

November 9, 2006

The Regular meeting of the Otsego County Board of Commissioners was held in the Multi-Purpose Room of the J. Richard Yuill Alpine Center. The meeting was called to order at 9:30 a.m. by Chairman Beachnau. Invocation by Commissioner Bates, followed by the Pledge of Allegiance led by Commissioner Backenstose.

Roll call:

Present: Backenstose, Bates, Beachnau, Liss, Olsen, Hyde, Bentz.

Excused: Glasser, Johnson.

The regular meeting of October 24, 2006 minutes with attachments were approved as presented. The Special meeting of November 6, 2006 minutes with attachments were approved as presented.

Commissioners Glasser and Johnson arrived at 9:35 a.m.

Consent Agenda:

Otsego County Ordinance #04-Text Amendment approved via unanimous consent. (see attached)

Otsego County Ordinance #04-Text Amendment approved via unanimous consent. (see attached)

Otsego County Ordinance #04-Text Amendment approved via unanimous consent. (see attached)

Otsego County Ordinance #03-Zoning Map approved via unanimous consent. (see attached)

OCR-06-51 ROD Data Agreement

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Administrator's report:

John Burt reported on the acceptance of credit cards contract; Alpine Center repairs; Building and Grounds meeting November 20, 2006; Gas cards; Introduced Angel Oppermann as the new Animal Control Director; DHS to vacate by the end of the month.

Correspondence:

The chairman received a request from Habitat for Humanity for fees to be waived for moving a house.

Special Presentations:

Bill Kerr reported on Millage report.

Motion by Commissioner Glasser, to adopt the 2006 Apportionment report as presented.

Dona Wishart from the Otsego County Commission on Aging reported on the Elder friendly program.

New Business:

Motion by Commissioner Backenstose, to approve Warrant B2006-44 in the amount of \$46,469.74 with prepaids in the amount of \$49,469.14 as presented. A motion to amend above motion by Backenstose to the amount of \$42,469.74 with prepaids in the amount of \$49,469.14. Vote on amendment-Unanimous, Vote on amended motion-Unanimous. Motion carried.

Motion by Commissioner Hyde, to approve Warrant B2006-45 in the amount of \$261,499.78 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Johnson, to approve the Parks and Recreation Fund (208) 2006 Budget Amendment as presented. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Liss, to approve the Equipment/Contingency/Buildings & Grounds/Administration 2006 Budget Amendment as presented. Ayes: Unanimous with Commissioner Backenstose voting nay. Motion carried. (see attached)

Gerald Chase addressed the Board regarding the Sanitary Regulations.

Motion by Commissioner Bentz, to approve Resolution OCR-06-47 Sanitary Regulations as presented.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion by Commissioner Glasser, to approve Resolution OCR-06-50 requesting Legislation to reorganize the 87<sup>th</sup> District Court into three separate divisions.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion by Commissioner Bates, to set the fee for Marriages performed by the County Clerk, per MCL 551.7, at \$20.00., with fees collected to be deposited in the County's General Fund. Ayes: Unanimous. Motion carried.

Motion by Commissioner Bentz, to purchase a 2007 Ford Ranger Supercab from Gaylord Ford Lincoln Mercury in the amount of \$16,008.78 plus any title, plate and/or transfer fees payable by a County Government. Ayes: Unanimous. Motion carried.

Motion by Commissioner Liss, to approve OCR-06-48 Program "E" Increase excluding the increase for the Courts Divisions.

Roll Call Vote:

Ayes: Backenstose, Bates, Beachnau, Liss, Olsen, Johnson, Hyde.

Nays: Glasser, Bentz.

Motion carried/Resolution adopted. (see attached)

Motion by Commissioner Olsen, to contract with Mutual of Omaha to provide Life, Accidental Death & Dismemberment and Disability Insurance. Ayes: Unanimous. Motion carried.

Motion by Commissioner Johnson, to change our mail order prescription program through Pharmacare to two co-pays for a 90 day supply for our non-union and retiree groups. Ayes: Unanimous. Motion carried.

Public Comment:

Sheriff James McBride reported that 9&10 News spent the night in the County Jail.

Board Remarks:

Commissioner Johnson: Parks and Recreation Commission.

Commissioner Backenstose: Task force meetings.

Commissioner Glasser: Jail Committee meeting.

Commissioner Hyde: Lockdown at St. Mary's School.  
Tabletop critical incident meeting held.

Meeting adjourned at 10:49 a.m. at the call of the Chair.

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Paul M. Beachnau, Chairman

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Susan I. DeFeyer, County Clerk

# Otsego County Land Use Services

1068 Cross Street  
Gaylord, Michigan 49735  
Telephone (989)731-7420  
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October 23, 2006

## MEMORANDUM

TO: Paul Beachnau, Chairman Otsego County Board of Commissioners  
FROM: Richard Edmonds, Director of Land Use Services  
SUBJ: Zoning Ordinance Text Amendment

The purpose of this memo is to provide the County Board of Commissioners with the Recommendation of the County Planning Commission regarding the following Zoning Ordinance Text Amendment.

### GENERAL INFORMATION

Following discussion with the Zoning Administrator, the Land Use Services Director and the Zoning Enforcement Officer the Planning Commission determined that the Zoning Ordinance definitions for "Restricted Yard Uses" was ambiguous and difficult to enforce.

The Planning Commission is recommending that the County Board adopt an ordinance to amend the regulations for Restricted Yard Uses currently found in the Zoning Ordinance at Section 18.34 so that Section 18.34 will be changed to read as follows:

#### SECTION 18.34 RESTRICTED USES

No parcel shall be used for the open or unenclosed storage, disposition, wrecking, dismantling, baling, salvaging, location, accumulation or abandonment, either temporarily or otherwise, of any discarded, disused or dismantled vehicles, machinery, junk, or junked articles, or any parts thereof, unless located in a Zoning District that permits such use and a site plan has been approved by the Planning Commission.

As used in this Section the following terms shall have the meanings as prescribed in this section.

- A. "discarded, disused vehicle" includes, but is not limited to, any vehicle which has remained on private property for a period of 48 continuous hours, or more, without the consent of the owner or occupant of the property, or for a period of 48 continuous hours, or more, after the consent of the owner or occupant of the property has been revoked.
- B. "discarded, disused or dismantled Vehicle" includes, any vehicle that is not licensed for use upon the highways or waterways of the State of Michigan, and shall also include, whether licensed or not, any vehicle that is inoperable, except that one (1) unlicensed vehicle that is used for snow plowing purposes shall be permitted and one (1) vehicle that is inoperable or unlicensed in addition to the snow plowing vehicle, may be permitted so long as that vehicle is repaired and licensed within thirty (30) days of notice by the Zoning Administrator, and one (1) additional vehicle that is kept under cover and where the grass around the vehicle is kept mowed and where the owner can show on going progress toward restoration.

