

OCR-02-001 Discharge of Mortgage/Line
OCR-02-002 Discharge Mortgage/Kettlewell
OCR-02-003 Discharge Mortgage/Ostrom
OCR-02-004 Fund Cooperative Resource Management Program
OCR-02-005 Probate Judge Retirement
OCR-02-006 Soil Erosion/Sediment Control
OCR-02-007 5311 Operating/Bus
OCR-02-008 Straits Regional Ride
OCR-02-009 Act NO.51 Funding/Bus
OCR-02-010 Emmet County Sanitation
OCR-02-011 Bagley Block Grant
OCR-02-012 Johannesburg Block Grant
OCR-02-013 Link Michigan Grant
OCR-02-014 MERS/Crawford
OCR-02-015 MERS/Crawford Hours
OCR-02-016 Telecommunications Week
OCR-02-017 Lambert Chard Administrative Officer
OCR-02-018 District Health Refinancing Project
OCR-02-019 Airport Expansion/Contract 2002-0410
OCR-02-020 Discharge Mortgage/Montgomery-Kelley
OCR-02-021 Zoning Amendment/PC-2002-03-TEXT
OCR-02-022 Zoning Amendment/PC-2002-01 Haworth
OCR-02-023 Register of Deeds/Statutory Fees
OCR-02-024 Yucca Mountain/Nuclear Waste
OCR-02-025 Ballot Language/Increase of .75
OCR-02-026 Community Center Millage
OCR-02-027 Police Week Proclamation
OCR-02-028 CDGB LinkMichigan Grant
OCR-02-029 Discharge Mortgage Newton
OCR-02-030 Discharge Mortgage Compton
OCR-02-031 Community Corrections Fiscal Year 2003 Grant
OCR-02-032 Zoning Amendment/PC-2002-05-C-
OCR-02-033 Zoning Amendment/Pc-2002-05-B
OCR-02-034 Discharge Mortgage/Carrie Robinson
OCR-02-035 Discharge Mortgage/Carrie Robinson
OCR-02-036 Final Phase Airport Rehab Contract 2002-0505
OCR-02-037 Discharge Mortgage/Leona Coulson etal
OCR-02-038 Zoning Amendment/PC-2002-08-CR
OCR-02-039 Commission on Aging Bylaws
OCR-02-040 Region 9 Agency on Aging Plan for 2003
OCR-02-041 EDC Bylaws
OCR-02-042 Tri-County Court Notice of Litigation
OCR-02-043 Discharge of Mrtg Kucharek
OCR-02-044 Bus Grant 2003 /27 foot/Bus
OCR-02-045 Discharge of Mortgage/Cummings

OCR-02-046 Zoning Amendment/Parking Lots
OCR-02-047 Zoning Amendment/Farm Buildings
OCR-02-048 Zoning Amendments/Accessory Buildings
OCR-02-049 Camp Grayling Training
OCR-02-050 DARE/Non-profit
OCR-02-051 NE Mich Community Corrections
OCR-02-052 Fair Housing Policy
OCR-02-053 Housing Community Development Block Grant
OCR-02-054 Discharge of Mrtg Shafto
OCR-02-055 Opposing Ballot proposals 3 & 4
OCR-02-056 SBC Ameritech's Proposed Wireless 9-1-1 Tariff
OCR-02-057 Airport Zoning Board of Appeals appointments
OCR-02-058 Full Revenue Sharing
OCR-02-059 Homeless Awareness Week
OCR-02-060 Discharge of Mrtg Heim
OCR-02-061 Discharge Mrtg Isaacson
OCR-02-062 Discharge Mrtg Isaacson (William)
OCR-02-063 Zoning Amendment/Commerce Park
OCR-02-064 Airport easement to City
OCR-02-065 Manistee River
OCR-02-066 County Local Hazard Mitigation Plan
OCR-02-067 Charges for EMS Responding to Hazard Materials
OCR-02-068 MERS Benefit E
OCR-02-069 2003 Borrowing/Adm Fund
OCR-02-070 Civil Counsel
OCR-02-071 NEMCOG Annual Report
OCR-02-072 Discharge Mrtg Fahler
OCR-02-073 Discharge Mrtg Early
OCR-02-074 Zoning Amendment PC2002-19-TEXT
OCR-02-075 Zoning Amendment PC2002-17-TEXT
OCR-02-076 Johannesburg Town Center Streetscape

RESOLUTION NO. OCR 02 - 001

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 3495 Coolwater Avenue, Johannesburg, Michigan 49751 and has a mortgage recorded in Liber 695 pages 802-809 in the name of Olivia A. Line, a single woman,

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Olivia A. Line, a single woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

RESOLUTION NO. OCRO2 -002

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 401 East First Street, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 625 page 323-325 in the name of Allan D. Kettlewell and Julie A. Kettlewell, husband and wife,

AND WHEREAS, said Mortgage has been Paid in Full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Allan D. Kettlewell and Julie A. Kettlewell, husband and wife AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said documents.

RESOLUTION NO. OCR 02 -003

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 8105 Lincoln Street, Vanderbilt, Michigan 49795 and has a mortgage recorded in Liber 302 page 207 in the name of Donald C. Ostrom and Ida M. Ostrom, his wife,

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Donald C. Ostrom and Ida M. Ostrom, his wife,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

Otsego County Board of Commissioners

GAYLORD, MICHIGAN 49735



DISTRICT I
CLARK BATES

DISTRICT II
PAUL BEACHNAU

DISTRICT III
PAUL LISS

DISTRICT IV
LEE OLSEN

DISTRICT V
CARL W. LORD

DISTRICT VI
ROLAND C. CHAVEY
VICE CHAIRMAN

DISTRICT VII
DOUGLAS JOHNSON
CHAIRMAN

DISTRICT VIII
KENNETH GLASSER

DISTRICT IX
ALLAN BENTZ

COUNTY COORDINATOR
LAMBERT CHARD

OTSEGO COUNTY

RESOLUTION OCR 2002 - 004

WHEREAS, the Cooperative Resource Management Initiative Program (CRMI) funding has been eliminated from the Michigan Department of Agriculture Budget FY-2002, and

WHEREAS, forest conservation and management is a vital aspect of a healthy Michigan economy and there is an increasing demand for forest resources by many Michigan employers, and

WHEREAS, the Cooperative Resource Management Initiative Program supported by the Michigan Department of Agriculture and the Michigan Department of Natural Resources and managed by Conservation Districts represents the first contact for private landowners and local governments regarding management of forest land, wildlife habitat and related natural resources, and

Whereas, CRMI activities have been endorsed by landowners and communities, and

WHEREAS, CRMI programs result in protection of wildlife, restoration of habitat including forest, grassland, urban forest and wildlife corridors; awareness of the value of natural resources, outdoor classroom education, increased supply of timber from private land, replanting of public and private land, and

WHEREAS, CRMI representatives provide guidance relative to sensitive or endangered resources and areas wherein there is high vulnerability regarding ground water contamination, and

WHEREAS, nearly fifty (50) percent of Michigan's forest and wildlife resources are located on privately owned land, and

WHEREAS, seventy (70) percent of the land area of Otsego County is classified as commercial forest of which fifty four (54) percent or approximately 130,000 acres is privately owned, and

WHEREAS, the Otsego County Forestry/Wildlife Professional, one of thirty-one (31) serving the State of Michigan via CRMI, in fiscal year 2001, assisted landowners in planting 1293 acres of trees, 1100 acres of wildlife habitat improvements and over 2000 acres of forest land improvements which served to maintain the quality of forest wild life and water, and



225 WEST MAIN

I-75 & M-32 "The Alpine Village" CENTER OF NORTHERN MICHIGAN

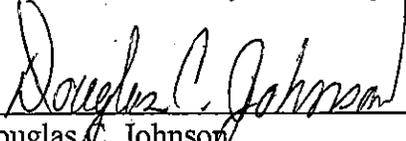
517-732-6484

WHEREAS, the elimination of CRMI programs would be a devastating loss to the people of the State of Michigan and Otsego County,

NOW THEREFORE BE IT RESOLVED that the Otsego County Board of Commissioners, do by this Resolution, request that the Michigan Department of Agriculture restore the funding for the Cooperative Resource Management Initiative Program in the FY 2002 budget.

It is also directed that a copy of this Resolution be forwarded to Governor Engler, the Office of Management and Budget, Michigan Department of Agriculture, Michigan Department of Natural Resources and Vicki Pontz-Teachout, Director, Environmental Stewardship Division, Michigan Department of Agriculture.

Adopted this 15th day of January, 2002.



Douglas C. Johnson
Chairman



Evelyn M. Pratt
County Clerk

OTSEGO COUNTY

RESOLUTION NO: 2002-05

WHEREAS probate judges are covered for retirement pension purposes under either the Probate Judges' Retirement Act or the Judges' Retirement Act, being Act 165 PA 1954 and Act 198 PA 1951, as amended, and

WHEREAS the Probate Judges' Retirement Act and the Judges' Retirement Act were recently amended by Acts 187 and 208 of Public Acts of 1984, respectively, to provide for tax deferment of the probate judge's member contributions as provided under Section 414 (h) (2) of the United States Internal Revenue Code, and

WHEREAS probate judges who are members of the respective Probate/Judge's Retirement Systems desire to be come covered under the tax deferment provision of the Probate/Judges' Retirement Acts, as amended and the United States Internal Revenue Code,

NOW THEREFORE BE IT RESOLVED that the County of Otsego hereby elects coverage for its probate judges as provided by the Probate/Judges' Retirement Acts, as amended, effective beginning 1-1-2002.

And requests that a copy of the RESOLUTION be filed with the Probate/Judges' Retirement System and the Payroll Officer of Otsego County for the purpose of recording and implementing this action.

Presented this 15th day of January, Two Thousand and Two.

I, Evelyn M. Pratt, Clerk of the County of Otsego, State of Michigan do hereby certify that the foregoing resolution was adopted by the Otsego County Board of Commissioners on the 15th day of January, 2002.



Evelyn M. Pratt, County Clerk

OTSEGO COUNTY

SOIL EROSION AND SEDIMENTATION CONTROL RESOLUTION

WHEREAS, Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 91) was passed by the state legislature, this law and all rules promulgated under this law are incorporated by reference in this resolution;

WHEREAS, Part 91 requires that the County Board of Commissioners designate a county agency, or conservation district upon the concurrence of the conservation district, as the county enforcing agency responsible for administering and enforcing Part 91 and the rules promulgated under Part 91;

NOW, THEREFORE, BE IT RESOLVED that the OTSEGO COUNTY PLANNING AND ZONING OFFICE is hereby designated the Otsego County Enforcing Agency responsible for administering and enforcing Part 91 and the rules promulgated under Part 91.

Doug Johnson
Doug Johnson, Board of Commissioners Chairman

DATE: 2/19/02

Suean C. DeFeyter
Evelyn Pratt, Otsego County Clerk *Chief Deputy*

DATE: 2-19-02



JOHN ENGLER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
CADILLAC DISTRICT OFFICE



RUSSELL J. HARDING
DIRECTOR

February 1, 2002

Mr. Michael Zalewski
Otsego County Planning and Zoning
1068 Cross Street
Gaylord, MI 49735

Dear Mr. Zalewski:

SUBJECT: Resolution Designating a County Enforcing Agency (CEA)

In accordance with section 9105(2) of Part 91, Soil Erosion and Sedimentation Control, of 1994 P.A. 451, Natural Resources and Environmental Protection Act, as amended, the County Board of Commissioners (Board), by resolution, shall designate a CEA for the county; or, in accordance with section 9105(3), the Board may provide for enforcement of Part 91 by ordinance. The Department of Environmental Quality (Department) is required to ascertain that a county has a valid resolution or ordinance in force and is further required to provide a copy of the resolution or ordinance to the local Conservation District for review and comment.

The Department audited several county SESC programs last year and it became apparent that many county ordinances or resolutions were obsolete or that the Department did not have the most recent version of the county's ordinance or resolution. County programs cannot be approved by the Department if there is not a valid resolution or ordinance in force. Please provide me with a copy of the county's SESC ordinance or resolution and the proof of adoption within 20 days.

I apologize for any inconvenience created by this request. Please contact me with any questions.

Sincerely,

Matt Johnstone
Land and Water Management Division
231-775-3960 ext. 6362

02R-02-007

Date November 15, 2001
Agreement No. 2002-0079
Authorization No. Z2
Project No. 594160
Agenda DIR

PROJECT AUTHORIZATION
OTSEGO COUNTY BOARD OF COMMISSIONERS
FY2002 SECTION 5311 OPERATING

This information is required by the Michigan Department of Transportation in order to record agreement of utilization of funds. The funds provided shall be used by the AGENCY in accordance with above referenced Agreement.

Authorization Effective Date: October 1, 2001
Authorization Expiration Date: September 30, 2002
FY of Effective UPTRAN Contract Clauses: FY2002

Federal award associated with this PROJECT AUTHORIZATION is MI-18-X031
Award Year FY2002 Federal Item WK031 is not R&D
Federal Transit Administration - Michigan Department of Transportation

The maximum amount payable to the AGENCY under this PROJECT AUTHORIZATION will not exceed 10.95% of the actual eligible costs not to exceed \$131,888.00

In accordance with Section 7 of the Agreement, the dollar amount for third party contracts as identified in COMMISSION policy is \$25,000. All agencies who are not self certified must submit third party contracts over \$25,000 to MDOT for approval. Please refer to Section 7 in the Agreement for competitive bidding requirements.

