

July 13, 2010

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 Vice-Chairman Paul Liss. Invocation by Commissioner Clark Bates, followed by the Pledge of Allegiance led by Commissioner Robert Harkness.

Roll call:

Present: Clark Bates, Paul Beachnau, Paul Liss, Robert Harkness, Erma Backenstose, Doug Johnson, Mike Hyde, Bruce Brown.

Excused: Ken Glasser.

Motion by Commissioner Clark Bates, to approve the regular minutes of June 22, 2010 as presented. Ayes: Unanimous. Motion carried.

Item B) OCR 10-27 Alpenfest der Buergermeister, Alma Harris was removed from the consent agenda and placed under new business as item E).

Consent Agenda:

Motion to the Bagley Township Land Use Services agreement. Ayes: Unanimous. Motion carried. (see attached)

Motion to adopt Resolution OCR-10-28 2010 Alpenfest Parade Marshal, Robert Doumas.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau. Paul Liss, Robert Harkness, Erma Backenstose, Doug Johnson, Mike Hyde, Bruce Brown.

Nays: None.

Excused: Ken Glasser.

Motion carried/Resolution adopted. (see attached)

Motion to adopt Resolution OCR-10-29 2010 Alpenfest Honored Industry, University Center.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau. Paul Liss, Robert Harkness, Erma Backenstose, Doug Johnson, Mike Hyde, Bruce Brown.

Nays: None.

Excused: Ken Glasser.

Motion carried/Resolution adopted. (see attached)

Motion to adopt Resolution OCR-10-30 2010 Alpenfest Honored Industry, M-TEC at Kirtland.
Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Paul Liss, Robert Harkness, Erma Backenstose, Doug Johnson, Mike Hyde, Bruce Brown.

Nays: None.

Excused: Ken Glasser.

Motion carried/Resolution adopted. (see attached)

Administrators report:

John Burt reported on the AT&T paperwork; jail ventilation project; flag pole painted; bids for repaving employee parking lot and sheriff's department parking lot.

Motion by Commissioner Doug Johnson, to approve Payne & Dolan as the low bidder for employee parking lot repaving project (BOD 2010-04) with a bid of \$18,205 with funds to come from the Capital Project Fund (499). Ayes: Unanimous. Motion carried.

Department Head Report:

County Clerk/Register, Suzy DeFeyer, updated the Board on the County Clerk's office and the Register of Deeds office.

Committee Reports:

Motion by Commissioner Clark Bates, to approve the Information Center Purchase agreement with the Gaylord Area Chamber of Commerce with funds to be transferred from the Delinquent Property Tax Fund (516) to the Capital Projects Fund (499) to be designated for the purchase.

Ayes: Clark Bates, Paul Liss, Robert Harkness, Erma Backenstose, Doug Johnson, Mike Hyde, Bruce Brown. Nays: None. Excused: Ken Glasser. Abstain: Paul Beachnau. Motion carried. (see attached)

Elizabeth Haus reported on the music in the park that was held in the Village of Vanderbilt.

Correspondence:

Vice-Chairman Paul Liss, received the S.A.N.E board meeting minutes; Notice from CMU.

Commissioner Doug Johnson received a letter regarding the grant received for courthouse security.

New Business:

Motion by Commissioner Mike Hyde, to approve the June 29, 2010 Warrant in the amount of \$449,049.73 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Robert Harkness, to approve the July 6, 2010 Warrant in the amount of \$83,935.07 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Bruce Brown, to approve the July 13, 2010 Warrant in the amount of \$606,415.22 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Paul Beachnau, to approve the low bid of \$27,686.20 from Gaylord Ford for Bid 2010-06 for the Building and Grounds ¾ ton 4X4 pickup truck with funds to come from the Equipment Fund (266). Ayes: Unanimous. Motion carried.

Motion by Commissioner Erma Backenstose, to approve the low bid of \$7,575.00 from Zaremba for bid 2010-07 for the Building and Grounds Zero-turn 60” commercial mower with funds to come from the Equipment Fund (266). Ayes: Unanimous. Motion carried.

Motion by Commissioner Clark Bates, to approve a budget amendment of \$6,000 from the Contingency Fund (101-941) to the Marine Safety budget (101-331) Ayes: Unanimous. Motion carried.

Motion to adopt OCR-10-27 2010 Alpenfest der Buergermeister, Alma Harrison. Motion to amend, on the 5th paragraph, the Gaylord Herald Times named Alma as the 2010 Burgermeister. Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Paul Liss, Robert Harkness, Erma Backenstose, Doug Johnson, Mike Hyde, Bruce Brown.

Nays: None.

Excused: Ken Glasser.

Motion carried/Resolution adopted as amended. (see attached)

Board Remarks:

Commissioner Doug Johnson: Parks and Recreation meeting.