- C. "Junk" includes, but is not limited to, broken and/or inoperable machinery or vehicles, or parts relating to machinery or vehicles, or broken and unusable furniture, stoves, refrigerators, or other appliances.

Exemption - Agricultural Operations. Any vehicle or parts of vehicles that are part of a farm operation as defined by the Michigan Right to Farm Act, 1980 P.A. No. 93, MCL 286.471, et. seq., and conducted in accordance with the State of Michigan's Generally Accepted Agricultural and Management Practices (GAAMPs) shall be exempt from the provisions of this Section 18.34.

OTSEGO COUNTY  
ORDINANCE NUMBER: 4

AN ORDINANCE TO AMEND THE TEXT OF THE OTSEGO COUNTY ZONING ORDINANCE ARTICLE 18 "SPECIFIC REQUIREMENTS FOR CERTAIN USES" SECTION 18.34 "RESIDENTIAL RESTRICTED YARD USES" BY CHANGING THE HEADING OF THE SECTION SO THAT IT APPLIES TO ALL PARCELS AND BY ADDING DEFINITIONS OF 'JUNK' SO THAT THERE IS NO CONFUSION REGARDING THAT TERM FOR THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE COUNTY.

OTSEGO COUNTY, STATE OF MICHIGAN ORDAINS:

Section 1. The text of the Otsego County Zoning Ordinance Article 18 "Specific Requirements for certain uses" Section 18.34 "Residential Restricted Yard Uses" shall be amended by changing the heading of the Section and by adding definitions of junk so there is no confusion regarding that term so that Section 18.34 shall read as follows:

SECTION 18.34 RESTRICTED USES

No parcel shall be used for the open or unenclosed storage, disposition, wrecking, dismantling, baling, salvaging, location, accumulation or abandonment, either temporarily or otherwise, of any discarded, disused or dismantled vehicles, machinery, junk, or junked articles, or any parts thereof, unless located in a Zoning District that permits such use and a site plan has been approved by the Planning Commission.

As used in this Section the following terms shall have the meanings as prescribed in this section.

- A. "discarded, disused vehicle" includes, but is not limited to, any vehicle which has remained on private property for a period of 48 continuous hours, or more, without the consent of the owner or occupant of the property, or for a period of 48 continuous hours, or more, after the consent of the owner or occupant of the property has been revoked.
- B. "discarded, disused or dismantled Vehicle" includes, any vehicle that is not licensed for use upon the highways or waterways of the State of Michigan, and shall also include, whether licensed or not, any vehicle that is inoperable, except that one (1) unlicensed vehicle that is used for snow plowing purposes shall be permitted and one (1) vehicle that is inoperable or unlicensed in addition to the snow plowing vehicle, may be permitted so long as that vehicle is repaired and licensed within thirty (30) days of notice by the Zoning Administrator, and one (1) additional vehicle that is kept under cover and where the grass around the vehicle is kept mowed and where the owner can show on going progress toward restoration.
- C. "Junk" includes, but is not limited to, broken and/or inoperable machinery or vehicles, or parts relating to machinery or vehicles, or broken and unusable furniture, stoves, refrigerators, or other appliances.

Exemption - Agricultural Operations. Any vehicle or parts of vehicles that are part of a farm operation as defined by the Michigan Right to Farm Act, 1980 P.A. No. 93, MCL 286.471, et. seq., and conducted in accordance with the State of Michigan's Generally Accepted Agricultural and Management Practices (GAAMPs) shall be exempt from the provisions of this Section 18.34.

Section 2. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 3. Effective Date.

This Ordinance shall become effective eight (8) days after its first publication.

OTSEGO COUNTY  
By: \_\_\_\_\_  
Paul Beachnau, County Board Chairman  
  
By: \_\_\_\_\_  
Susan DeFeyter, County Clerk

October 23, 2006

MEMORANDUM

TO: Paul Beachnau, Chairman Otsego County Board of Commissioners  
FROM: Richard Edmonds, Director of Land Use Services  
SUBJ: Zoning Ordinance Text Amendment

The purpose of this memo is to provide the County Board of Commissioners with the Recommendation of the County Planning Commission regarding the following Zoning Ordinance Text Amendment.

**GENERAL INFORMATION**

Following adoption of the Michigan Zoning Enabling Act (PA 110 of 2006) the State revised the regulations for notice requirements in zoning matters. The Planning Commission determined that the Zoning Ordinance notice regulations should be updated to comply with current State regulations.

The Planning Commission is recommending that the County Board adopt an ordinance to amend the notice requirements found in various parts of the Zoning Ordinance and to correct all references to the County Zoning Act which has been repealed by the Michigan Zoning Enabling Act. The proposed ordinance with the necessary changes is attached.

OTSEGO COUNTY  
ORDINANCE NUMBER: 4

AN ORDINANCE TO AMEND THE TEXT OF THE OTSEGO COUNTY ZONING ORDINANCE SO THAT NOTICE REQUIREMENTS FOR VARIOUS ZONING MATTERS ARE IN COMPLIANCE WITH THE MICHIGAN ZONING ENABLING ACT (PA 110 OF 2006) AND SO THAT ALL REFERENCES TO THE COUNTY ZONING ACT WHICH HAS BEEN REPEALED ARE CHANGED TO READ "MICHIGAN ZONING ENABLING ACT" FOR THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE COUNTY.

OTSEGO COUNTY, STATE OF MICHIGAN ORDAINS:

Section 1. The title of the Otsego County Zoning Ordinance shall be amended to read as follows:

TITLE

AN ORDINANCE enacted under Public Act 110 of 2006, as amended, governing the lands and waters lying outside the limits of incorporated cities and villages within Otsego County, Michigan, to regulate and restrict the location and use of buildings, structures and land for trade, industry, residence, and for public and semipublic or other specified uses; and to regulate and limit the height and bulk of buildings and other structures; to regulate and to determine the size of yards and open spaces; to regulate and limit the density of population; to encourage resource protection, farming, and forestry activities; and for said purposes to divide the County into districts and establish the boundaries thereof; providing for changes in this Ordinance; defining certain terms; providing for enforcement; establishing a Board of Appeals; and imposing penalties for the violation of Ordinance.

Section 2. The Otsego County Zoning Ordinance Article 2 "Definitions" "Uses Subject to Special Conditions" shall be amended to read as follows:

USES SUBJECT TO SPECIAL CONDITIONS: Refers to special land uses pursuant to PA 110 of 2006, as amended, and also pursuant to uses referred to in this ordinance as Special Approvals, Special Uses, Special Land Uses or Conditional Uses authorized by special permit.