The AGENCY will be financially and legally responsible for the terms and conditions of the 5333(b) labor warranty as agreed to in your annual application.

The AGENCY agrees to prepare and furnish to the DEPARTMENT quarterly operating assistance reports via the Public Transportation Management System (PTMS). A sample Operating Assistance Report form and instructions on preparing the report is available in the "Local Bus Transit Revenue and Expense Manual" effective 10/01/01 through 9/30/02. The manual is available on the web at www.mdot.state.mi.us/uptran/pub.htm.

OCR-02-008

RESOLUTION OF SUPPORT

FOR INCREASING STRAITS REGIONAL
RIDE BUDGET FROM ~~8000~~ HRS TO ~~12500~~ HRS

~~WHEREAS,~~

WHEREAS, PURSUANT TO ACTION BY THE ~~FOUR~~ COUNTY
BOARD, OF STRAITS REGIONAL RIDE, APPROVING
AN INCREASE IN BUDGET, BASED ON 8000 VEHICLE
HOURS TO ~~12500~~ HRS, AND

WHEREAS, SERVICE OF STRAITS REGIONAL RIDE
HAS SUBSTANTIALLY BENEFITED RESIDENTS OF
OTSEGO COUNTY, AND

WHEREAS, PUBLIC SUPPORT AND DEMAND FOR SERVICES
IS FAR GREATER THAN ANTICIPATED.

NOW THEREFORE, BE IT RESOLVED THAT THE OTSEGO
COUNTY BOARD OF COMMISSIONERS HEREBY
MAKES IT ~~SUPPORT~~ KNOWN ITS SUPPORT OF
INCREASING THE STRAITS REGIONAL RIDE
BUDGET TO 12 500 HRS

Douglas C. Johnson
Chairman

SAMPLE RESOLUTION OF INTENT

OCR-02-009

**THE APPROVED RESOLUTION OF
INTENT TO APPLY FOR FINANCIAL
ASSISTANCE FOR FISCAL YEAR 2003 UNDER
ACT NO. 51 OF THE PUBLIC ACTS OF 1951,
AS AMENDED**

WHEREAS, pursuant to Act No. 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for
the OTSEGO COUNTY BUS SYSTEM

_____, (hereby known as THE
(Applicant's Name, Authoritative Body)

APPLICANT) established under Act 94, to provide a local transportation program for the state
fiscal year of 2003 and, therefore, apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for THE APPLICANT, to name an official representative for all public
transportation matters, who is authorized to provide such information as deemed necessary by the State
Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during
the past state fiscal year; and (State Operating Assistance Program only)

WHEREAS, the performance indicators for this agency have been reviewed and approved by THE
APPLICANT; and (State Operating Assistance Program only)

WHEREAS, THE APPLICANT, has reviewed and approved the proposed balanced (surplus) budget, and
funding sources of estimated federal funds \$88,996.00 _____, estimated state funds \$543,072__
_____, estimated local funds \$ 205,00 _____ estimated farebox \$ 400,000 _____, estimated other
funds \$ 373,530 _____, with total estimated expenses of \$ 373,530 _____.

NOW THEREFORE, be it resolved that THE APPLICANT hereby makes its intentions known to provide
public transportation services and to apply for state financial assistance with this annual plan, in accordance with
Act 51; and

HEREBY, appoints Cleland J Leask
_____, as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such
information as deemed necessary by the State Transportation Commission or department for its administration of
Act 51 for 2003.

I, Evelyn Pratt Clerk of Otsego County
_____, of _____,
(Name) (Secretary, Clerk)

THE APPLICANT, having custody of the records and proceedings of THE APPLICANT, do hereby certify that
I
have compared this resolution adopted by THE APPLICANT at the meeting of 2-19, 2002 with the
original minutes now on file and of record in the office and that this resolution is true and correct.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed seal of said County, this day of 2-19-02.

IN WITNESS WHEREOF the parties hereto have affixed their signatures as of this _____
day of _____, 200_.

WITNESSETH:

NORTHWEST MICHIGAN COMMUNITY
HEALTH AGENCY

Robert Wilson
Antrim County

Larry Bargy
Antrim County

Phillip R. Johnson
Charlevoix County

Carl Price
Charlevoix County

Alan Behan
Emmet County

Jack Jones
Emmet County

Roland Chavey
Otsego County

Allan Bentz
Otsego County

OTSEGO COUNTY

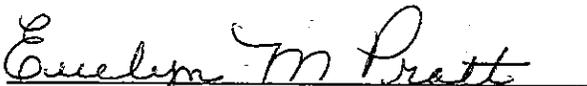
RESOLUTION NO: 2002-011

WHEREAS Otsego County is a member of the Otsego County Economic Alliance and supports the Alliance's efforts to retain and expand the county's existing industries through the development of infrastructure.

BE IT RESOLVED that the Otsego County Board of Commissioners supports Bagley Township's application for Community Development Block Grant funds to construct road infrastructure to assist Cooper-Standard Automotive's expansion at their Gaylord plant.

Presented this 12 day of March, Two Thousand and Two.

I, Evelyn M. Pratt, Clerk of the County of Otsego, State of Michigan, do hereby certify that the foregoing resolution was adopted by the Otsego County Board of Commissioners on the 12 day of March, 2002


Evelyn M. Pratt, County Clerk

OTSEGO COUNTY

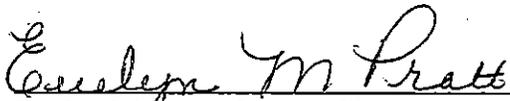
RESOLUTION NO: 2002-012

WHEREAS Otsego County is a member of the Otsego County Economic Alliance and supports the Alliance's efforts to make improvements and undertake revitalization of Otsego County's town centers to stimulate business activity, combat blight and deterioration and improve the look and feel of these important gateways to the county.

BE IT RESOLVED that the Otsego County Board of Commissioners supports Charlton Township's application for Community Development Block Grant funds to construct a gateway streetscape in the Johannesburg Town Center.

Presented this 12 day of March, Two Thousand and Two.

I, Evelyn M. Pratt, Clerk of the County of Otsego, State of Michigan, do hereby certify that the foregoing resolution was adopted by the Otsego County Board of Commissioners on the 12 day of March, 2002



Evelyn M. Pratt, County Clerk

OTSEGO COUNTY

RESOLUTION NO: 2002-013

WHEREAS Otsego County is a member of the Otsego County Economic Alliance and Northeast Michigan Council of Governments (NEMCOG) and supports the Alliance and NEMCOG's efforts to plan and develop telecommunications infrastructure to serve Otsego County's businesses, institutions and citizens.

WHEREAS planning funds are available from the Michigan Economic Development Corporation (MEDC) for multi-county planning projects, but require a single county to act as the lead agent for purposes of application and administration.

WHEREAS NEMCOG will provide grant administration services with assistance from the Otsego County Economic Alliance.

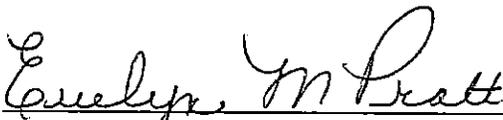
BE IT RESOLVED that the Otsego County Board of Commissioners approves the submission of a Notice of Intent (NOI) to apply for Community Development Block Grant (CDBG) funds to undertake a LinkMichigan Regional Telecommunications Planning Project (N.E. Michigan Broadband RAMP Planning Project) in conjunction with and covering the eight counties of the NEMCOG planning region.

BE IT RESOLVED that if requested by the MEDC to submit a full grant application, the Otsego County Board of Commissioners approves the submission of an application for CDBG funds for an eight county telecommunications planning project and will act as the fiduciary agent for the regional planning project.

FURTHER BE IT RESOLVED that Lambert Chard, County Coordinator, is authorized to execute the Notice of Intent, Application and Grant Agreement on behalf of the County.

Presented this 12 day of March, Two Thousand and Two.

I, Evelyn M. Pratt, Clerk of the County of Otsego, State of Michigan, do hereby certify that the foregoing resolution was adopted by the Otsego County Board of Commissioners on the 12 day of March, 2002



Evelyn M. Pratt, County Clerk

**RESOLUTION FOR ADOPTING MUNICIPAL EMPLOYEES'
RETIREMENT SYSTEM OF MICHIGAN
DEFINED BENEFIT PROGRAMS**

OCR-02-014

The Board of Commissioners of the County of Otsego
(Governing body) (Participating entity)

whose fiscal year is (month and day) January 1 to December 31 desires to make available to its eligible employees (as defined below) benefits provided by the Municipal Employees' Retirement System of Michigan (MERS), as authorized by 1996 PA 220. Benefits available are those provided under the Plan Document of 1996.

IT IS RESOLVED that pursuant to the Initial Actuarial Valuation dated _____, _____, by MERS' actuary, MERS benefits stated in Section 1 below are to be provided to the following employee division (e.g., general, police and fire, DPW, union, non-union):
15, Court Union Employees

(Separate resolutions are required for each division)

Please note: If no Initial Valuation has been done by MERS' actuary on the specific benefit program (or combination of programs) selected below; or the Initial Valuation is more than one (1) year old at the time MERS' coverage becomes effective as provided under Section 4 of this Resolution; then, per Retirement Board requirements, this resolution will not be implemented until a current actuarial valuation is done by MERS' actuary and necessary supporting contribution rates certified.

1. Benefit programs/formulae (e.g., B-2 / F55 / V-8 / FAC 3 / E-2) selected are:
B-2 / F-55, 15 / V-6 / FAC 5
(If other than standard MERS' retirement benefits, supporting collective bargaining agreement to accompany this Resolution)
2. The required employee contribution is 0.00%. (May be any percentage in hundredths of a percent, not to exceed ten [10] percent, unless higher rate is established by collective bargaining agreement accompanying this Resolution.)
- 3.1 Prior service credit with this municipality/court rendered previously by each covered employee in the division is subject to and shall be credited as provided under Section 2C(3) of the MERS Plan Document and MERS Initial Actuarial Valuation and Supplemental Valuation Procedure (as approved by the Retirement Board on September 28, 1999), whose respective terms are incorporated by reference.

Choose only one:

- A. All prior service from date of hire.
 - B. Portion of prior service (actual service up to _____ years); or _____%.
 - C. Prior service proportional to assets transferred.
 - D. No prior service (if D selected, go to Section 4).
- 3.2 The Initial Valuation discloses the actuarial reduction in the employer's future contribution rate that will occur where assets of a preceding qualified plan (whether

defined benefit or defined contribution plan) and/or other source are transferred to MERS.

- 3.3 In all asset transfers, the employer shall furnish MERS with all necessary and specific information required by MERS on the allocation of employer and employee contributions and investment earnings, along with taxable and nontaxable status on the employee contribution portion.
4. The effective date of this Resolution for making deductions for the employee contributions specified above, and for the payment of necessary employer contributions to MERS, as required in the Plan Document, shall be the same date that MERS' coverage begins, which is January 1, 2001, _____.
5. For municipalities, Plan Section 41 requires adoption by affirmative vote of a majority of the governing body; for courts, see Plan Section 41A. A complete copy of the fully executed collective bargaining agreement (if applicable), and certified copy of the complete official minutes or other official authorizing action for the open meeting at which this resolution was adopted must be forwarded to MERS with this resolution.

Certified this 12 day of March, 02.

BY: Candace M. Pratt TITLE: Clerk

RESOLUTION FOR DEFINING A DAY OF WORK OR
HOURS PER MONTH FOR MERS RETIREMENT PURPOSES

OCF-02-015

In accordance with Section 3(1) of the MERS Plan Document, as amended, the

Board of Commissioners of the County of Otsego
(Governing Body) (Municipality)

does hereby certify that a day of work, or the number of hours of work in a month, for

Division 15, Court Union Employees for retirement purposes, shall consist
(Indicate all employees or division name and number)

of one of the following to be effective as of January 1, 2001
(Date)

(Please complete either A or B)

A. A day shall consist of 7.00 hours.
(Ten (10) days a month of such work days equals one month of credited service.)

B. _____ A month shall consist of _____ hours.
(Each month of such work hours equals one month of credited service.)

Commencing January 1, 1998, Plan Document Section 4(6) authorizes a municipality by separate resolution to establish a "Partial Service Credit Program." Under this program, proportionate service credit may be given for less than 40 hours of work a week in the proportion which the hours employed in the calendar year bear to 2088 hours.

I hereby certify that the above is a true copy of a Resolution adopted at the meeting of the governing body held on March 12, 2002
(Date)

Evelyn M Pratt Clerk
(Signature of Authorized Official) (Title)



911
& Office of Emergency Management

County of Otsego
225 W. Main • Gaylord, MI 49735 • 517-731-1901



DATE: March 26, 2002

TO: Otsego County Board of Commissioners
Personnel Committee

FROM: Jay Gliwa, Director
OCR-02-016

SUBJECT: Michigan Public Safety Telecommunications Week

With the upcoming Michigan Public Safety Telecommunications Week (April 14-20), following is a sample proclamation that may be used by the County Board of Commissioners to acknowledge the great work performed by the Otsego County dispatchers, as well as, the Department of State Police dispatchers.