Commissioner Erma Backenstose: Attended the music in the park in Vanderbilt.
Attended the 4th of July dedication in Johannesburg.

Commissioner Robert Harkness: Health Department Meeting.
Veteran’s memorial in Johannesburg.

Commissioner Mike Hyde: Requested to send Traverse City a congratulatory in becoming a Coast Guard City.

Commissioner Bruce Brown: Elmira Township meeting.

Commissioner Paul Beachnau: Invited everyone to Alpenfest.

Meeting adjourned at 10:07 a.m. at the call of the Vice-Chair.

Paul L. Liss, Vice-Chairman

Susan I. DeFeyter, Otsego County Clerk

CONTRACT FOR MUNICIPAL LAND USE SERVICES ADMINISTRATION
(LAND USE PLANNING, ZONING, ZONING ADMINISTRATION AND
BUILDING CODE COMPLIANCE)
2011-2012

WHEREAS, Otsego County (the County) and Bagley 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, 2011 and continuing in effect until December 31, 2012.

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). Bagley Township agrees to provide a total of \$10,000.00 in 2011 and a total of \$10,300.00 in 2012 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.

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 Bagley Township.

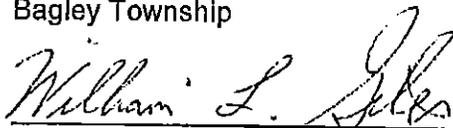
Entered into this ____ day of _____, 2010 between Otsego County and Bagley Township

Otsego County

John Burt, County Administrator

Susan DeFeyter, County Clerk

Bagley Township



William L. Giles, Supervisor



James E. Szymanski, Township Clerk

ATTACHMENT A

Funding

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

<u>Township</u>	<u>2011 Cost</u>	<u>2012 Cost</u>
Bagley	\$10,000.00	\$10,300.00
Charlton	\$6,000.00	\$6,180.00
Chester	\$4,000.00	\$4,120.00
Corwith	\$6,000.00	\$6,180.00
Dover	\$2,000.00	\$2,060.00
Elmira	\$6,000.00	\$6,180.00
Hayes	\$7,000.00	\$7,210.00
Livingston	\$8,500.00	\$8,755.00
<u>Otsego Lake</u>	<u>\$7,000.00</u>	<u>\$7,210.00</u>
Total	\$56,500.00	\$58,195.00

OCR 10-28
Recognition of 2010 Parade Marshal, Robert Doumas
Otsego County Board of Commissioners
July 13, 2010

WHEREAS, Robert Doumas is a lifelong resident of Otsego County; and

WHEREAS, in 1972 he purchased the family business from his father, and the Sugar Bowl Restaurant still operates today after 90 years as a destination restaurant in the north; and

WHEREAS, Bob has continually supported the Alpenfest year after year and traditionally has a polka band play under the Sugar Bowl awning; and

WHEREAS, the Alpenfest Board of Directors has named Robert Doumas as the Parade Marshal for the 2010 Alpenfest celebration; 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 Robert Doumas has made to our community.

OCR 10-29

Recognition of 2010 Honored Industry, University Center-Gaylord

Otsego County Board of Commissioners

July 13, 2010

WHEREAS, the University Center-Gaylord began operation in 2001; and

WHEREAS, the University Center-Gaylord offers a variety of educational programs where students can earn Associate, Bachelor and Master Degrees at this state-of-the-art college center; and

WHEREAS; by working in partnerships with various colleges such as, North Central Michigan College, Davenport University, Eastern Michigan University, Lake Superior State University, Madonna University, Michigan State University and Spring Arbor University, they're able to offer a multitude of higher education to our community and surrounding areas; and

WHEREAS, the University Center also offers many community education classes as well as a GED test preparation program; and

WHEREAS, the mission of the University Center at Gaylord is to facilitate the delivery of quality, education and training that is responsive to personal growth and business needs throughout Otsego County and Northern Michigan through a consortium of colleges offering degrees, enrichment and skill certification programs; and

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

RESOLVED, that the Otsego County Board of Commissioners, hereby congratulates the University Center-Gaylord as being the recipient of the 2010 Alpenfest Honored Industry.

OCR 10-30

Recognition of 2010 Honored Industry, M-TEC at Kirtland-Gaylord

Otsego County Board of Commissioners

July 13, 2010

WHEREAS, Kirtland Community College - Michigan Technical Education Center (M-TEC) opened its doors in Gaylord in 2001; and

WHEREAS, M-TEC at Kirtland-Gaylord is a state-of-the-art facility offering education in a unique, flexible, student-friendly manner. M-TEC focuses on the technologically-oriented classes which allows students to work at their own pace and provide the flexibility necessary to meet the busy schedules of their students; and

WHEREAS, the facility contains both a precision tool and general manufacturing lab, construction technology labs, a welding lab, a computer-aided drafting and manufacturing design lab, and nursing and sonography labs, as well as classrooms that support general and computerized instruction; and

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

RESOLVED, that the Otsego County Board of Commissioners, hereby congratulates the M-TEC at Kirtland-Gaylord as being the recipient of the 2010 Alpenfest Honored Industry.