Section 3. The Otsego County Zoning Ordinance Article 3 "Zoning Districts and Maps" Section 3.7 "Structure of Uses and Information" shall be amended to read as follows:

SECTION 3.7 STRUCTURE OF USES AND INFORMATION

3.7.1 The structure of uses in this Ordinance is as follows:

Uses are allowed only in specified zoning districts. Where allowed, uses are either by right or they are special land uses.

**Uses by right** often have specific requirements which must be met, as spelled out in various local, state and federal laws and the provisions of this Ordinance, principally Article 18 but also including the definitions section of Article 2 and the zoning district articles themselves.

**Special land uses** shall be permitted in a zoning district only after review and approval. Such decisions are considered discretionary under the state enabling legislation (MCLA 125.3502). All discretionary decisions are governed by Article 16, which spells out criteria and procedures, including giving notice to property owners.

Section 4. The Otsego County Zoning Ordinance Article 16 "Permitted Uses Subject to Special Conditions" Section 16.5 "Public Hearing Requirements" shall be amended to read as follows:

## SECTION 16.5 – PUBLIC HEARING REQUIREMENTS

Following receipt of a complete special use permit application, the Planning Commission shall hold a public hearing. The notices for all public hearings before the planning commission concerning requests for special use permits and planned unit developments shall comply with all of the following:

- A. The content of the notice shall include all of the following information:
  1. A description of the nature of the proposed special use or planned unit development request.
  2. A description of the property on which the proposed special use or planned unit development will be located. The notice shall include a listing of all existing street addresses within the property. Street addresses, however, do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used, such as using tax parcel identification numbers or including a map showing the location of the property.
  3. The time, date, and place the proposed special use or planned unit development request will be considered.
  4. The address where and the deadline when written comments will be received concerning the proposed special use or planned unit development request.
- B. The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
- C. The notice shall be sent by first-class mail or personal delivery to the owners of the property or properties proposed for Special Use or Planned Unit Development not less than 15 days before the scheduled public hearing.
- D. The notice shall also be sent by first-class mail or personal delivery to all persons to whom real property is assessed within 300 feet of the property on which the proposed special use or planned unit development will be located and to the occupants of all structures within 300 feet of the property on which the proposed special use or planned unit development will be located not less than 15 days before the scheduled public hearing, regardless of whether the property or occupant is located in the County. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.

Section 5. The Otsego County Zoning Ordinance Article 18 "Specific Requirements for Certain Uses" Section 18.9 "Discretionary Approval Conditions" shall be amended to read as follows:

### SECTION 18.9 DISCRETIONARY APPROVAL CONDITIONS

Whenever the Planning Commission, Zoning Board of Appeals, Zoning Administrator, or other official or body with authority to make a discretionary decision as provided for in The Michigan Zoning Enabling Act (PA 110 of 2006 as amended) determines that a fence, greenbelt, berm, landscaping or other buffering or screening device or land use arrangement shall be necessary, said body or official may require such condition per the requirements of the applicable section of this Ordinance. This includes the lighting requirements of Section 18.19, the outdoor speaker requirements of Section 18.41, and the fencing requirements of Section 18.10.

Section 6. The Otsego County Zoning Ordinance Article 21 "Planned Unit Development (PUD)" Section 21.2 "Procedure", paragraph 21.2.4 "A Hearing" shall be amended to read as follows:

A hearing by the Planning Commission in accord with the requirements of the special use procedure established in Article 16; Section 16.5 shall be initiated after review of the preliminary site plan by the County Planning Commission.

Section 7. The Otsego County Zoning Ordinance Article 22 "Administration and Enforcement" Section 22.7 "Changes and Amendments" shall be amended to read as follows:

SECTION 22.7 CHANGES AND AMENDMENTS

The County may from time to time, on recommendation from the Planning Commission, or on petition, amend, supplement or change the District boundaries or the regulations herein, or subsequently established herein, pursuant to the authority and procedure established in Public Act 110 of 2006, as amended. The notices for all public hearings before the planning commission or County Board of Commissioners concerning proposed zoning ordinance amendments (zoning text or map amendments) shall comply with all of the following applicable provisions:

- A. For a proposed amendment to the text of the zoning ordinance, the notice shall comply with all of the following:
  - 1. The content of the notice shall include all of the following information:
    - a. A description of the nature of the proposed zoning ordinance amendment.
    - b. The time, date, and place the proposed zoning ordinance will be considered.
    - c. The places and times at which the proposed zoning ordinance amendment may be examined.
    - d. The address where and the deadline when written comments will be received concerning the proposed zoning ordinance amendment.
  - 2. The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
  - 3. The notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the County clerk for the purpose of receiving the notice of public hearing.
- B. For a proposed zoning ordinance amendment rezoning an individual property or 10 or fewer adjacent properties, the notice shall comply with all of the following:
  - 1. The content of the notice shall include all of the following information:
    - a. A description of the nature of the proposed zoning ordinance amendment.
    - b. A description of the property or properties proposed for rezoning. The notice shall include a listing of all existing street addresses within the property or properties. Street addresses, however, do not need to be created and listed if no such addresses currently exist within the property or properties. If there are no street addresses, other means of identification may be used, such as using tax parcel identification numbers or including a map showing the location of the property or properties.
    - c. The time, date, and place the proposed zoning ordinance will be considered.
    - d. The places and times at which the proposed zoning ordinance amendment may be examined.
    - e. The address where and the deadline when written comments will be received concerning the proposed zoning ordinance amendment.
  - 2. The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
  - 3. The notice shall be sent by first-class mail or personal delivery to the owners of the property or properties proposed for rezoning not less than 15 days before the scheduled public hearing.

- 4 The notice shall also be sent first-class mail or personal delivery to all persons to whom real property is assessed within 300 feet of the property or properties proposed for rezoning and to the occupants of all structures within 300 feet of the property or properties proposed for rezoning not less than 15 days before the scheduled public hearing, regardless of whether the property or occupant is located in the County. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.
  - 5 The notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the County clerk for the purpose of receiving the notice of public hearing.
- C. For a proposed zoning ordinance amendment rezoning 11 or more adjacent properties, the notice shall comply with all of the following:
1. The content of the notice shall include all of the following information:
    - a. A description of the nature of the proposed zoning ordinance amendment.
    - b. The time, date, and place the proposed zoning ordinance will be considered.
    - c. The places and times at which the proposed zoning ordinance amendment may be examined.
    - d. The address where and the deadline when written comments can be sent concerning the proposed zoning ordinance amendment.
  - 2 The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
  - 3 The notice shall be sent by first-class mail or personal delivery to the owners of the property or properties proposed for rezoning not less than 15 days before the scheduled public hearing.
  - 4 The notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the County clerk for the purpose of receiving the notice of public hearing.