WHEREAS, emergencies can occur at anytime that require police, fire, or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of law enforcement, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our deputy sheriffs, police officers, and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Otsego County Central Dispatch and Gaylord Area Regional Dispatch; and

WHEREAS, Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers are the single vital link for our law enforcement, fire personnel, and emergency medical service responders by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, Public Safety Dispatchers of the Otsego County Central Dispatch and Gaylord Area Regional Dispatch contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

Personnel Committee
March 26, 2002
Page 2

NOW, THEREFORE, BE IT RESOLVED that the Board of Otsego County declares the week of April 14 through April 20, 2002 to be National Telecommunications Week in Otsego County, in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

Otsego County Dispatchers

Jerry Brown
Robin Davidson
Jaclyn Klepadlo
Christopher Martin
Melissa Powell
Tammi Sherfield

State Dispatchers

Carol Bugai
Sue Casto
Sharon Fisher
Dianne Haworth
Jean Hodges
Carolyn Kowalik
Keith Lester
Roxann Morin
Michelle Paterni
Ann Shankelton
Leon Vanorsdal

OCR-02-017

This form is issued under the authority of P.A. 34 of 2001.

Municipal Finance Qualifying Statement

INSTRUCTIONS. Complete all parts of this application. Mail this form to Local Audit and Finance Division, Michigan Department of Treasury, P.O. Box 30728, Lansing, MI 48909-8228. This form must be received by the Department of Treasury within 6 months of the end of your fiscal year. Direct questions to (517) 373-0660 or e-mail to TREAS_LAFD@michigan.gov.

Submit only one Qualifying Statement per year. An application is required for each municipal security issued if (1) You are currently operating under the provisions of the Local Government Fiscal Responsibility Act, Public Act 72 of 1990, as amended; (2) You have issued securities in the immediately preceding five fiscal years or the current fiscal year pursuant to the Fiscal Stabilization Act, Public Act 80 of 1981, as amended; (3) You have issued securities in the immediately preceding five fiscal years or the current fiscal year pursuant to the Emergency Municipal Loan Act, Public Act 243 of 1980, as amended; or (4) This qualifying statement or any application for any municipal security filed within the previous 12 months contains information that is materially false or incorrect.

MUNICIPALITY INFORMATION

Legal Name of Municipality County of Otsego		County(ies) Otsego	
Municipality Type County		Most Recently Completed Fiscal Year End Date (month/year) December / 2000	
Most Recent State Equalized Value 1,123,214,214	Year 2001	Most Recent Taxable Value 917,895,320	Year 2001
		Most Recent Population 23,301	Year 2000

GENERAL INFORMATION

- Has the local unit been in default on any security/debt, excluding IDR bonds, EDC bonds, bonds issued by a local hospital finance authority, or any other debt for which the municipality is not financially liable? Yes No
- Was the local unit required to levy a tax as a result of a court order or judgment during the preceding fiscal year? Yes No
- Are all outstanding securities of the municipality authorized by statute? If there are no outstanding securities, answer "YES" Yes No
- Is the municipality in violation of any provision in the covenants for an outstanding security, including but not limited to short-term municipal security set-aside requirements; statutory debt limitations for short-term municipal securities; and required funding levels for revenue bond reserve accounts Yes No
- Did the municipality submit a qualifying statement or an application for any other security in the preceding 18 months that was materially false or incorrect? Yes No
- Did the municipality issue a refunding security in the preceding fiscal year to avoid a potential default on an outstanding security? Yes No

AUDIT REPORT (most recent as required by statute)

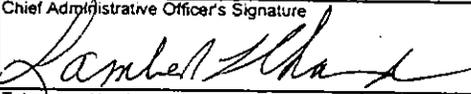
- Was the most recent audit report filed with Treasury within 6 months from the end of the fiscal year? Yes No
- Are there any unreserved fund balance deficits in ANY funds or retained earnings deficit for any enterprise funds? If "NO," go to question #10 Yes No
- If there were deficits, has a deficit elimination plan been filed with Treasury? Yes No
- Enter the total balance remaining in all unlimited tax levy funded debt retirement funds at the end of the most recent fiscal year
- Enter the total amount of principal and interest due in the next fiscal year for all unlimited tax levy debt

GENERAL FINANCE

- 12. Were employee taxes withheld transferred timely to the appropriate agency? Yes No
- 13. Were taxes collected as agent for another taxing unit transferred timely to that taxing unit? If question does not apply, answer "YES." Yes No
- 14. Were all required pensions, retirement, or benefit plans contributions made timely? Yes No
- 15. Enter the total dollar amount of taxes that you levied in the last calendar year 32,660,009
- 16. Enter the total dollar amount of those taxes levied that were delinquent as of the following March 1 3,604,035
- 17. Were there any violations of finance or tax-related State or Federal statutes during the preceding fiscal year as determined by a court of competent jurisdiction? Yes No

CERTIFICATION

I, the undersigned, certify that this application was authorized by the governing body of this municipality, and that it is complete and accurate in all respects. I understand that providing false information in this qualifying statement is guilty of a misdemeanor pursuant to the Michigan Penal Code (MCL 750.489).

Chief Administrative Officer Name and Title (Typed or Printed) LAMBERT L. CHARD COUNTY COORDINATOR		Chief Administrative Officer's Signature 	
Mailing Address* 225 W. MAIN ST. GAYLORD, MI 49735		Telephone Number (989) 732-6484	Date 4/3/2002

* The Department of Treasury's response to this application will be mailed to this address.

BOARD OF COUNTY COMMISSIONERS

COUNTY OF OTSEGO

STATE OF MICHIGAN

OCR-02-018

**RESOLUTION APPROVING DISTRICT HEALTH DEPARTMENT PROJECT
REFINANCING**

A regular meeting of the Board of County Commissioners of the County of Otsego (the "County") was held in the April 16, 2002 at 9:30 a.m. in the Multi-purpose room of the Richard Yuill Alpine Center, Gaylord, Michigan, on

RECITALS

1. The County is one of the constituent counties of Northwest Michigan Community Health Agency (formerly District Health Department No. 3) (the "Health Department"), a "district health department" formed by the County and the counties of Antrim, Charlevoix and Emmet under Section 2415 of Act 368, P.A. 1978, as amended, for the purposes of providing essential public health services to residents of those counties.
2. On September 23, 1992, NHF Sub Otsego, a Michigan nonprofit corporation (the "Issuer") issued its tax-exempt Non-Recourse Promissory Note I (NHF Sub Otsego Project) and Non-Recourse Promissory Note II (NHF Sub Otsego Project) in the principal amounts of \$405,000 and \$95,000, respectively ("Notes I and II") to finance the construction of a building located in the County, which is being leased to the Health Department, to satisfy the urgent need of the Health Department and the County for a building to house medical and office facilities for the provision of health care and human services to be rendered by the Health Department to residents of the County (the "Project"). On September 17, 1993, NHF Sub Otsego issued its tax-exempt Non-Recourse Promissory Note III (NHF Sub Otsego Project) and Non-Recourse Promissory Note IV (NHF Sub Otsego Project) in the principal amounts of \$58,173.91 and \$141,826.09, respectively ("Notes III and IV") for improvements to the Project (Notes I and II and Notes III and IV hereinafter referred to collectively as the "Original Notes").
3. The Original Notes were issued "on behalf of" the County, within the meaning of Section 103 of the Internal Revenue Code of 1986, as amended, pursuant to a Resolution approved by the Board of County Commissioners on October 8, 1991 for Notes I and II and on September 14, 1993 for Notes III and IV (collectively, the "Original Resolutions"), which specifically provide that the County has no financial responsibility whatsoever for payments due under the Original Notes, which are primarily payable from and secured by lease payments made by the Health Department to the Issuer.
4. Land owned by the County, specifically described in Exhibit A, hereto, was identified as a desirable site (the "Site") for the construction of the Project, and the County conveyed the Site by deed (the "County Deed") to the Issuer for purposes of

development of the Project, subject to certain reversionary rights.

5. The Original Notes, in the aggregate remaining outstanding principal amount of approximately \$500,000, currently bear interest at the rate of 6.4% per annum, subject to periodic readjustments, and have a final maturity date of March 1, 2013.

6. Prevailing interest rates on tax-exempt obligations such as the Original Notes have decreased substantially since the Original Notes were issued, and the refinancing of such indebtedness at current rates, after factoring in any prepayment penalty or premium and costs of refinancing, would result in significant economic savings to the benefit of the Issuer, the Health Department and the public.

7. It is therefore proposed that:

(i) the Issuer will issue a tax-exempt Limited Obligation Refunding Revenue Note on behalf of the County in a principal amount not to exceed \$512,986 (the "Refunding Note"), having a final maturity date no later than the final maturity date of the Original Notes, and the proceeds of which will be used to pay all outstanding principal of and accrued interest on the Original Notes, any applicable prepayment penalty or premium, and costs associated with issuance of the Refunding Note.

(ii) the Issuer will continue to lease the Project to the Health Department, pursuant to a restated lease agreement, having the same remaining lease term as set forth under the original lease, the lease payments being fixed in amounts sufficient for the Issuer to pay the principal of and interest on the Refunding Note as such amounts become due, together with the Issuer's reasonable administrative expenses, but not in excess of the fair market rentals for the Project.

RESOLUTIONS

The Board of County Commissioners adopts the following resolutions:

1. The health care and human services provided by the Health Department and other governmental or charitable organizations (which are in need of medical and office facilities) constitute an essential public purpose and benefit to the health and welfare of the residents of the County.

2. The Board reaffirms its approval of the non-profit purposes and activities of the Issuer as set forth in its Articles of Incorporation and Bylaws, including the development of the Project and the lease of the Project to the Health Department and other qualified health and human services organizations, if any, with the same remaining lease term as set forth under the original lease. The Issuer was incorporated by private, charitable public health interests, is not an agent or instrumentality of the County, and shall continue to operate independently of any control by the County.

3. The Project and title to the Site shall continue to be subject to the

provisions for reversion of title to the County set forth in the Original Resolutions and the County Deed, as set forth in Exhibit B hereto. All references in said reversion provisions to the indebtedness represented by "the Notes" or "the Bonds" shall be deemed to refer to the indebtedness represented by the Refunding Note following issuance of the Refunding Note and the prepayment of the Original Notes, and such refinancing shall not constitute an event giving rise to the reversion of title to the Site and the Project to the County.

4. The County hereby authorizes the Chairman of the Board and the County Clerk to execute any and all instruments and agreements as may be required to effectuate the issuance of the Refunding Note upon the terms and provisions contained herein, including, without limitation, a Subordination Agreement subordinating the rights of the County to the liens and claims of the holder of the Refunding Note until the indebtedness represented by the Refunding Note is paid in full.

5. The County approves of the issuance of a tax-exempt Limited Obligation Refunding Revenue Note of the Issuer on behalf of the County in a principal amount not to exceed \$512,986, for the purpose of paying all outstanding principal of and accrued interest on the Original Notes, any applicable prepayment penalty or premium, and costs associated with issuance of the Refunding Note, which Refunding Note shall be issued no later than three months from the date hereof, which shall have a final maturity date no later than the final maturity date of the Original Notes, upon substantially the terms set forth in Exhibit C hereto. The County's approval of the issuance by the Issuer of the Refunding Note is only to the extent required in order for such debt obligation to be deemed to be issued "on behalf of" the County for purposes of Section 103 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, and for no other purposes. The Refunding Note and interest thereon shall be non-recourse obligations of the Issuer, payable solely from the lease payments from the Health Department and other qualified health and human services organizations occupying the Project as tenants, if any, and secured by a mortgage on the Site and Project and an assignment of such lease payments. The Refunding Note shall never constitute a general obligation of the County within the meaning of any constitutional, statutory or charter provision or limitation and shall never constitute or give rise to a debt or liability of the County or a charge against the general credit or taxing power of the County. The County disclaims any financial responsibility for repayment of the Refunding Note, which is to be primarily secured by lease payments made by the Health Department to the Issuer. With respect to the partial funding for the activities of the Health Department pursuant to the Public Health Code from County appropriations, no portion of such appropriations derived from direct County taxation shall be applied toward such lease payments.

6. Upon retirement of the indebtedness represented by the Refunding Note, the County shall accept title to the Site and the Project (including any additions to the Project) from the Issuer pursuant to the County's rights of reversion set forth in Exhibit B hereto. The reversion of title to the Site and the Project to the County after the retirement of the Refunding Note shall be as partial consideration, together with the use of the Site for the provision of essential health and human services in the County, for conveyance of the Site by the County to the Issuer for the development of the Project.