PURCHASE AND SALE AGREEMENT

This Purchase Agreement is made as of the _____ day of _____, 2010, by and between the Gaylord Area Chamber of Commerce, a non-profit corporation, whose address is 101 W. Main Street, Gaylord, Michigan 49735 (hereinafter "Chamber") and the County of Otsego, a Michigan municipal corporation, whose address is 225 W. Main Street, Gaylord, Michigan 49735 (hereinafter "County").

WHEREAS, the Chamber did enter into a long-term lease Agreement on November 25, 1987 for use of the real property located at 125 S. Otsego Avenue, Gaylord, Michigan 49735 more specifically described as follows:

The West 42 feet of the South 52 feet and the East 55 feet of the West 97 feet of the South 36 feet, all in Lot 15, Block 10 of the original plat of the City of Gaylord, as recorded in Liber 1 of Plats, Page 28, Otsego County Records.

WHEREAS, the Chamber did construct a building (hereinafter "Information Center") on the leased property; and

WHEREAS, the Chamber desires to terminate the lease Agreement and sell the Information Center building to the County, within a 3 year period; and

WHEREAS, the Chamber and the County have agreed upon and wish to reduce their Agreement regarding the sale and transfer of ownership of said Information Center building; now, therefore, be it

RESOLVED, It Is Hereby Agreed As Follows:

1. County shall purchase from Chamber all of the Chamber's right, title and interest to the Information Center, including all improvements thereon, for the cash sum of \$95,000.00.
2. The sum aforesaid shall be paid by County to Chamber within 3 years of the effective date of this Agreement, upon written notice from the Chamber of its desire to proceed with the sale.
3. It is understood and agreed that the Chamber shall have occupation and possession of the property for the time and under the Agreement aforesaid for a period of 90 days after the County pays the sum referenced in Item 1.
4. The existing lease referenced from November 25, 1987 shall remain in effect until the Chamber discontinues use of the Information Center.
5. The Chamber agrees to maintain the Information Center in its current condition, allowing for normal wear and use. Upon notice of the Chamber's intent to proceed

with the sale, the County shall have the right to inspect the premises.

In the event that there are any immediate needed major repairs to a mechanical system or to the facility structure, in excess of \$5,000, such cost shall be shared equally with the County and the Chamber each paying 50% of the cost over \$5,000.

In the event that there are any mold-related issues that need remediation at a cost in excess of \$5,000, such cost shall be shared equally with the County and the Chamber each paying 50% of the cost over \$5,000.

Any other costs associated with repairs of the Information Center are the County's responsibility.

5. Any notice or payment pursuant this Agreement shall be given in writing by (a) personal delivery, (b) United States registered or certified mail, return receipt requested, postage prepaid, or (c) facsimile transmission (provided that the receipt of such facsimile transmission is confirmed), as follows:

If to County: Otsego County Administrator
 225 W. Main Street, Suite 203
 Gaylord, Michigan 49735
 Fax: (989) 731-7529

If to Chamber: Gaylord Area Chamber of Commerce
 101 W. Main Street
 Gaylord, Michigan 49735
 Fax: (989) 732-7990

The Parties have signed this Purchase and Sale Agreement to be effective as of the Effective Date.

GAYLORD AREA CHAMBER OF
COMMERCE

Dated: _____

By: _____

COUNTY OF OTSEGO

Dated: _____

By: _____

John Burt
Its: Otsego County Administrator

OCR 10-27

Recognition of 2010 der Bürgermeister, Alma Harrison

Otsego County Board of Commissioners

July 13, 2010

WHEREAS, Alma Harrison has been a resident of Otsego County since 1986; and

WHEREAS, Alma is an accomplished multimedia artist and has devoted many years of service to the Gaylord Area Council for the Arts and the Northern Michigan Artists Guild; and

WHEREAS, she has supported her community through countless hours of volunteer work with the Otsego County Commission on Aging and Retired Senior Volunteer Program, where she knitted numerous pairs of mittens, sweaters and blankets over the years; she helped in the schools with art classes and is a past member of the Otsego County Jail Committee; she continues to stay active as a member on the Little Village Board; and

WHEREAS, in 2005 she holds the honor of being named the recipient of the "Woman Making History" award given by the American Association of University Women; and

WHEREAS, the ~~Alpenfest Board of Directors~~ Gaylord Herald Times has named Alma as the 2010 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 Alma Harrison has made to our community.