Section 8. The Otsego County Zoning Ordinance Article 23 "Board of Appeals" Section 23.7 "Notice of Hearing" shall be amended to read as follows:

SECTION 23.7 NOTICE OF HEARING

The Board of Appeals shall make no recommendation except in a specific case and after a public hearing conducted by said board. The notices for all public hearings before the zoning board of appeals concerning appeals, interpretations, and variances shall comply with all of the following:

1. The content of the notice shall include all of the following information:
  - a. A description of the nature of the appeal or interpretation request or variance request.
  - b. For a Variance request or if the appeal or interpretation request involves a specific parcel, then the notice shall describe the property involved. The notice shall also include a listing of all existing street addresses within the property. Street addresses, however, do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used, such as using tax parcel identification numbers or including a map showing the location of the property.
  - c. The time, date, and place the appeal or interpretation request or variance request will be considered.

- d. The address where and the deadline when written comments will be received concerning the appeal or interpretation request or variance request.
- 2 The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
- 3 The notice shall be sent by first-class mail or personal delivery to the person filing the appeal or requesting the interpretation or requesting the variance and, for a variance request or if the appeal or interpretation request involves a specific parcel, to the owners of the property involved not less than 15 days before the scheduled public hearing.
- 4 For a variance request or if the appeal or interpretation request involves a specific parcel, then the notice shall also be sent by first-class mail or personal delivery to all persons to whom real property is assessed within 300 feet of the property involved and to the occupants of all structures within 300 feet of the property involved not less than 15 days before the scheduled public hearing, regardless of whether the property or occupant is located in the County. If the name of the occupant or tenant is not known, the term "occupant" may be used in making notification under this subsection.

Section 9. The Otsego County Zoning Ordinance Article 26 "Conflicting Regulations and Repeal of Prior Ordinances" shall be amended to read as follows:

ARTICLE 26 CONFLICTING REGULATIONS AND REPEAL OF PRIOR ORDINANCES

Whenever in the county there are provisions in two or more laws or ordinances that have conflicting provisions, the law or ordinance with the more stringent requirements or regulations shall govern, except where a township has a validly enacted zoning ordinance under the provisions of Public Act 110 of 2006, The Michigan Zoning Enabling Act, then for as long as such zoning ordinance remains lawful and in effect, its regulations shall govern the use of land within that township.

Section 10. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 11. Effective Date.

This Ordinance shall become effective eight (8) days after its first publication.

OTSEGO COUNTY

By: \_\_\_\_\_  
Paul Beachnau, County Board Chairman

By: \_\_\_\_\_  
Susan DeFeyter, County Clerk

October 23, 2006

MEMORANDUM

TO: Paul Beachnau, Chairman Otsego County Board of Commissioners  
FROM: Richard Edmonds, Director of Land Use Services  
SUBJ: Zoning Ordinance Text Amendment

The purpose of this memo is to provide the County Board of Commissioners with the Recommendation of the County Planning Commission regarding the following Zoning Ordinance Text Amendment.

**GENERAL INFORMATION**

Following review of the Zoning Ordinance it was noticed that the Zoning Ordinance had never been updated to note the new name of the Land Division Act. The Planning Commission determined that the Zoning Ordinance should be amended to correct this information.

The Planning Commission is recommending that the County Board adopt an ordinance to amend the Section 18.14 "Land Division" so that references to the "Subdivision Control Act" are corrected to read "Land Division Act" so that the specific paragraphs within Section 18.14 will be changed to read as follows:

18.14.1 Approval Required. For the purposes of this Ordinance, the County shall not recognize any lot which was not either a lot of record as of the effective date of this Amendment or which has not been subsequently approved by the Approving Authority as designated by the municipality in accordance with the provisions of the Land Division Act, P.A. 288 of 1967, as amended.

18.14.4.4 No Land Divisions shall be granted which are contrary to, or in violation of, the State of Michigan P.A. 288 of 1967, as amended, The Land Division Act, or this Ordinance.

OTSEGO COUNTY  
ORDINANCE NUMBER: 4

AN ORDINANCE TO AMEND THE TEXT OF THE OTSEGO COUNTY ZONING ORDINANCE ARTICLE 18 "SPECIFIC REQUIREMENTS FOR CERTAIN USES" SECTION 18.14 "LAND DIVISIONS" TO CORRECT REFERENCES TO THE SUBDIVISION CONTROL ACT BY CHANGING THE REFERENCE TO READ "LAND DIVISION ACT" FOR THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE COUNTY.

OTSEGO COUNTY, STATE OF MICHIGAN ORDAINS:

Section 1. The text of the Otsego County Zoning Ordinance Article 18 "Specific Requirements for certain uses" Section 18.14 "Land Divisions" Paragraph 18.14.1 shall be amended to correct references to the Subdivision Control Act so that they reference the Land Division Act so that paragraph 18.14.1 shall read as follows:

- 18.14.1 Approval Required. For the purposes of this Ordinance, the County shall not recognize any lot which was not either a lot of record as of the effective date of this Amendment or which has not been subsequently approved by the Approving Authority as designated by the municipality in accordance with the provisions of the Land Division Act, P.A. 288 of 1967, as amended.

Section 2. The text of the Otsego County Zoning Ordinance Article 18 "Specific Requirements for certain uses" Section 18.14 "Land Divisions" Paragraph 18.14.4.4 shall be amended to correct references to the Subdivision Control Act so that they reference the Land Division Act so that paragraph 18.14.4.4 shall read as follows:

- 18.14.4.4 No Land Divisions shall be granted which are contrary to, or in violation of, the State of Michigan P.A. 288 of 1967, as amended, The Land Division Act, or this Ordinance.

Section 2. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 3. Effective Date.

This Ordinance shall become effective eight (8) days after its first publication.

OTSEGO COUNTY

By: \_\_\_\_\_  
Paul Beachnau, County Board Chairman

By: \_\_\_\_\_  
Susan DeFeyter, County Clerk

# Otsego County Land Use Services

1068 Cross Street  
Gaylord, Michigan 49735  
Telephone (989)731-7420  
Fax (989)731-7429

October 23, 2006

## MEMORANDUM

TO: Paul Beachnau, Chairman Otsego County Board of Commissioners

FROM: Richard Edmonds, Director of Land Use Services

SUBJ: Rezoning request for property located at the intersection of Matelski Road and Old 27 North on the North side of Matelski Road and on the West side of Old 27 North Livingston Township Parcel Number 080-003-300-030-00

The purpose of this memo is to provide the County Board of Commissioners with the Recommendation of the County Planning Commission regarding the above listed Rezoning Request.