EXHIBIT B - REVERSION RIGHTS OF COUNTY

UNENCUMBERED TITLE TO AND EXCLUSIVE POSSESSION OF THE SITE (INCLUDING THE PROPERTY FINANCED BY THE ORIGINAL NOTES AND THE REFUNDING NOTE TO BE ISSUED BY NHF SUB OTSEGO AND ANY ADDITIONS THERETO) SHALL REVERT TO THE COUNTY UPON THE OCCURRENCE OF ANY OF THE FOLLOWING, WITHOUT ANY DEMAND OR FURTHER ACTION ON THE PART OF THE COUNTY:

1. Commencement of the construction of the Project does not commence prior to January 1, 1992 or completion of the construction of the Project does not occur prior to May 31, 1996 as evidenced by the issuance of a Certificate of Occupancy by the appropriate governmental agency.
2. The Project constructed on the Site is not being used on a regular basis for functions of the Health Department (or any successor entity providing substantially the same services), or related health and human services functions of governmental or Section 501(c)(3) organizations.
3. The Health Department is dissolved.
4. Upon payment by NHF Sub Otsego of the full indebtedness represented by the Refunding Note.
5. The County shall have either prepaid the principal of and interest on the Refunding Note accrued to the date of prepayment, or shall have provided for the payment of the principal of and interest on the Refunding Note by irrevocably depositing in escrow Government Obligations maturing as to principal and interest in such amounts and at such times as will insure the availability of sufficient moneys to make such payment, and the County shall have paid all necessary and proper fees and expenses incident to such prepayment or defeasance. "Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America or any agency or instrumentality thereof when such obligations are backed by the full faith and credit of the United States.

PROVIDED, HOWEVER, THE REVERSION RIGHTS OF THE COUNTY ARE SUBJECT AND SUBORDINATE TO THE CLAIMS OF THE HOLDER OF THE REFUNDING NOTE UNTIL THE INDEBTEDNESS REPRESENTED BY THE REFUNDING NOTE ISSUED ON BEHALF OF THE COUNTY FOR CONSTRUCTION OF THE PROJECT ON THE SITE ARE PAID IN FULL.

EXHIBIT C

Principal Amount: Not to exceed \$512,986

Interest Rate: Not to exceed an initial rate of 5.25%.

Maturity Date/Amortization Schedule: Not later than March 1, 2013, being the final maturity date of the Original Notes. Additional notes or bonds issued to finance improvements or additions to the Project or to refund the Refunding Note or any additional notes or bonds must be discharged no later than the final maturity date of the Refunding Note, regardless of whether the Refunding Note is callable at an earlier date. The final maturity date of the Refunding Note or any other obligations of NHF Sub Otsego with respect to the Project may not be extended beyond the final maturity date of the Refunding Note, regardless of whether the Refunding Note is callable at an earlier date.

Purposes: To refinance the acquisition, construction and improvements to the Project for the purposes of providing a health and human services building for lease at a more advantageous rental rate to the Health Department and other governmental units and charitable organizations at rates not in excess of fair rental value, to pay any applicable prepayment penalty or premium and costs relating to the issuance of the Refunding Note, and to fund a reasonably required debt service reserve fund to the extent required in order to market the Refunding Note. All proceeds of the Refunding Note (net of the costs of issuance and amounts necessary to fund a reasonably required debt service reserve fund) shall be used for refinancing the construction of the Project and, if applicable, the acquisition of tangible real and tangible personal property. Proceeds may not be used for working capital.

Security:

1. Mortgage on the Site and Project
2. Assignment of Leases
3. Bonds non-recourse as to both NHF Sub Otsego and the County.

Prepayment: No penalty for prepayment so long as the funds used to make the prepayment are not borrowed from a source other than the initial holder of the Refunding Note.

Rights of County upon Event of Default: Upon the failure by NHF Sub Otsego to pay the principal of or interest on the Refunding Note or upon any other event constituting an event of default under the Refunding Note giving rise to acceleration of the Refunding Note, the County shall have an exclusive option to purchase the Project (including any additions to the Project) for the amount of the outstanding indebtedness and accrued interest to the date of default, which option shall be exercisable for a period of at least 90 days following such default. In the event the County exercises such option, the County shall have a period of at least 90 days from the date of such exercise to purchase the Project.

Rights of County to Prepay and Defeasance Refunding Note. The County shall have the right to repay or to defease the Refunding Note. Upon such prepayment or defeasance, title to the Site and the Project shall revert to the County and all leases, management contracts and encumbrances (other than certain permitted encumbrances) shall terminate, and any users of the property shall vacate within 90 days, subject to the right (but without any

obligation) of the County to enter into a new lease agreement with users of the Project.

Insurance: Proceeds of fire or other casualty insurance policies received in connection with damage to or destruction of the Project, including any additions to the Project, will, subject to the claim of the holder of the Refunding Note, (a) be used to reconstruct the Project, regardless of whether the insurance proceeds are sufficient to pay for reconstruction or (b) be remitted to the County.

Estimates of Fair Market Value and Useful Life: (1) A reasonable estimate of the fair market value of the Project on the final maturity date of the Refunding Note, regardless of whether the Refunding Note is callable at an earlier date, is equal to at least 20% of the original cost of the Project (determined without regard to any addition to the Project or any increase or decrease for inflation during the term of the Refunding Note), and (2) a reasonable estimate of the remaining useful life of the Project on the final maturity date of the Refunding Note, regardless of whether the Refunding Note is callable at an earlier date, is the longer of one year or 20% of the originally estimated useful life of the Project.

OCR-02-019
**CONTRACT FOR A FEDERAL/STATE/LOCAL
AIRPORT PROJECT
UNDER THE BLOCK GRANT PROGRAM**

This Contract is made and entered into this date of _____ by and between the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," and Otsego County Board of Commissioners, hereinafter referred to as the "SPONSOR," for the purpose of fixing the rights and obligations of the parties in agreeing to the following undertaking at the Otsego County Airport, whose associated city is Gaylord, Michigan, such undertaking hereinafter referred to as the "PROJECT," estimated in detail in Exhibit 1, dated March 22, 2002, attached hereto and made a part hereof.

PROJECT DESCRIPTION: Final design for strengthening, shifting, widening, and lighting of Runway 9/27 and associated taxiways. This work is further defined in Contract No. FM 69-01-C55.

WITNESSETH:

WHEREAS, the PROJECT is eligible for federal funding pursuant to the Airport and Airway Improvement Act of 1982, as amended, and/or the Aviation Safety and Noise Abatement Act of 1979; and

WHEREAS, the DEPARTMENT has received a block grant from the Federal Aviation Administration (FAA) for airport development projects; and

WHEREAS, the DEPARTMENT is responsible for the allocation and management of block grant funds pursuant to the above noted act.

NOW, THEREFORE, the parties agree:

1. The term "PROJECT COST," as herein used, is defined in Attachment(s) 16 attached hereto and made a part hereof. PROJECT COST will also include administrative costs incurred by

RESOLUTION NO. OCR 02-020

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 1826 Redwood Drive, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 778 pages 360-368 in the name of Sherry Ann Montgomery-Kelley, a married woman,

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Sherry Ann Montgomery-Kelley, a married woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

MORTGAGE DISCHARGE
(By Entity)



KNOW ALL MEN BY THESE PRESENTS, that (1) The County of Otsego, a (2) Municipal Corporation, whose address is (3) 225 West Main St, Gaylord, MI 49735, does hereby certify that a certain Mortgage dated October 24, 2000, made and executed by Sherry Ann Montgomery-Kelley, a married woman, as Mortgagor to The County of Otsego, A Municipal Corporation, as Mortgagee, and recorded on October 30, 2000 in the office of the Register of Deeds for Otsego County, Michigan, in Liber 778, Page 360-368, is fully paid, satisfied and discharged.

In Witness Whereof, the undersigned has executed this instrument as of the _____ day of _____.

WITNESSES:

* _____
* _____

(1) The County of Otsego
By Douglas C. Johnson
* Douglas C. Johnson
Its Chairman, Otsego Board of Commissioners
(5)

STATE OF MICHIGAN }
COUNTY OF OTSEGO } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, by (4) Douglas C. Johnson, the (5) Chairman of (1) the County of Otsego, on behalf of the (6) Board of Commissioners.

7. Prepared by: Susan C. Premo, Clerk
Otsego County Housing Committee
225 W. Main St.
Gaylord, MI 49735

* _____
Notary Public,
_____ County, Michigan

My Commission expires _____

Please send original recorded document to: Sherry A. Kelley
1826 Redwood Drive
Gaylord, MI 49735

- (1) Name of entity discharging mortgage.
- (2) Status of entity discharging mortgage (e.g., Michigan corporation, etc.)
- (3) Address of entity discharging mortgage.
- (4) Name of person executing instrument.
- (5) Title of person executing instrument.
- (6) Type of entity discharging mortgage (corporation, etc.)
- (7) Name and business address of person who drafted instrument.
- * Names of Witnesses, Notary Public, and persons executing this instrument must be legibly printed, typewritten or stamped immediately beneath the signature of such person.

OTSEGO COUNTY, MICHIGAN

OCR- 02-021

The purpose of this document is to support the recommendation of the County Planning Commission to accept the amendments known as PC-2002-03-TEXT for text changes regarding recycling facilities and solid waste haulers, and also Section 10.1.4 and 10.2.3, as proposed by the Otsego County Planning Commission

HISTORY

Planning Commission Case No. PC-2002-03 TEXT Notice of Public Hearing: (1) February 23, 2002 and March 9, 2002.

Date: April 16, 2002 Ordinance No. PC-2002-03-TEXT - Ordained
 Ordinance Remanded to Planning Commission for Review
 Ordinance Defeated

ROLL CALL VOTE: OTSEGO COUNTY BOARD OF COMMISSIONERS

AYE	NAY	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Douglas Johnson, Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roland Chavey, Vice-Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allan Bentz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark Bates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carl Lord
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Liss
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kenneth Glasser
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lee Olsen
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Beachnau

ADOPTED BY: THE OTSEGO COUNTY BOARD OF COMMISSIONERS

BOARD CHAIRMAN:

Douglas Johnson
Douglas Johnson

DATE: April 16, 2002

COUNTY CLERK:

Evelyn M. Pratt
Evelyn M. Pratt

DATE: ~~March~~ April 16, 2002

OTSEGO COUNTY, MICHIGAN

OCR- 02-022

The purpose of this document is to support the recommendation of the County Planning Commission to reject the amendments known as PC-2002-1-01-REZONE to rezone approximately 1.09 ACRES on Johnson Road from R-3 to B-2 as proposed by Rodney and Roberta Haworth.

HISTORY

Planning Commission Case No. PC-2002-1-01-REZONE Notice of Public Hearing: (1) January 19, 2002 and February 6, 2002.

Date: April 16, 2002 Ordinance No. PC-2002-1-01 REZONE - Ordained
 Ordinance Remanded to Planning Commission for Review
 Ordinance Defeated

ROLL CALL VOTE: OTSEGO COUNTY BOARD OF COMMISSIONERS

AYE	NAY	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Douglas Johnson, Chairman
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Roland Chavey, Vice-Chairman
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Allan Bentz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark Bates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carl Lord
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Liss
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Kenneth Glasser
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lee Olsen
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Paul Beachnau

ADOPTED BY: THE OTSEGO COUNTY BOARD OF COMMISSIONERS

BOARD CHAIRMAN: Douglas Johnson
Douglas Johnson

DATE: April 16, 2002

COUNTY CLERK: Evelyn M. Pratt
Evelyn M. Pratt

DATE: April 16, 2002

RESOLUTION OCR-02-~~000~~⁰²³

WHEREAS, the Otsego County Board of Commissioners recognize the necessity of statutory fees for the implementation of county services; and

WHEREAS, Otsego County acknowledges the purpose and intent of the Freedom of Information Act (FOIA) and the exclusion of certain records where a statutory fee is set; and

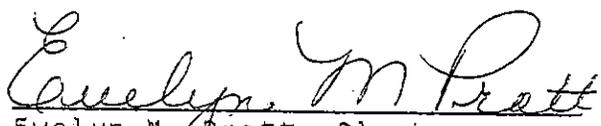
WHEREAS, Otsego County acknowledges the Records Media Act, which allows for records to be maintained in various formats; and

NOW, THEREFORE BE IT RESOLVED that the Otsego County Board of Commissioners support the County of Lapeer and the Lapeer County Register of Deeds in their efforts to prevent the loss of county revenue under the guise of a FOIA request. It is the opinion of the board that public records which are controlled by statute and include a fee established by the legislature are not subject to FOIA requests, and that the misapplication of such requests will severely impact county governments as a whole.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Lapeer County Board of Commissioners, the Lapeer County Register of Deeds, and the Michigan Association of Counties.

STATE OF MICHIGAN)
COUNTY OF OTSEGO)

I Evelyn M. Pratt, Clerk of the County of Otsego, do hereby certify that the foregoing Resolution is a true and correct copy of the Resolution adopted by an 9-0 vote of the Otsego County Board of Commissioners present on April 16, 2002.


Evelyn M. Pratt, Clerk

024
RESOLUTION OCR-02-000

WHEREAS, Over the past four decades, nuclear power has become a significant source for the nation's production of electricity. Michigan is among the majority of states that derive energy from nuclear plants; and

WHEREAS, Since the earliest days of nuclear power, the great dilemma associated with this technology is how to deal with the waste material that is produced. This high-level radioactive waste material demands exceptional care in all facets of its storage and disposal, including the transportation of this material; and

WHEREAS, In 1982, Congress passed the Nuclear Waste Policy Act of 1982. This legislation requires the federal government, through the U.S. Department of Energy, to build a facility for the permanent storage of high-level nuclear waste. This act, which was amended in 1987, includes a specific timetable to identify a suitable location and to establish the waste facility. The costs for this undertaking are to be paid from a fee that is assessed on all nuclear energy produced; and

WHEREAS, In accordance with the federal act, Michigan electric customers have paid \$405.8 million into this federal fund for construction of the federal waste facility; and

WHEREAS, There are serious concerns that the federal government is not complying with the timetables set forth in federal law. The U.S. Department of Energy, working with the Nuclear Regulatory Commission must not fail to meet its obligations as provided by law. There is too much at stake, now, therefore, be it

RESOLVED, That we call upon Michigan's selected officials to support the U.S. Nuclear Regulatory Commission in their effort to fulfill their obligation to establish a permanent repository at Yucca Mountain, NV. for high-level nuclear waste; and be it further

RESOLVED, That copies of this resolution be transmitted to the U.S. Department of Energy, the U.S. Nuclear Regulatory Commission, and Michigan's U.S. Senators and members of Congress.

