otsego County and Chester Township

Otsego County

Chester Township

\_\_\_\_\_  
John Burt, County Administrator

*Lou Ann Olsen, Supervisor*  
\_\_\_\_\_  
Lou Ann Olsen, Supervisor

\_\_\_\_\_  
Susan DeFeyter, County Clerk

*Melissa Szymanski*  
\_\_\_\_\_  
Melissa Szymanski, 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



**RESOLUTION NO. OCR 12-29**

**A RESOLUTION TO APPROVE THE BALLOT LANGUAGE FOR A  
MILLAGE PROPOSITION TO PROVIDE FUNDS FOR THE  
OPERATION AND MAINTENANCE OF A SOLID WASTE RECOVERY PROGRAM  
AND TO SUBMIT THE PROPOSITION TO THE ELECTORATE  
IN THE GENERAL ELECTION ON NOVEMBER 6, 2012**

**OTSEGO COUNTY BOARD OF COMMISSIONERS  
August 28, 2012**

**Recitals**

**WHEREAS**, the Otsego County Solid Waste Management Plan reviewed the solid waste needs within Otsego County; and

**WHEREAS**, one of the stated goals of Otsego County Solid Waste Management Plan is establishment of a county-wide recycling program; and

**WHEREAS**, the Recycling Committee appointed by the Otsego County Board of Commissioners has considered various proposals and options for establishment of a county-wide recycling program; and

**WHEREAS**, the Recycling Committee based upon its review and consideration of the various proposals and options for establishment of a county-wide recycling program has recommended levy of a millage of 0.25 mills to fund the operation and maintenance of the recycling program; and

**WHEREAS**, the Otsego County Board of Commissioners desires to obtain voter approval for the millage amount (0.25 mills) to provide funds for operating and maintaining the county-wide recycling program, including all costs associated with the establishment of the county-wide recycling program; and

**WHEREAS**, the Otsego County Board of Commissioners wishes to submit this millage proposition to the county electors at the general election to be held on November 6, 2012; now

**THEREFORE BE IT RESOLVED**, that the following proposition, the language of which is hereby approved by the Otsego County Board of Commissioners and certified to the Otsego County Clerk, shall be submitted to the electors of Otsego County for a vote at the November 6, 2012 general election.

**BALLOT LANGUAGE**

**OTSEGO COUNTY**

*This proposal is for a new millage and will permit the County to levy up to 25/100 of one mill (\$0.25 per \$1,000.00 of taxable valuation) to provide funds for the operation and maintenance of a county-wide drop-off recycling program, as well as recycling activities related to the drop-off program, and for recycling education, including all costs associated with the establishment of the county-wide recycling program.*

Shall the tax limitation imposed under Article IX, Section 6 of the Michigan Constitution on the amount of ad valorem taxes which may be levied by the County of Otsego, State of Michigan, against taxable property in the County be increased by up to *25/100 of one mill (\$0.25 per \$1,000 of taxable value)* on the taxable value of such property for a period of three (3) years, 2012 through 2014, inclusive, for the purpose of providing funds for the operation and maintenance of a county-wide recycling program, including all costs associated with the establishment of the county-wide recycling program, and shall the Otsego County Board of Commissioners be authorized to levy such millage for these purposes? If approved and levied in its entirety, this millage would raise an estimated \$292,696 for Otsego County in 2012.