## GENERAL INFORMATION

The above referenced request is for the Rezoning of .34 acres of vacant land located as noted above. The property in question is currently zoned B-2 "General Business" and the request is for the parcel to be Rezoned to R-2 "General Residential"

### *Site Location*

The property is vacant land with no address. The property is just north of the intersection of Matelski Road and Old 27 North. The tax ID number for the parcel is: 080-003-300-030-00. The legal description for the parcel is:

Part of Section 3 Livingston Township desc as: beginning 150' North of the intersection of S line of Section 3 and W line of US 27 ROW, then N 100' alg W line of US 27 ROW, then W 200', the S 100' parallel with the west Section Line of Section 3, then E to POB.

### *Natural Features*

The property is flat vacant land with some scrub vegetation remaining on the property. The property has had a dwelling in the past which was removed several years ago. There are no special natural features on the property at this time.

### *Contours*

The property is flat, there is no significant change in elevation.

## PLANNING COMMISSION REVIEW

Article 22 "Administration" regulates changes and amendments to the Zoning Ordinance. Section 22.7 "Changes and Amendments" states

"The County may from time to time, on recommendation from the Planning Commission, or on petition, amend, supplement or change the District boundaries or the regulations herein, or subsequently established herein, pursuant to the authority and procedure established in Public Act 110 of 2006 as amended."

No other Articles or sections of the Zoning Ordinance apply when considering a Rezoning or Ordinance Amendment.

Based on the Michigan Zoning Enabling Act the County Planning Commission must insure that the "Map Amendment" (Rezoning) is based upon a "plan". That refers to the County's Master Land Use Plan.

Based on the Future Land Use Map the property in question is designated as "Residential" along Old 27 North.

It should be noted that the Future Land Use Map is a guide. The designated areas are not strict boundaries as in the Zoning Map.

#### RECOMMENDATION

The Planning Commission voted unanimously to recommend that this request be approved and advised that other similar property along Old 27 North be reviewed for rezoning in the immediate future.

The Planning Commission reviewed the following factors.

- a. the character of the area in which the subject property is located
- b. the property itself and any physical limitations and suitability to the particular use
- c. the affect of the rezoning on property values, and
- d. the general trend and character of population development
- e. Is the proposed rezoning consistent with surrounding uses
- f. will there be adverse physical impact on surrounding properties
- g. will there be adverse impact on property values in the adjacent area
- h. Have there been changes in the land use or other conditions in the area or the community which justify the change
- i. will the rezoning create a deterrent to the improvement or development of adjacent property in accordance with existing regulations
- j. will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area (spot zoning)
- k. Are there substantial reasons why the property cannot be used in accordance with its present zoning classification
- l. Is the rezoning in conflict with the future land use map or the Master Plan
- m. Is the site served by adequate public facilities or is the applicant able to provide them
- n. Are there sites nearby already properly zoned that can be used for the intended purpose
- o. Are there other remedies available besides rezoning.

The Planning Commission determined that:

- The site is zoned commercial and it can not currently be used for residential purposes.
- There is commercial property in the area that could better handle the commercial needs.
- Rezoning of this property at this time would help reduce sprawl
- The site is not served by adequate public facilities for commercial development.
- The site is Master Planned for Residential Use.

Based on the above noted criteria the Planning Commission has recommended approval of the Rezoning from B-2 General Business to R-2 General Residential.

OTSEGO COUNTY  
ORDINANCE NUMBER: 3

AN ORDINANCE TO AMEND THE CURRENT OTSEGO COUNTY ZONING MAP SO THAT THE BELOW DESCRIBED PARCEL OF LAND IS REZONED AS INDICATED.

OTSEGO COUNTY, STATE OF MICHIGAN ORDAINS:

Section 1. The current Otsego County Zoning Map shall be amended so that the following described parcel of land shall be Rezoned as indicated:

Common Address:	5042 Old 27 North
General Location:	150' north of intersection of Matelski Road and Old 27 North
Township:	Livingston Township
Tax ID Number:	080-003-300-030-00
Legal Description:	Part of Section 3 Livingston Township desc as: beginning 150' North of the intersection of S line of Section 3 and W line of US 27 ROW, then N 100' alg W line of US 27 ROW, then W 200', the S 100' parallel with the west Section Line of Section 3, then E to POB.
Existing Zoning:	B-2 "General Business"
New Zoning:	R-2 "General Residential"

Section 2. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 3. Effective Date.

This Ordinance shall become effective eight (8) days after its first publication.

OTSEGO COUNTY

By: \_\_\_\_\_  
Paul Beachnau, County Board Chairman

By: \_\_\_\_\_  
Susan DeFeyter, County Clerk

**RESOLUTION NO. OCR 06-51**  
**Register of Deeds Data Agreement**

OTSEGO COUNTY BOARD OF COMMISSIONERS  
November 9, 2006

**WHEREAS**, the Otsego County Register of Deeds is a statutory sub division of Otsego County which is the statutory repository of all documents of record pertaining to real property located within the County of Otsego; and

**WHEREAS**, the Register of Deeds receives requests for documents of record in an electronic data transfer medium as defined in MCL 24.401 or paper copies of all pages of all documents of record recorded by the Otsego County Register of Deeds; and

**WHEREAS**, the Register of Deeds occasionally wishes to enter into agreements with parties requesting these documents of record that detail the ownership rights to the data; now, therefore, be it

**RESOLVED**, that at the request of the Register of Deeds, the County Administrator is authorized to sign Agreements (form attached) for the distribution of the documents of record requested from the Register of Deeds.

## AGREEMENT

THIS AGREEMENT("Agreement") is made effective this \_\_\_\_ day of \_\_\_\_\_ 200\_\_, by and between \_\_\_\_\_ ("the party of the first part"), and The County of Otsego, a Michigan Municipal Corporation("Otsego") and the Otsego County Register of Deeds. Pursuant to the provisions of MCL 600.2567, 600.2567a, 565.551, 24.401, et seq.

In consideration of the mutual promises, covenants, and agreements hereinafter set forth, and for other good and valuable consideration, the parties agree as follows:

WHEREAS, Otsego County Register of Deeds is a statutory sub division of Otsego which is the statutory repository of all documents of record pertaining to real property located within the County of Otsego, State of Michigan; and

WHEREAS, the party of the first part, desires to acquire all pages of all documents of record in an electronic data transfer medium as defined in MCL 24.401 or paper copies of all pages of all documents of record recorded by the Otsego County Register of Deeds; and

WHEREAS, the parties agree that they will mutually benefit from an agreement whereby the party of the first part will agree to purchase copies of all pages of all documents recorded by Otsego County Register of Deeds during the effective term of this agreement.