OCR-02-025

OTSEGO COUNTY GENERAL OPERATING MILLAGE

Shall the limitation on the amount of taxes that may be assessed against all property in Otsego County be increased, as provided for in Article 9, section 6 of the Michigan Constitution, and the Otsego County Board of Commissioners be authorized to levy an additional tax not to exceed .75 mills (\$0.75 per thousand dollars) of State equalized value of such property for a period of five (5) years beginning with the levy to be made on December 1, 2002, estimated to generate \$732,749.17 in the first year of the millage, for the purpose of funding general operating expenses in Otsego County?

Otsego County
office of the
Prosecutor



P.O. Box 367 - Gaylord, MI 49734
989-731-0276 - Fax 989-732-7112

KEVIN L. HESSELINK
Prosecuting Attorney

May 1, 2002

Commissioner Lee Olsen
City-County Building
225 W. Main St
Gaylord, MI 49735

Re: Community Center Operating Millage language.

Commissioner Olsen:

OCR-02-026

By note dated April 25, 2002, you have asked that I review proposed ballot language for the Community Center operating millage. The proposed language appears to be proper with the exception that "state equalized value" should be changed to "taxable value." Proposal A requires this change from past ballot language. In full, the text of the ballot proposal should read as follows:

Otsego County Community Center Operating Millage

Shall the limitation on the amount of taxes that may be assessed against all property in Otsego County be increased, as provided for in Article 9, section 6 of the Michigan Constitution, and the Otsego County Board of Commissioners be authorized to levy an additional tax not to exceed .1875 mills (\$0.1875 per thousand dollars) of taxable value of such property for a period of 5 years beginning with the levy to be made on December 1, 2002, estimated to generate \$183,187.29 in the first year of the millage, for the purpose of funding general operating expenses for the Otsego County Community Center, a recreation facility serving all residents of Otsego County?

Feel free to contact me if you have any questions, or if I can be of further service.

Respectfully Submitted,

Kevin Hesselink
Otsego County Prosecutor
County Civil Counsel

MICHAEL A. ROLA
Chief Assistant

DAVID G. BANISTER
Assistant

KAREN L. ELGAS
Office Manager

BRENDA GOODRICH
Clerk/Typist

BRENDA VOLANT
Clerk/Typist

ROBERTA WOJCIK
Child Support Secretary
989-731-0296

CATHY BARAGREY
Victim Advocate
989-731-0244

PROCLAMATION
OCR-02-027

WHEREAS, The Congress of the United States of America has designated the week of May 15th to be dedicated as "NATIONAL POLICE WEEK" and May 15th of each year to be "POLICE MEMORIAL DAY", and

WHEREAS, The law enforcement officers are our guardians of life and property, defenders of the individual right to be free men, warriors in the war against crime and dedicated to the preservation of life, liberty and the pursuit of happiness, and

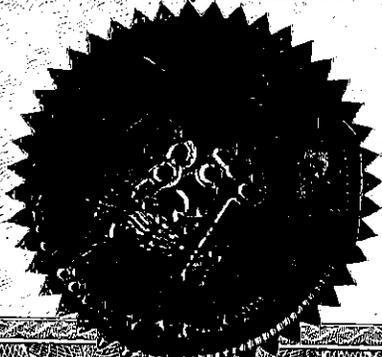
WHEREAS, The County of Otsego desires to honor the valor, service and dedication of its own SHERIFF DEPUTIES, and

WHEREAS, It is known that every 57 hours an American Law Enforcement Officer will be killed in the line of duty somewhere in the United States and more than 200 officers will be seriously assaulted in the performance of their duties; our community joins with other cities and counties to honor all peace officers everywhere, and

WE THEREFORE PROCLAIM THE WEEK OF MAY 12th TO MAY 18th TO BE "POLICE WEEK" and call upon all our citizens in this community to especially honor and show our sincere appreciation for the SHERIFF DEPUTIES of this County by deed, remark and attitude.

WE THEREFORE PROCLAIM that the flags be flown at half-staff on May 15th in honor of Deputy Carl L. Darling Jr., who gave his life in the line of duty on May 3rd, 1986 and Sergeant Larry C. Washburn, who died while on duty on May 15th, 1994.

Signed this 14th day of May, 2002, in the County of Otsego, State of Michigan, in witness thereof and Seal and signature of the County affixed.



Douglas C. Johnson

Douglas C. Johnson
Board Chairman

Evelyn M. Pratt

Evelyn M. Pratt
Otsego County Clerk

AUTHORIZING RESOLUTION
OCR-02-028

Moved by Chavey

Supported by Olsen

WHEREAS, Otsego County has requested Community Development Block Grant (CDBG) funding in the amount of \$200,000 from the Michigan Economic Development Corporation; **and**

WHEREAS, the proposed project is consistent with the Northeast Michigan Comprehensive Economic Development Strategy of which Otsego County is a part of and which serves as Otsego County's community development plan as described in the application; **and**

WHEREAS, to the maximum extent feasible, the proposed project will principally benefit low and moderate income persons; **and**

WHEREAS, no project costs will be incurred prior to a formal grant award, completion of the environmental review procedures and a formal, written authorization to incur costs is received from Community Services

THEREFORE, BE IT RESOLVED that the Otsego County Board of Commissioners authorizes submittal of a Michigan CDBG Application in the amount of \$200,000 for the Northeast Michigan Broadband RAMP Project.

FURTHER, BE IT RESOLVED that Lambert Chard, Coordinator, is authorized to execute the application forms on behalf of the County.

Ayes: Liss, Olsen, Lord, Chavey, Johnson, Glasser, Bentz, Bates, Beachnau

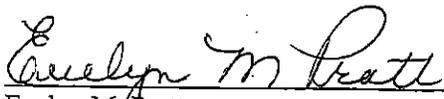
Nays: None

Abstain: None

Absent: _____

RESOLUTION DECLARED ADOPTED.

I, Evelyn M. Pratt, Otsego County Clerk, do hereby certify and set my seal to the above resolution as adopted May 14, 2002 at the Multi-Purpose Room of the Alpine Center, Gaylord, Michigan.



Evelyn M. Pratt
Otsego County Clerk

RESOLUTION NO. OCR 02 - 029

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 6179 Hatch Drive, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 636 pages 528-535 in the name of Margaret J. Newton, a single woman,

AND WHEREAS, said Mortgage has been forgiven in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Margaret J. Newton, a single woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

RESOLUTION NO. OCR 02 - 030

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 794 Scenic Trail, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 636 pages 760-767 in the name of Caroline S. Compton, a single woman,

AND WHEREAS, said Mortgage has been forgiven in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Caroline S. Compton, a single woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

A RESOLUTION
Approving the Fiscal Year 2003
Community Corrections Grant Application
of the Northeast Michigan Council of Governments
for continuation funding,

OCR-02-31

WHEREAS, the Northeast Michigan Council of Governments (NEMCOG) serves as the Northern Michigan Community Corrections Advisory Board's (NMCCAB) fiscal agent and manager, and

WHEREAS, this County is a member of the Northern Michigan Community Corrections Advisory Board, has been served by its programs, and wishes to continue participation with the Board's programs and services in the future, and

WHEREAS, application in the amounts of \$188,035.00 for the general program and \$62,780.00 for the Probation Residential Services has been prepared by NEMCOG to continue the Community Corrections programs in Cheboygan, Crawford and Otsego counties, and

WHEREAS, the Northern Michigan Community Corrections Advisory Board, has approved this proposal, and recommends its approval by the member counties.

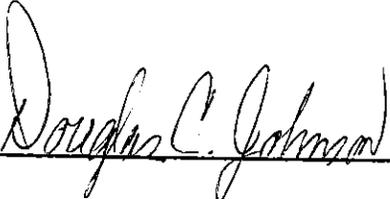
THEREFORE BE IT RESOLVED, that this County hereby approves the Northern Michigan Community Corrections Advisory Board Grant Application prepared by NEMCOG for Community Corrections continuation funding in the amounts of \$188,035.00 for the general program and \$62,780.00 for the Probation Residential Services for Fiscal Year 2003.

Moved by Chavey, seconded by Beachnau, to
(Name of Commissioner) (Name of Commissioner)

adopt the above Resolution at the regular Otsego County Board meeting
(Name Of County)

held June 11, 2002 by a vote of
(Date)

8 Ayes Nays

Attested by:  Date: 06/12/02

Witnessed by: _____ Date: _____

Please Return a Completed Copy To: NEMCOG, PO Box 457, Gaylord, MI, 49734

OTSEGO COUNTY, MICHIGAN

OCR- 02-032

The purpose of this document is to support the recommendation of the County Planning Commission to accept the amendments known as PC-2002-05-C-TEXT to change the County Zoning Ordinance text in Section 23.5.3 on the jurisdiction of the Zoning Board of Appeals as proposed by the County Planning and Zoning Office.

HISTORY

Planning Commission Case No. PC-2002-02-C-TEXT Notice of Public Hearing: (1) March 27, 2002, April 3, 2002 and May 1, 2002.

Date: June 11, 2002 Ordinance No. PC-2002-05-C-TEXT - Ordained
 Ordinance Remanded to Planning Commission for Review
 Ordinance Defeated

ROLL CALL VOTE: OTSEGO COUNTY BOARD OF COMMISSIONERS

AYE	NAY	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Douglas Johnson, Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roland Chavey, Vice-Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allan Bentz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark Bates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carl Lord
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Liss
<input type="checkbox"/>	<input type="checkbox"/>	Kenneth Glasser Excused
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lee Olsen
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Beachnau

ADOPTED BY: THE OTSEGO COUNTY BOARD OF COMMISSIONERS

BOARD CHAIRMAN: _____
 Douglas Johnson

DATE: June 12, 2002

COUNTY CLERK: 
 Evelyn M. Pratt

DATE: June 12, 2002

OTSEGO COUNTY, MICHIGAN

OCR-02-033

The purpose of this document is to support the recommendation of the County Planning Commission to accept the amendments known as PC-2002-05-B-TEXT to change the County Zoning Ordinance text in Section 18.4 Recreational Storage Buildings as proposed by the County Planning Commission.

HISTORY

Planning Commission Case No. PC-2002-02-B-TEXT Notice of Public Hearing: (1) May 1, 2002 and May 4, 2002.

Date: June 11, 2002 Ordinance No. PC-2002-05-B-TEXT - Ordained
 Ordinance Remanded to Planning Commission for Review
 Ordinance Defeated

ROLL CALL VOTE: OTSEGO COUNTY BOARD OF COMMISSIONERS

AYE	NAY	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Douglas Johnson, Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roland Chavey, Vice-Chairman
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Allan Bentz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark Bates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carl Lord
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Paul Liss
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kenneth Glasser
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Lee Olsen
<input type="checkbox"/>	<input type="checkbox"/>	Paul Beachnau Absent

ADOPTED BY: THE OTSEGO COUNTY BOARD OF COMMISSIONERS

BOARD CHAIRMAN: _____
Douglas Johnson

DATE: July 9, 2002
~~June~~

COUNTY CLERK: Evelyn M. Pratt
Evelyn M. Pratt

DATE: July 9, 2002
~~June~~

property not regulated as an Adult Entertainment Use. This provision shall apply to any display, decoration, sign, show window or other opening.

SECTION 18.3 AUTOMOBILE AND SCRAP METAL SALVAGE YARDS

Such use shall not be closer than 40 feet from any lot line. There shall be no outdoor storage of materials, equipment, structures, or debris of any kind anywhere outside the designated storage area.

Such a yard may be approved by the Planning Commission when in accordance with the following:

- 18.3.1 The uses and activities conducted on the premises are in character with the surrounding area in terms of overall appearance and protection of environmental amenities. There shall be provided a completely obscuring wall not to be less than eight (8) feet in height as measured from the grade at the property line.
- 18.3.2 The use shall operate in a reasonable manner and all harmful effects of storage, smoke, dust, glare, noise, fire and explosive hazards shall be confined to the premises and shall be in accord with all other local and state laws.
- 18.3.3 In addition to being at least 40 feet from any lot line, the yard must be located not closer than two hundred (200) feet from the boundary of any other zoning district. The use, including access road, must be not closer than five hundred (500) feet from a lake, stream, pond, river, or wetland and must maintain a minimum of ten (10) feet of soil between the soil surface and the water table at all times of the year.
- 18.3.4 A building with an impervious floor must be designed to contain spills. All crushing, draining of fluids and similar activities shall take place only on the impervious floor.
- 18.3.5 Operator must present in writing a plan which specifies procedures for transporting, handling and disposal of vehicles, their fluids and parts, including tires. The plan may be modified by the Planning Commission. Upon approval of a special use permit, this plan, along with documentation, shall be maintained on site and accessible during business hours for inspection by the Zoning Administrator; documentation shall include proper licensing by the Michigan Department of State. Procedures may later be modified under provisions of Article 20.11.