NOW THEREFORE:

1. Term. The term of this agreement shall be for a period of one year, commencing on the effective date of this Agreement.
2. Renewal. This agreement shall not be automatically renewed for an additional term(s) unless one of the parties notifies the other party, in writing, of its intention to extend this Agreement upon mutually agreed terms and conditions at least Thirty (30) days prior to the end of the term.
3. Fees. The party of the first part shall receive all pages of all documents of record in a data transfer medium as defined in MCL 24.401 or paper copies of all pages of all documents of record recorded by the Otsego County Register of Deeds at the price of twenty-five cents(.25) per page. The parties shall confer on the type of electronic data transfer medium and the final selection of the medium is by the Register of Deeds. If obtaining copies by paper, the party of the first party agrees to supply their own paper.
4. Payment. Payment in full will be made for all copies within fifteen (15) days of invoice or this contract will be considered terminated. The Register of Deeds shall send a monthly invoice by the 10<sup>th</sup> of each month.

5. Use of Copies. The party of the first part agrees to use any copies acquired during the effective term of this agreement only for internal insurance underwriting purposes unless otherwise agreed to by Otsego County and the Register of Deeds in advance and in writing. The parties agree that any other use or dissemination to any third party shall be prohibited. If any other use or dissemination to any third party occurs, this Agreement is automatically terminated and any moneys due and owing shall be immediately paid.  
Otsego County reserved the right to seek all legal and/or equitable remedies available for any violations of this provision.

6. Assignment. This Agreement is not assignable or transferable to any third party caused by any reason. Any assignment or transfer or attempt shall automatically terminate this Agreement.

7. Specific Performance – Incidental, Consequential and Punitive Damages Prohibited. In no event shall either party be liable to the other party for specific performance of the terms hereof or for any incidental, consequential, speculative or punitive damages. The sole and exclusive obligation of the County and the Register of Deeds is limited to providing all pages of all documents of record in an electronic data transfer medium as defined in MCL 24.401 or paper copies of all pages of all documents of record recorded by the Otsego County Register of Deeds.

8. General Provisions.

A. Captions. The captions, headings, and arrangements used in this agreement are for convenience only and do not in any way affect, limit, simplify, or modify the terms and provisions of this agreement.

B. Number and Gender of Words. Whenever the singular number is used, the same shall include the plural where appropriate, and words of any gender shall include each other gender where appropriate.

C. Notices. All notices, demands, and requests and other communications required or permitted hereunder shall be in writing, and shall be deemed to be delivered, whether actually received or no, when sent; (i) by personal delivery; or (ii) by facsimile transmission to the following address:

Susan I. DeFeyer  
Otsego County Clerk/Register of Deeds  
225 W. Main Street  
Gaylord, MI 49735  
Telephone: 989-731-7550  
Facsimile: 989-731-7519

- D. Governing Law. It is intended by the parties that the laws of the State of Michigan shall govern the validity, construction, enforcement and interpretation of this agreement, Otsego County shall be the proper venue for any such actions.
- E. Entirety and Amendments. This agreement embodies the entire agreement between the parties and supersedes all prior agreements, understandings, warranties and representations, if any, whether verbal or written, relating in any way to this agreement. This agreement may be amended or supplemented only by an instrument in writing executed by both parties hereto.
- F. Invalid Provisions. If any provision of this Agreement is held to be illegal, invalid or unenforceable, said provision shall be fully severable; the remainder of the agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of the agreement; and the remaining provisions of the agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance from the agreement. Furthermore, in lieu of such illegal, invalid or unenforceable provision, there shall be added automatically as a part of this agreement a provision as may be possible which is and shall be legal, valid and enforceable.
- G. No Third Party Beneficiaries. Except as otherwise specifically provided herein, nothing expresses or implied in this agreement is intended, or shall be construed, to confer upon or give any person, firm or corporation other than THE PARTY OF THE FIRST PART and OTSEGO COUNTY and the Register of Deeds, any rights or remedies under or by reason of this Agreement.
- H. Authority. The party of the first party represents and warrant to Otsego County and the Register of Deeds that is has full legal and statutory powers under relevant internal by-laws or rules and regulation to enter into this Agreement.
- I. Survival of Representations. The representations, warranties, covenants and agreements contained in this agreement shall forever survive the termination of this Agreement.
- J. Effective Date. As used herein, the term "Effective Date" shall be the date as first written above. The parties hereto have executed this agreement effective as of the date first above written.

\_\_\_\_\_  
By:  
Its:

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk/Register

\_\_\_\_\_  
County Administrator



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: Parks

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

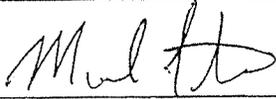
Fund Type:    General    Special Revenue    Debt Service    Capital Project    Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
Regular Hourly	\$	\$
Part Time - Temp	\$	\$
uniforms -	\$	\$
gasoline -	\$	\$
Total	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
208E - 751 - 703030	\$ 4,400.00	\$
- - 703060	\$	\$ 2,400.00
- - 726046	\$	\$ 1,000.00
- - 930660	\$	\$ 1,000.00
- -	\$	\$
- -	\$	\$
Total	\$ 4,400.00	\$ 4,400.00

  
Department Head Signature

11-2-6  
Date

  
Administrator's Signature

11-8-06  
Date

<b>Finance Department</b>
Entered:
By:

Board Approval Date (if necessary)      Budget Adjustment #      Posting Number



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

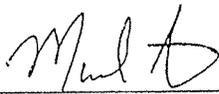
Fund Type:    General    Special Revenue    Debt Service    Capital Project    Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
OVERTIME -	\$	\$
Insurance & Bonds	\$	\$
- supplies General	\$	\$
- -	\$	\$
Total	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
208E - 751 - 703070	\$ 6,236.24	\$
- - 930100	\$	\$ 4,392.24
- - 726000	\$	\$ 1,844.00
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$ 6,236.24	\$ 6,236.24

  
\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date

<b>Finance Department</b>
Entered:
By:

\_\_\_\_\_  
Administrator's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Approval Date (if necessary)

\_\_\_\_\_  
Budget Adjustment #

\_\_\_\_\_  
Posting Number



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

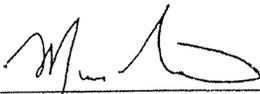
Fund Type:  General     Special Revenue     Debt Service     Capital Project     Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
Retirement	\$	\$
Supplies General	\$	\$
- " Janitorial	\$	\$
- -	\$	\$
Total	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
208E - 751 - 704300	\$ 4,000.00	\$
- - 726000	\$	\$ 1,400.00
- - 726025	\$	\$ 2,600.00
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$ 4,000.00	\$ 4,000.00

  
\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date

<b>Finance Department</b>
Entered:
By:

\_\_\_\_\_  
Administrator's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Approval Date (if necessary)

\_\_\_\_\_  
Budget Adjustment #

\_\_\_\_\_  
Posting Number



## OTSEGO COUNTY BUDGET AMENDMENT

FUND/DEPARTMENT: \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:    General    Special Revenue    Debt Service    Capital Project    Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
Social Sec.	\$	\$
Rep & Main -	\$	\$
WWBT OUTSIDE	\$	\$
-            -	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

**EXPENDITURE**

Account Number	Increase	Decrease
20BE - 751 - 704200	\$ 1,927.00	\$
-            - 726050	\$	\$ 1,000.00
-            - 946010	\$	\$ 927.00
-            -	\$	\$
-            -	\$	\$
-            -	\$	\$
<b>Total</b>	<b>\$ 1,927.00</b>	<b>\$ 1,927.00</b>

\_\_\_\_\_  
 Department Head Signature Date

\_\_\_\_\_  
 Administrator's Signature Date

<b>Finance Department</b>
Entered:
By:

\_\_\_\_\_  
 Board Approval Date (if necessary) Budget Adjustment # Posting Number



**OTSEGO COUNTY  
BUDGET AMENDMENT**

FUND/DEPARTMENT: \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:    General    Special Revenue    Debt Service    Capital Project    Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
Life & Dis	\$	\$
Advertise -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
20BE - 751 - 704140	\$ 300.00	\$
- - 930300	\$	\$ 300.00
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$ 300.00	\$ 300.00

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator's Signature

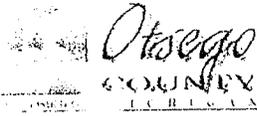
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Date

<b>Finance Department</b>
Entered:
By:

\_\_\_\_\_  
Board Approval Date (if necessary)

\_\_\_\_\_  
Budget Adjustment #

\_\_\_\_\_  
Posting Number



**OTSEGO COUNTY  
BUDGET AMENDMENT**

**FUND/DEPARTMENT: \_\_\_\_\_**

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:    General     Special Revenue     Debt Service     Capital Project     Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
unemployment	\$	\$
Ship & mail	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
208E - 751 - 704500	\$ 100.00	\$
- - 930450	\$	\$ 100.00
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$ 100.00	\$ 100.00

  
 \_\_\_\_\_  
 Department Head Signature

\_\_\_\_\_  
 Date

<b>Finance Department</b>	
Entered:	
By:	

\_\_\_\_\_  
 Administrator's Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Board Approval Date (if necessary)

\_\_\_\_\_  
 Budget Adjustment #

\_\_\_\_\_  
 Posting Number



## OTSEGO COUNTY BUDGET AMENDMENT

FUND/DEPARTMENT: \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:    General    Special Revenue    Debt Service    Capital Project    Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
WORK COMP-	\$	\$
MEDICAL SUPPLY	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

**EXPENDITURE**

Account Number	Increase	Decrease
208E - 751 - 704600	\$ 250.00	\$
- - 726035	\$	\$ 250.00
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	<b>\$ 250.00</b>	<b>\$ 250.00</b>

\_\_\_\_\_  
 Department Head Signature

11-2-6  
 \_\_\_\_\_  
 Date

<b>Finance Department</b>
Entered:
By:

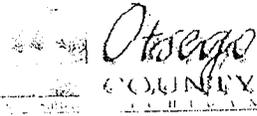
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Administrator's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Approval Date (if necessary)

\_\_\_\_\_  
Budget Adjustment #

\_\_\_\_\_  
Posting Number



**OTSEGO COUNTY  
BUDGET AMENDMENT**

**FUND/DEPARTMENT:** \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:    General    Special Revenue    Debt Service    Capital Project    Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
- Hosp, -	\$	\$
- Liab. Insurance	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
208E 751 - 704110	\$ 13,000.00	\$
- Fund Balance	\$	\$ 13,000.00
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$ 13,000.00	\$ 13,000.00

\_\_\_\_\_  
 Department Head Signature

11-2-6  
 Date

<b>Finance Department</b>	
Entered:	
By:	

\_\_\_\_\_  
 Administrator's Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Board Approval Date (if necessary)

\_\_\_\_\_  
 Budget Adjustment #

\_\_\_\_\_  
 Posting Number



## OTSEGO COUNTY BUDGET AMENDMENT

FUND/DEPARTMENT: \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:    General    Special Revenue    Debt Service    Capital Project    Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
- OVERTIME	\$	\$
- Part Time Temp	\$	\$
- overtime	\$	\$
- Insurance	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

**EXPENDITURE**

Account Number	Increase	Decrease
200E - 752 - 703070	\$ 1,000.00	\$
- - 703060	\$	\$ 1,000.00
- - 703070	\$ 1,000.00	\$
- - 930100	\$	\$ 1,000.00
INCREASE overtime -	\$	\$
↳ Part Time & Insurance	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

Department Head Signature \_\_\_\_\_

Date \_\_\_\_\_

Administrator's Signature \_\_\_\_\_

Date \_\_\_\_\_

<b>Finance Department</b>
Entered: _____
By: _____

Board Approval Date (if necessary) \_\_\_\_\_

Budget Adjustment # \_\_\_\_\_

Posting Number \_\_\_\_\_



# OTSEGO COUNTY BUDGET AMENDMENT

**FUND/DEPARTMENT:** \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:    General       Special Revenue       Debt Service       Capital Project       Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
- -	\$	\$
- Per Diem	\$	\$
- Telephone	\$	\$
- -	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

**EXPENDITURE**

Account Number	Increase	Decrease
208E - 752 - 703040	\$ 300.00 ✓	\$
- - 930210	\$	\$ 300.00 ✓
- -	\$	\$
- -	\$	\$
> Per Diem -	\$	\$
< Telephone -	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

Department Head Signature \_\_\_\_\_ Date \_\_\_\_\_

Administrator's Signature \_\_\_\_\_ Date \_\_\_\_\_

<b>Finance Department</b>
Entered:
By:

Board Approval Date (if necessary) \_\_\_\_\_ Budget Adjustment # \_\_\_\_\_ Posting Number \_\_\_\_\_



## OTSEGO COUNTY BUDGET AMENDMENT

**FUND/DEPARTMENT:** \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:    General    Special Revenue    Debt Service    Capital Project    Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
- Reg. Hourly	\$	\$
- Repairs -	\$	\$
- Hospital	\$	\$
- Repairs -	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

**EXPENDITURE**

Account Number	Increase	Decrease
208E - 752 - 703030	\$ 3,000.00 ✓	\$
- - 726050	\$	\$ 3000.00 ✓
- -	\$	\$
208E - 752 - 704110	\$ 4,000.00 ✓	\$
- - <del>726050</del>	\$	\$ 4000.00 ✓
> Reg. & Hospital 7940010	\$	\$
<b>Total &amp; Repairs &amp; Maint</b>	<b>\$ 7000</b>	<b>\$ 7000.00</b>

Department Head Signature \_\_\_\_\_

Date \_\_\_\_\_

Administrator's Signature \_\_\_\_\_

Date \_\_\_\_\_

Finance Department	
Entered:	
By:	