SECTION 18.4 ~~RESERVED FOR FUTURE USE~~ — *Recreational Storage Buildings*

The intent is to provide the landowner the opportunity to house recreational equipment and other personal property. The use of the building as a residential dwelling or any commercial use or storage is prohibited.

- 18.4.1 *The building may be placed on a vacant parcel of ten (10) acres or more in a FR or AR District.*

18.4.2 *The building shall not exceed 1,200 square feet.*

18.4.3 *The recreational storage building will automatically be considered an accessory building when a residence is constructed and will adhere to all of Section 18.1.*

18.4.4 *Setbacks will be 100 feet front, 50 feet side, and 70 feet rear.*

18.4.5 *All other applicable provisions of this ordinance shall apply.*

SECTION 18.5 CEMETERY

18.5.1 Requires a minimum site size of 10 acres.

18.5.2 Shall comply with Michigan Department of Public Health requirements and regulations.

18.5.3 Shall be in rectangular shape with a maximum of 1 to 4 width to depth ratio.

SECTION 18.6 [RESERVED FOR FUTURE USE]

SECTION 18.7 CLUSTER RESIDENTIAL OPTION

Otsego County recognizes the potential benefit of encouraging the clustering of residential dwelling units, to allow for the preservation of open space and environmental amenities. Therefore, the Otsego County Planning Commission will consider the approval of residential cluster developments, providing that such developments incorporate the following design standards.

18.7.1 The cluster option is available for residential development only, where project size is at least ten (10) acres, and the total number of residential units to be constructed does not exceed forty (40) units. Larger projects with a cluster approach may be proposed and considered under the PUD provisions of Article 21.

18.7.2 The land in question is zoned for R2, R3, RR, FR or AR.

18.7.3 Clustered residential structures are set back a minimum of seventy (70) feet from the development parcel perimeter.

18.7.4 A minimum of fifty (50) percent of the land area is maintained as permanent, contiguous open space. The open space portion shall be reserved in perpetuity by an enforceable legal instrument. This instrument shall be submitted in writing for Planning Commission review, along with other required site plan materials. The legal instrument shall also provide for perpetual maintenance of the open space property, and adequate financing for such maintenance. The instrument shall be recorded prior to property sale.

18.7.5 The Planning Commission may waive enforcement of the respective zoning district lot area, yard setbacks, lot width and lot coverage requirements, if such waiver is determined appropriate to promote and establish clustered residential developments. However, residential unit density in a cluster residential development shall not exceed 150 percent of the gross residential unit density allowed by the respective zoning

characteristics that it cannot otherwise be appropriately improved without such modification.

- 23.5.2.5 Permit temporary buildings and uses for periods not to exceed twelve (12) months, but may be renewed upon request for not more than two (2) six (6) month extensions.
- 23.5.3 Where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would involve practical difficulties or cause unnecessary hardships within the meaning of this ordinance, the Board shall have power upon appeal in specific cases to authorize such variation or modification as may be in harmony with the spirit of this Ordinance, and so that public safety and welfare be secured and substantial justice done. No such variance or modification of the provisions of this Ordinance shall be granted unless it appears ~~beyond a reasonable doubt that a preponderance of the evidence is applicable to~~ *clear and convincing evidence is applicable to* all the following facts and conditions exist:
- 23.5.3.1 That there are exceptional or extraordinary circumstances or conditions applicable to the property or to its use that do not apply generally to other properties or uses in the same district.
- 23.5.3.2 That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity.
- 23.5.3.3 That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the district in which the property is located.
- 23.5.3.4 That the granting of such variance will not adversely affect the purposes or objectives of the Zoning Plan of the County.

Nothing herein contained shall be construed to give or grant to the Board the power or authority to alter or change the Zoning Ordinance or the Zoning Map so as to allow a use of land that is not permitted in the district in which the property is located, such power and authority being reserved to the County Board in the manner provided by the County Rural Zoning Enabling Act, P.A. 183 of 1943, as amended.

SECTION 23.6 EXERCISING POWERS

In exercising the above powers, the Board of Appeals may reverse or modify the order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the Zoning Administrator from whom the appeal is taken.

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. A notice of the time and place of such hearing shall be published in a paper of general circulation in the county within seven days previous to the hearing. Such notice shall contain the address, if available, and location of the property for which the variation or other ruling by the Board of Appeals is sought, as well as a brief description of the nature of appeal.

RESOLUTION NO. OCR 02 - 034

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 812 Clover Drive, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 667 pages 797-802A in the name of Carrie L. Robinson, a single woman,

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Carrie L. Robinson n/k/a Carrie L. Cook, a married woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

RESOLUTION NO. OCR 02 - 035

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 812 Clover Drive, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 667 pages 803-805 in the name of Carrie L. Robinson, a single woman,

AND WHEREAS, said Mortgage has been forgiven in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Carrie L. Robinson n/k/a Carrie L. Cook, a married woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

RESOLUTION NO. OCR 02 - 037

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 11824 Bradford, Frederic, Michigan 49733 and has a mortgage recorded in Liber 278 page 524 in the name of Leona Coulson, Thomas S. Sutton, Jr., Charles W. Sutton and Florence M. Houlton

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Leona Coulson, Thomas S. Sutton, Jr., Charles W. Sutton and Florence M. Houlton,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

OTSEGO COUNTY, MICHIGAN

OCR-02-038

The purpose of this document is to support the recommendation of the County Planning Commission to **deny** the amendment known as PC-2002-08-CR to rezone property identified by tax code 031-009-100-010-02 from AR to B3, located at 5237 M-32 East, Chester Township, as proposed by Joseph Grusczyński, III

HISTORY

Planning Commission Case No. PC-2002-08-CR Notice of Public Hearing: May 29, 2002 and June 12, 2002.

Date: July 9, 2002 Ordinance No. PC- 2002-08-CR Ordained
 Ordinance Remanded to Planning Commission for Review
 Ordinance Defeated

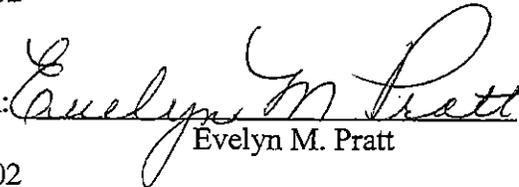
ROLL CALL VOTE: OTSEGO COUNTY BOARD OF COMMISSIONERS

AYE	NAY	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Douglas Johnson, Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roland Chavey, Vice-Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allan Bentz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark Bates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carl Lord
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Liss
<input type="checkbox"/>	<input type="checkbox"/>	Paul Beachnau Absent
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kenneth Glasser
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lee Olsen

ADOPTED BY: THE OTSEGO COUNTY BOARD OF COMMISSIONERS

BOARD CHAIRMAN: _____
Douglas Johnson, Chairman

DATE: July 9, 2002

COUNTY CLERK: 
Evelyn M. Pratt

DATE: July 9, 2002

**Otsego County
Planning & Zoning
Rezoning Report**

Case PC-2002-08-REZONE

June 7, 2002

General Information

Applicant:

Joseph Grusczyński, III
5251 M-32 East
Gaylord, MI 49735

Property Owner:

Joseph Grusczyński, III
5251 M-32 East
Gaylord, MI 49735

See Application.

Requested Action:

ALL SURROUNDING PARCELS ARE ZONED AR

To Re-Zone approximately 4.5 acres that is presently Zoned Agricultural Resource (AR) to Business & Light Manufacturing (B3).

See Application.

General Location:

The parcel, tax 031-009-100-010-02 is located in Section 9 of Chester Township, on the South side of M-32 East.

(See Figure 1).

Existing Land Use:

The parcel is currently used for a Solid Waste Transfer facility.

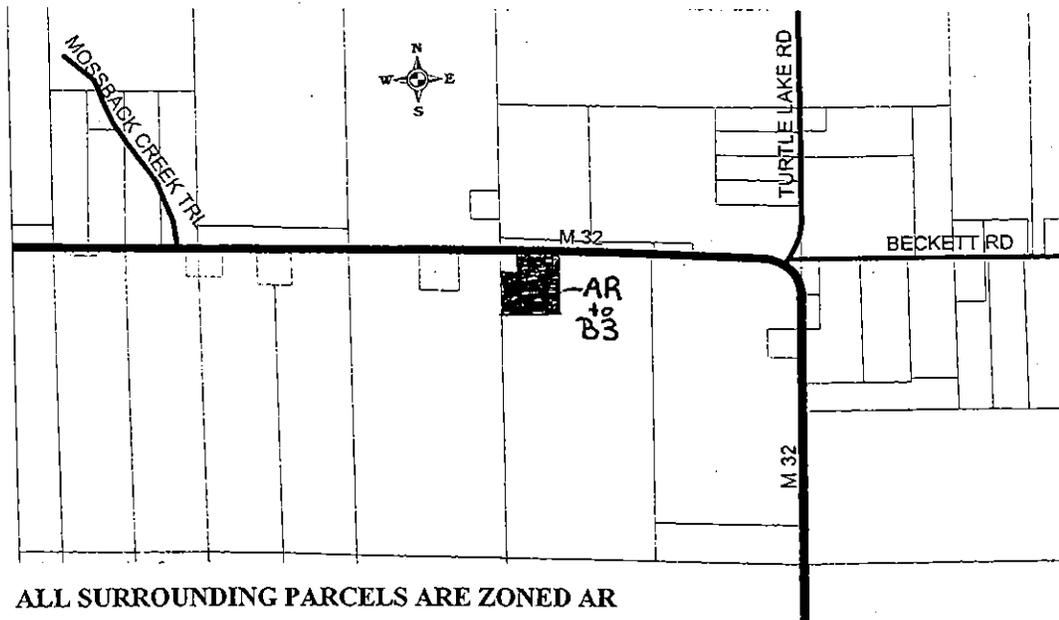


FIGURE 1

Adjacent Land Use and Zoning:

NORTH Land Use: Residence

 Zoning: AR

SOUTH Land Use: Vacant

 Zoning: AR

EAST Land Use: Residences

 Zoning: AR

WEST Land Use: Residence

 Zoning: AR

Uses Allowed Under Current Zoning:

The AR district is intended to encourage the maintenance of productive farm and agricultural land for growing, raising, or production of foodstuffs. It is further intended that the productive agricultural land base of the County be maintained in agricultural activities. Other land uses and activities may be permitted if they meet the objective of retaining farmlands in an open land character. Urban density subdivisions are not encouraged to locate on farmland. See Article 9 of the Otsego County Zoning Ordinance for a complete listing of all uses allowed in the AR district.

Uses Allowed Under Proposed Zoning:

The B3 District is designed to provide sites for light manufacturing and wholesale storage and as a distribution area to retail stores or industrial users. These sites do not necessarily have to abut or be adjacent to a primary or secondary County road but must have access to these roads without passing through a residential district, provided that the entrance and exit is approved in written form by the County Road Commission. The district allows a wide variety of uses, which includes industrial, wholesale, storage, retail, personal service, and institutional types of users. Please see Article 12 of the Otsego County Zoning Ordinance for a complete listing of all the uses allowed in the B-3 district.

Relevant Sections of Zoning Ordinance:

Article 9, AR Agricultural Resource; See Otsego County Zoning Ordinance.

Article 12, B3 Business & Light Manufacturing; See Otsego County Zoning Ordinance.

Significant Elements of the Comprehensive Plan:

The future land use map of the Otsego County Master Plan shows the subject parcel as Low Density Residential.

Relevant Section of the Comprehensive Plan:

Future land use map; Future Land Use Planning Categories, pg. B-7; Plan Implementation Through Zoning, pg. C-2. See Otsego County Comprehensive Plan.

TECHNICAL INFORMATION

Physical Site Characteristics:

The property is relatively flat and there are no ponds, lakes, streams, wetlands or any other significant natural features.

Public Utilities:

Sewer and water do not serve the properties.

Roads and Traffic:

The parcel has frontage on M-32 East only.

OTSEGO COUNTY COMMISSION ON AGING BYLAWS

OCR-02-039

ARTICLE I

NAME OF THE AGENCY

The name of this commission shall be the **Otsego County Commission on Aging**, also referred to as the Commission, Commission on Aging or OCCOA.

ARTICLE II

STRUCTURE AND ACTIVITIES

The OCCOA is established by the Otsego County Board of Commissioners as an agency to be primarily concerned with the county's services and responsibilities to the older adults of Otsego County. The OCCOA and the Board of Directors shall be responsible to implement and administer the charges as set forth in the bylaws and to be accountable to the county Board of Commissioners. The OCCOA is a county agency that will coordinate, provide and initiate programs, public and private, and promote the independence and well-being of older adults of Otsego County, Michigan. The Board of Directors shall govern the agency.

The Board of Directors of the OCCOA has responsibilities to oversee, govern, and supervise OCCOA activities as follows:

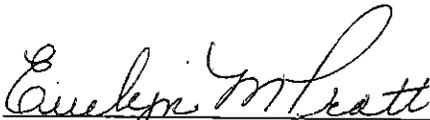
- Provide leadership, consultation and assistance to interested groups or individuals who foster the well-being of our older adults;
- Accumulate, tabulate, and study the factual data related to older adults and their resources;
- Disseminate information concerning services and programs having to do with social, economic, health and housing needs of the aging;
- Seek resources and funding for the provision of services to the aged in Otsego County;
- Plan and implement programs consistent with the agency mission statement, utilizing all available resources;
- Cooperate with existing governmental and private agencies in order to develop and make available needed resources for older adults throughout Otsego County.