Board Approval Date (if necessary) \_\_\_\_\_

Budget Adjustment # \_\_\_\_\_

Posting Number \_\_\_\_\_



# OTSEGO COUNTY BUDGET AMENDMENT

**FUND/DEPARTMENT:** \_\_\_\_\_

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:    General    Special Revenue    Debt Service    Capital Project    Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
- Insurance	\$	\$
- Gasoline	\$	\$
-	\$	\$
-	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

**EXPENDITURE**

Account Number	Increase	Decrease
20BE - 752 - 930100	\$ <del>200.00</del>	\$ 200.00 ✓
- - 930660	\$ 200.00 ✓	\$
-	\$	\$
-	\$	\$
-	\$	\$
- Gasoline    Insurance	\$	\$
<b>Total</b>	<b>\$</b>	<b>\$</b>

Department Head Signature \_\_\_\_\_ Date \_\_\_\_\_

Administrator's Signature \_\_\_\_\_ Date \_\_\_\_\_

<b>Finance Department</b>
Entered:
By:

Board Approval Date (if necessary) \_\_\_\_\_ Budget Adjustment # \_\_\_\_\_ Posting Number \_\_\_\_\_



**OTSEGO COUNTY  
BUDGET AMENDMENT**

Pg 1 of 2

FUND/DEPARTMENT: Various

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:  General     Special Revenue     Debt Service     Capital Project     Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
<b>Total</b>	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
101E970 - 999000 - Approp. to Eq. Fed	\$	\$ 37,500.00
101E949 - 999000 - Contingency	\$ 37,500.00	\$
645E172 - 930210 - Telephone	\$ 150.00	\$
645E172 - 920400 - Rep + Maint	\$ 407.80	\$
637E265 - 930210 - Telephone	\$ 587.50	\$
637E265 - 920400 - Rep + Maint	\$ 3,300.00	\$
<b>Total</b>	\$	\$

Rachel Frisch  
Department Head Signature

11/8/06  
Date

<b>Finance Department</b>
Entered:
By:

\_\_\_\_\_  
Administrator's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Approval Date (if necessary)

\_\_\_\_\_  
Budget Adjustment #

\_\_\_\_\_  
Posting Number



**OTSEGO COUNTY  
BUDGET AMENDMENT**

Pg 2 of 2

FUND/DEPARTMENT: Various

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type:  General     Special Revenue     Debt Service     Capital Project     Business-Type (Enterprise or Internal Svc)

**REVENUE**

Account Number	Decrease	Increase
2660050-400000 - From Fund Bal.	\$	\$ 4,445.30
6370050-699030 - Transfer In	\$	\$ 4,445.30
-	\$	\$
-	\$	\$
<b>Total</b>	\$	\$

**EXPENDITURE**

Account Number	Increase	Decrease
266E941-999000 - Transfer out	\$ 4,445.30	\$
-	\$	\$
-	\$	\$
-	\$	\$
-	\$	\$
<b>Total</b>	\$ 46,390.60	\$ 46,390.60

Department Head Signature \_\_\_\_\_ Date \_\_\_\_\_

Administrator's Signature \_\_\_\_\_ Date \_\_\_\_\_

<b>Finance Department</b>
Entered:
By:

Board Approval Date (if necessary) \_\_\_\_\_ Budget Adjustment # \_\_\_\_\_ Posting Number \_\_\_\_\_

**RESOLUTION NO. OCR 06-47**  
Northwest Michigan Community Health Agency  
New & Amended Regulations

WHEREAS, Michigan Law, being 1978 PA 368, Sec.2441(1), requires that a regulation of a district health department be approved by the governing entity of each of its members; and

WHEREAS, this county is a member of the Northwest Michigan Community Health Agency which is a district health department and the Board of Commissioners is the governing entity of this county; and

WHEREAS, the Board of Health of the district health department has recommended approval of the proposed amendment to the Emmet County Sanitary Code and the proposed District Sanitary Code for the Counties of Antrim, Charlevoix and Otsego; and

WHEREAS, this county desires to approve the District Sanitary Code and the amendment to the Emmet County Sanitary Code that are described below; therefore, be it

RESOLVED, that:

1. the attached regulation adopted by the Board of Health of the Northwest Michigan Community Health Agency known as the District Sanitary Code and applicable to the Counties of Antrim, Charlevoix and Otsego is approved; and
2. the attached regulation adopted by the Board of Health of the Northwest Michigan Community Health Agency known as the Amendment of the Emmet County Sanitary Code is approved.

**RESOLUTION NO. OCR 06-50**  
**Support for Reorganization of the 87<sup>th</sup> District Court**

OTSEGO COUNTY BOARD OF COMMISSIONERS  
November 9, 2006

**WHEREAS**, the Probate Judges of Crawford and Kalkaska Counties have statutory District Court authority; and

**WHEREAS**, those judges handle all District Court cases in their respective counties and 87<sup>th</sup> District Court Judge Patricia A. Morse handles cases only in Otsego County; and

**WHEREAS**, the court staff of the district court is allocated and funded based on county lines and no longer a shared expense; now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners request the State Court Administrator to seek legislation to reorganize the 87<sup>th</sup> District Court into three separate district courts; and be it further

**RESOLVED**, that this legislation is requested to be effective by the end of the 2007 term of the Legislature.



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

UNIFORM RESOLUTION FOR ADOPTING BENEFIT PROGRAM "E" INCREASE TO BE EFFECTIVE ON ADJUSTMENT DATE JANUARY 1, 2007

Must be filed with MERS by November 22, 2006, to be effective for Calendar 2007

Note: Numbers 1 and 2 must be completed.

1. As authorized by Section 20 of the MERS Plan Document as revised the Otsego County (Participating Municipality)

6902-1 adopts for the following (circle only A or B): (Municipality No.)

A. All retirees and beneficiaries.

or

B. Retirees and beneficiaries in Divisions: 01, 02, 10, 11, 12, 13, 14, 20 Specify Division Number(s)

2. The increase will be (Traditional E or Flexible E—choose either A or B):

A. Traditional E (For all who retired on or before December 31, 2005, as computed in the actuary's cost analysis.)

Two percent (2%) of the retirement allowance payable immediately prior to the adjustment date, for each complete calendar year since the last adjustment date for which Benefit E was adopted, or effective date of retirement allowance, whichever is shorter.

or

B. Flexible E (Complete the following.)

1) Type of increase % or flat dollar amount per month \$

2) Increase applies in the following manner:

(a) Only those retired on or before

(b) Number of years for adjustment

I certify that this Resolution was adopted by the Otsego County Board of Commissioners Governing Body at its meeting held on November 9, 2006

Dated: 11-9-06

Signature of Authorized Official

Chair, Board of Commissioners Title