OTSEGO COUNTY

RESOLUTION NO. 2002 -040

A RESOLUTION TO APPROVE REGION IX AREA AGENCY ON AGING ANNUAL IMPLEMENTATION PLAN FOR FISCAL YEAR 2003; INCLUDING A REQUEST FOR A DIRECT WAIVER TO CONTINUE CONTRACTING THE NUTRITION FUNDS TO THE COUNTY AND A DIRECT SERVICE WAIVER TO PROVIDE THE LONG TERM CARE OMBUDSMAN PROGRAM AND ELDER ABUSE PREVENTION.

Adopted by the Otsego County Board of Commissioners at a Regular Meeting held at 9:30 a.m. on July 9, 2002.



Evelyn M. Pratt
County Clerk

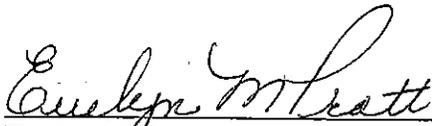
Douglas C. Johnson, Chairman
Otsego county Board of
Commissioners.

OTSEGO COUNTY

RESOLUTION NO. 2002 -040

A RESOLUTION TO APPROVE REGION IX AREA AGENCY ON AGING ANNUAL IMPLEMENTATION PLAN FOR FISCAL YEAR 2003; INCLUDING A REQUEST FOR A DIRECT WAIVER TO CONTINUE CONTRACTING THE NUTRITION FUNDS TO THE COUNTY AND A DIRECT SERVICE WAIVER TO PROVIDE THE LONG TERM CARE OMBUDSMAN PROGRAM AND ELDER ABUSE PREVENTION.

Adopted by the Otsego County Board of Commissioners at a Regular Meeting held at 9:30 a.m. on July 9, 2002.



Evelyn M. Pratt
County Clerk

Douglas C. Johnson, Chairman
Otsego county Board of
Commissioners

Resolution
OCR No. 41-2002

BE IT RESOLVED that pursuant to Section 30 of Act 338 of the Public Acts of 1974, as amended, the Otsego County Board of Commissioners amends the Articles of Incorporation of the Economic Development Corporation of the County of Otsego as follows:

Article IV Board of Directors

2. Directors.

The first sentence should be changed to read "The Board of Directors of the Corporation shall consist of *not less than nine* (9) persons, not more than three (3) of whom shall be an officer or employee of the County."

Add a new sentence to the end of this same paragraph to read "Additional Directors shall be appointed for terms that maintain the staggered terms established by Act 338 of 1974, as amended.

Article VI

Powers.

Change the word "Township" to "County"

Ayes: Liss, Olsen, Lord, Chavey, Johnson, Glasser, Bentz, Bates

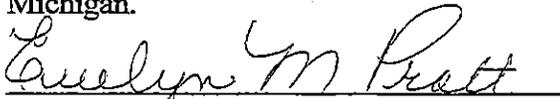
Nays: None

Abstain: None

Absent: Beachnau

RESOLUTION DECLARED ADOPTED

I, Evelyn M. Pratt, Otsego County Clerk, do hereby certify and set my seal to the above resolution as adopted June 9, 2002 at the Multi-Purpose Room of the Alpine Center, Gaylord, Michigan.



Evelyn M. Pratt
Otsego County Clerk

Otsego County Board of Commissioners

GAYLORD, MICHIGAN 49735



DISTRICT I
CLARK BATES

DISTRICT II
PAUL BEACHNAU

DISTRICT III
PAUL LISS

DISTRICT IV
LEE OLSEN

DISTRICT V
CARL W. LORD

DISTRICT VI
ROLAND C. CHAVEY
VICE CHAIRMAN

DISTRICT VII
DOUGLAS JOHNSON
CHAIRMAN

DISTRICT VIII
KENNETH GLASSER

DISTRICT IX
ALLAN BENTZ

COUNTY COORDINATOR
LAMBERT CHARD

OTSEGO COUNTY

RESOLUTION OCR 2002 - 42

WHEREAS, in the year 2000, Crawford County, Kalkaska County, Otsego County and the 46th Circuit Trial Court entered into an agreement regarding the funding of the Court and the payment of certain benefits to the Employees of the 46th Circuit Trial Court;

WHEREAS, Otsego county was established as the control Unit for the 46th Circuit Court;

WHEREAS, Kalkaska County, Otsego County and the 46th Circuit Trial Court have honored and carried out their obligations under this agreement;

WHEREAS, Crawford County has breached the above agreement by, among other things, failing to fund their obligations under the above agreement and pay monies due and owing to the Control Unit;

WHEREAS, due to the breach of the agreement by Crawford County numerous meetings have taken place between each of the four (4) entities above;

WHEREAS, due to the fact that Crawford County has failed and refused to honor the agreement and carry out their obligations, the 46th Circuit Trial Court was required to send a notice of Litigation against Crawford County;

WHEREAS, in the hopes of avoiding the necessity of litigations, Kalkaska County, Otsego County and Crawford County entered into an additional agreement which required, among other things, Crawford County to pay monies due and owing to Otsego County;

WHEREAS, again, Kalkaska County and Otsego County have honored their obligations under this agreement;



WHEREAS, again, Crawford County has failed and refused to make a fifty thousand dollar (\$50,000.00) payment due and owing to Otsego County for the funding of the Court;

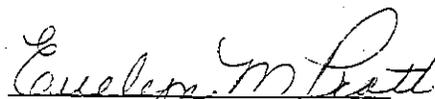
WHEREAS, the continued failure of Crawford County to honor their obligations and agreements will require the filing of Litigation which will only increase the costs and attorney fees;

NOW THEREFORE BE IT RESOLVED, that Otsego County, while it hopes it will not be necessary to do so and if it can be avoided by Crawford County honoring its obligations, reserves the right to file suite against Crawford County and this resolution shall serve as a notice and finding by the Otsego County Board of Commissioners that Crawford County has broken agreements entered into between the funding units and/or 46th Circuit Trial Court;

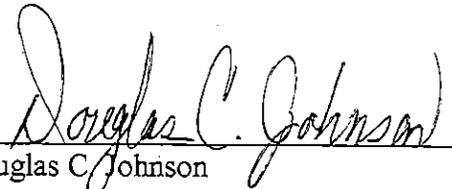
AND, FURTHER BE IT RESOLVED, that neither Otsego County nor Kalkaska County shall be responsible for any of the costs or attorney fees which will occur due to the actions by Crawford County and shall be the sole responsibility of Crawford County;

AND, FURTHER BE IT RESOLVED, that a copy of this Resolution shall be sent to Kalkaska County, Crawford County and the 46th Circuit Trial Court.

Adopted at a Special Meeting of the Otsego County Board of Commissioners held at 2:00 p.m. on July 26, 2002.



Evelyn M. Pratt
County Clerk



Douglas C. Johnson
Chairman

RESOLUTION NO. OCR 02-043

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 1515 Kosiara, Gaylord MI 49735 and has a mortgage recorded in liber 661 pages 90-97 in the name of Robin A. Kucharek, a single woman,

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to Robin A. Kucharek, a single woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said documents.

OTSEGO COUNTY BUS SYSTEM

1086 O'ROURKE BLVD. • GAYLORD, MICHIGAN 49735
CLE LEASK, MANAGER

SECRETARY'S PHONE: (989) 732-6484, ext. 347
FAX: (989) 732-6213

MANAGER'S PHONE: (989) 731-1204
DISPATCH OFFICE: (989) 732-6224

09/05/2002

OCR-02-044

RESOLUTION

To approve the State and Federal contract # 2002-0079 / 72609A for the purchase of one 2003 27foot Eldorado Bus at the cost of \$ 84,655.00 and the purchase of a 4 acre parcel in the new industrial park plus cost of architectural plans for the bus building and clearing the land at the cost of \$ 286,606.00 total cost of contract \$ 371,261.00



Ride with us

year with documented justification from the transit agency accompanied by a resolution from the board or authority seeking a waiver.

If a transit agency does not carry out a line item activity in a specific project authorization and the transit agency requests funds in a new project authorization for that same line item activity, the line item shall be matched at up to 15 percent.

<u>Item</u>	<u>Federal</u>	<u>State</u>	<u>Total</u>
Buses:			
--(1) 29-ft., 14+4 passenger bus with lift (819)	\$ 67,724	\$ 16,931	\$ 84,655
Facility Construction (801)	<u>229,285</u>	<u>57,321</u>	<u>286,606</u>
TOTAL	\$ 297,009	\$74,252	\$371,261

Funding Sources

2002/7520	\$297,009 (F)
2003/7520	<u>74,252</u> (S)*
Total	\$371,261

*FY 2003 funding is contingent upon legislative appropriation.

Checklist 2002-281

MICHIGAN DEPARTMENT OF TRANSPORTATION	OTSEGO COUNTY BOARD OF COMMISSIONERS
signature	signature
title	title
	signature
	title

RESOLUTION NO. OCR 02 - 45

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 7240 Hayes Tower Road, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 656 page 458-465 in the name of Curt A. Cummins and Renee E. Cummins f/k/a Renee E. Seagraves, as joint tenants with full rights of survivorship and not as tenants in common,

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to, Curt A. Cummins and Renee E. Cummins f/k/a Renee E. Seagraves, as joint tenants with full rights of survivorship and not as tenants in common,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

MOTION

Motion by CARL LORD to accept Resolution OCR- 4b,
concurring with the recommendations of the Otsego County Planning
Commission to accept on this date the proposed amendments to the Otsego
County Zoning Ordinance No. 1996-02-01. The proposed amendments are
in Section 18.27 regarding parking lot requirements as proposed by the
Otsego County Planning Commission.

Signed: Carl W. Lord

Seconded by: [Signature]

DATE: September 10, 2002

MOTION

Motion by ___CARL LORD___ to accept Resolution OCR- 47,
concurring with the recommendations of the Otsego County Planning
Commission to accept on this date the proposed amendments to the Otsego
County Zoning Ordinance No. 1996-02-01. The proposed amendments are
in Section 9.1.23 regarding farm buildings as proposed by the Otsego
County Planning Commission.

Signed: Carl W. Lord

Seconded by [Signature]

DATE: September 10, 2002

MOTION

Motion by ___CARL LORD___ to accept ⁷¹¹Resolution OCR- 48,
concurring with the recommendations of the Planning-Zoning/Building
Safety Committee to remand on this date the proposed amendments to the
Otsego County Zoning Ordinance No. 1996-02-01. The proposed
amendments are in Sections 18.1.5, 4.1.9 and 7.1.9 regarding accessory
buildings.

Signed: Carl W. Lord

Seconded by: Henry D. Parker

DATE: September 10, 2002

Members of three Otsego County property owners associations and other individual citizens reside within proximity of property managed by Michigan Army National Guard (MIARNG) and utilized as an Artillery and Air to Ground range; and

WHEREAS, it is the responsibility of the MIARNG to promote an environment for citizens free of noise that jeopardized health and welfare; and

WHEREAS, recent Air Guard activities have exposed the area to repeated low overflights over Guthrie Lake, Section 1 Lake and adjacent residential area; and

WHEREAS, The Air National Guard uses a northern portion of Camp Grayling for day and night Gunnery, and Live (High Explosive) Bombing practices; and

WHEREAS, The Live Bombing produces noise levels within residential areas which are twice those considered as the maximum allowable for residential uses; and

WHEREAS, The Health and Welfare of hundreds of persons exposed to said bombing is placed at risk; and

WHEREAS, noise intrusions are particularly damaging to property; now therefore, be it

RESOLVED, that weapons having the capacity to produce harmful noise level will not be part of training activities on the Air to Ground Range commonly referred to as Range 40; and be it further

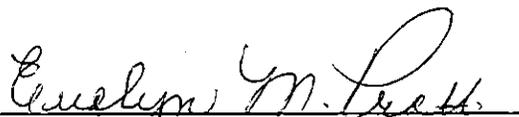
RESOLVED, that the Air National Guard terminate the use of live bombs at Camp Grayling, and be it further

RESOLVED, that training be continued by using inert bombs employing suitable low noise spotting charges for scoring purposes, and be it further

RESOLVED, that the Air Guard prohibit overflight of Guthrie Lake, Section I Lake and adjacent residential areas, and be it further

RESOLVED, that copies of this resolution be transmitted to Michigan Department of Military and Veterans Affairs, MIARNG Camp Grayling, Alpena Combat Readiness Training Center, Senator Carl Levin, Senator George McManus, and Representative Ken Bradstreet.

Adopted by the Otsego County Board of Commissioners at a Regular Meeting held at 9:30 a.m. on September 10, 2002.



Evelyn M. Pratt
County Clerk



Douglas C. Johnson, Chairman
Otsego County Board of Commissioners

RESOLUTION
MOTION BY

RON C HAVEY

OCOR-50 RECOGNIZING

WARE AS A NON PROFIT

OSSEO COUNTY ORGANIZATION

SECONDED BY

[Signature]

SIGNED

[Signature]

DATE

9-10-02



Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
(Required by MCL 432.103(9))

At a Regular meeting of the Otsego County Commissioners
REGULAR OR SPECIAL TOWNSHIP, CITY OR VILLAGE COUNCIL BOARD

called to order by Chair Douglas C. Johnson on September 10, 2002
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by Chavey and supported by Olsen

that the request from D.A.R.E. of Otsego County of Gaylord, Vanderbilt, Johannesburg
NAME OF ORGANIZATION CITY

county of Otsego, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining a charitable

gaming license, be considered for approval
APPROVAL OR DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: <u>7</u>	Yeas: _____
Nays: <u>2</u>	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and
adopted by the Otsego County Commissioners at a Regular
TOWNSHIP, CITY, OR VILLAGE COUNCIL BOARD REGULAR OR SPECIAL

meeting held on September 10, 2002
DATE

SIGNED: Evelyn M. Pratt
TOWNSHIP, CITY, OR VILLAGE CLERK

Evelyn M. Pratt, Clerk/Register
PRINTED NAME AND TITLE

225 W. Main, Gaylord, MI. 49735
ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application
BSL-CG-1153(R 7/02)

A RESOLUTION

Of the Otsego County Board of Commissioners Appointing Individuals To Vacant Seats On
The Northern Michigan Community Corrections Advisory Board

WHEREAS, Otsego County is a member of the Northern Michigan Community Corrections Advisory Board (NMCCAB),

WHEREAS, a vacancy now exist on the NMCCAB to represent the following positions:
Media
Prosecuting Attorney

WHEREAS, membership positions on the CCAB, must be in accordance with Public Act 511, known as the Community Corrections Act.

NOW, THEREFORE BE IT RESOLVED, that the current vacancies on the Northern Michigan Community Corrections Board be filled with the new members as recommended by the Northern Michigan Community Corrections Advisory Board.

<u>County</u>	<u>Member</u>	<u>Position</u>
Crawford	Cheryl Ruley	Media
Otsego	Kevin Hesselink	Prosecuting Attorney

Moved by Liss, seconded by Glasser, to
(Name of Commissioner) (Name of Commissioner)

adopt the above Resolution at the regular Otsego County Board meeting

held October 8, 2002 by a vote of
(Date)

8 Ayes 1 Nays Absent

Attested by: Douglas C. Johnson Date: 10/8/02

Witnessed by: Emilyn M Pratt Date: 10-8-02

OTSEGO COUNTY FAIR HOUSING RESOLUTION

OCR-02-052

GENERAL PUBLIC POLICY

It is hereby declared to be contrary to the public policy of Otsego County for any person(s) to be discriminated against in employment, housing or participation in any public funded programs because of race, religion, national origin, color, sex, martial status, age or disability.

EMPLOYMENT

The opportunity to obtain employment without discrimination because of race, religion, national origin, color, sex, martial status, age or disability is hereby recognized and declared to be a civil right.

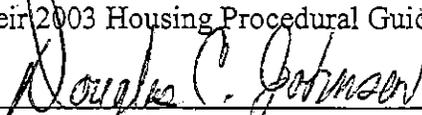
HOUSING

The opportunity to participate in all home improvement programs, purchase, lease, sell, hold, use and convey housing without discrimination because of race, religion, national origin, color, sex, martial status, age or disability is hereby recognized and declared to be a civil right.

PUBLICLY FUNDED PROGRAMS

The opportunity to participate in federal, state and locally funded programs without discrimination because of race, religion, national origin, color, sex, martial status, age or disability is hereby recognized and declared to be a civil right.

It is hereby declared by the Otsego County Board of Commissioners that Marlene Hopp, Otsego County Housing Director was appointed on 10-08-2002 to be the Otsego County Housing Program Fair Housing contact person. Upon any complaints that refer to any discrimination based on the above description Mrs. Hopp will follow the County Housing Discrimination Policy stated in their 2003 Housing Procedural Guidelines Section XIV.



Douglas C. Johnson, Chairman
Otsego County Board of Commissioners

10/8/02
Date

OTSEGO COUNTY

**Community Development Block Grant
2003**

RESOLUTION

OCR-02-053

- WHEREAS,** Otsego County is interested in the continuing effort to provide affordable housing opportunities for its low and very low income residents;
- WHEREAS,** said Otsego County Board of Commissioners is reviewed and understands the content of the Application for funding,
- WHEREAS,** said Otsego County Board of Commissioners accept the recommendation of the Otsego County Housing Commission to apply for \$262,500,
- WHEREAS,** said Otsego County Board of Commissioners authorizes the Chief Elected Officials to sign the application and other documents as required,

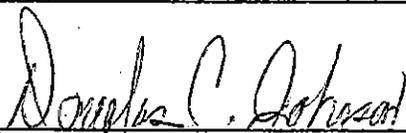
THEREFOR BE IT RESOLVED, that the Otsego County Board of Commissioners authorizes Northeast Michigan Community Service Agency, Inc. to prepare and submit the application for funding through the Michigan State Housing Development Authority's 2003 Community Development Block Grant Program.

Move:

Support:

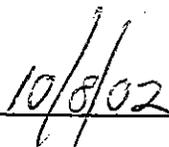
Lord

Glasser



Douglas C. Johnson
Chairman, Otsego County
Board of Commissioners

Date:





RESOLUTION NO. OCR 02 - 054

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 822 West Pine Briar, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 695 Page(s) 810-817 in the name of Lynda C. Shafto, a single woman,

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to, Lynda C. Shafto, a single woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

OTSEGO COUNTY

OCR 2002 - 055

A RESOLUTION OPPOSING BALLOT PROPOSALS 3 AND 4

WHEREAS, two proposals have been placed on the November 2002 ballot to amend Michigan's Constitution; and

WHEREAS, the two proposals would require: (1) mandatory binding arbitration for state employees, and (2) shift tobacco settlement revenues to a myriad of private interests; and

WHEREAS, Otsego County strongly believes that the passage of a binding arbitration proposal for state employees, known as Proposal 3, would lead to a similar requirement being placed on county government, thereby not only increasing labor costs substantially, but undermining long-standing relations and good faith efforts between the county and its union employees; and

WHEREAS, the shift of tobacco settlement revenues, known as proposal 4, not only has a mandatory inflation factor requiring expenditures for the proposed distribution to be increased every year, it also has no oversight requirements for the expenditure of these state funds; and

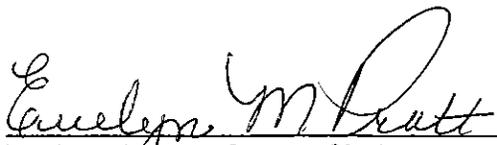
WHEREAS, these two proposals, together and individually, would place significant pressure on state resources and due to the mandatory increases contained in the proposals would reduce the flexibility the legislature has in appropriating funds to other critical services, and

WHEREAS, the loss of flexibility the legislature has could require cuts in funding for much needed services at the local level, where all of Michigan's citizens receive the majority of their government services.

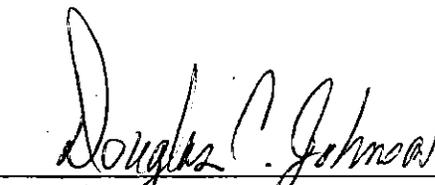
NOW THEREFORE BE IT RESOLVED, THAT OTSEGO COUNTY IS HEREBY OPPOSED TO PROPOSALS 3 AND 4 DUE TO THE DEVASTATING IMPACTS OUTLINED ABOVE.

BE IT FURTHER RESOLVED THAT COPIES OF THIS RESOLUTION BE FORWARDED TO THE GOVERNOR OF THE STATE OF MICHIGAN, AND THE MICHIGAN ASSOCIATION OF COUNTIES.

Adopted October 8, 2002



Evelyn M. Pratt, County Clerk



Douglas C. Johnson, Chairman

OTSEGO COUNTY

OCR 2002 - 056

RESOLUTION OPPOSING SBC AMERITECH'S PROPOSED WIRELESS 9-1-1 TARIFF

WHEREAS, Michigan's Counties serve as primary Public Safety Answering Points (PSAP's), and therefore are responsible for providing 9-1-1 emergency dispatching and communication services to Police, Fire, and Emergency Medical Service providers for Michigan citizens, and;

WHEREAS, Michigan county governments provide funds for operation, administration, and maintenance of these PSAP's through general funds and restricted fee-for-service revenues, and;

WHEREAS, SBC Ameritech is proposing a tariff on all wireless 9-1-1 calls received by PSAP's within Michigan, and;

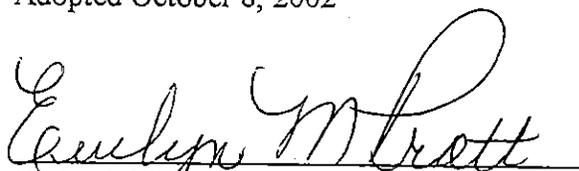
WHEREAS, the proposed tariff would impose a devastating financial burden on individual PSAP's that are already under severe budgetary constraints due to decreased revenue sharing and ever increasing 9-1-1 expenditures, and;

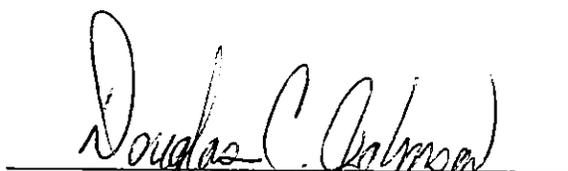
WHEREAS, the State of Michigan enacted legislation, Public Acts 78-81 of 1999, which provides cost recovery mechanisms for the delivery of wireless 9-1-1 calls.

THEREFORE BE IT RESOLVED, the County of Otsego strongly opposes the proposed SBC Ameritech wireless 9-1-1 tariff; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Michigan Public Service Commission, the Michigan Association of Counties, and Governor John Engler.

Adopted October 8, 2002


Evelyn M. Pratt, County Clerk


Douglas C. Johnson, Chairman

OCR 2002- 58
A RESOLUTION OF SUPPORT FOR
FULL FUNDING OF REVENUE SHARING

WHEREAS, Otsego County continues to endure high poverty, and unemployment rates as well as low income levels resulting in less capacity to capture local taxes, and

WHEREAS, Otsego County is experiencing an increasing trend of retirees relocating to the area, along with an aging year-round population which makes it extremely difficult to obtain approval to support critical local services, and

WHEREAS, Otsego County also has a large amount of land in state/federal ownership which the county in return receives only nominal payment in lieu of taxes, and

WHEREAS, Critical services to support the local economy are heavily reliant not only on local funds but also on the receipt of revenue sharing funds to maintain existing services,

THEREFORE BE IT RESOLVED, That the Otsego County Board of Commissioners supports full funding of the Revenue Sharing Funds to maintain essential public services.

Moved by Paul Liss, and seconded by Allan Bentz to approve the above resolution at a regular meeting of the Otsego County Board of Commissioners held on November 12, 2002, and passed by a vote of :
Ayes: Unanimous Nays: None Abstain: None.

Evelyn M. Pratt
County Clerk

November 12, 2002

OTSEGO COUNTY
RESOLUTION NO. 2002 - 59

PROCLAMATION
HOMELESSNESS AWARENESS WEEK
NOVEMBER 17-23, 2002

WHEREAS, every day there are men, women, and children in Otsego County and the surrounding area who do not have a place they can call home; and

WHEREAS, the Friendship Shelter is the area homeless shelter, committed to sheltering the homeless while assisting them in securing affordable housing and employment; and

WHEREAS, the Otsego County Area Continuum of Care Committee is composed of members from local service agencies, the public sector and the general public who are working toward resolving local homelessness issues; and

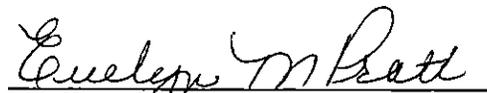
WHEREAS, every year the Continuum of Care member agencies observe HOMELESSNESS AWARENESS WEEK to increase awareness and to focus attention on the needs of local homeless individuals and families; and

WHEREAS, the Otsego County Friendship Shelter will provide, on behalf of the Continuum of Care Committee, an opportunity for interested citizens to visit the Friendship Shelter located at 7163 Old 27 south on November 20, 2002, from 8:00 a.m. until 6:00 p.m.; and

WHEREAS, the Friendship Shelter on November 20, 2002, will discuss programs in place at the Shelter, volunteer opportunities, the Bargain box role in support of the Shelter, the adopt a room program and sponsor a live radio 101.5 broadcast from 11:00 a.m. until 2:00 p.m.

NOW, THEREFORE BE IT RESOLVED, that the Otsego County Board of Commissioners hereby proclaim November 17-23, 2002 as HOMELESS AWARENESS WEEK and urge all citizens to recognize and support the efforts of our homeless shelter and service providers.

Adopted at a regular meeting of the Otsego County Board of Commissioners held on November 12, 2002 .



Evelyn M. Pratt, County Clerk

RESOLUTION NO. OCR 02 - 060

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 1379 South Maple Leaf Drive, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 660, Page(s) 834-841 in the name of Pamela A. Heim, a single woman,

AND WHEREAS, said Mortgage has been forgiven in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to, Pamela A. Heim, a single woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

MORTGAGE DISCHARGE

(By Entity)

KNOW ALL MEN BY THESE PRESENTS, that (1) The County of Otsego, a (2) Municipal Corporation, whose address is (3) 225 West Main Street, Gaylord, Michigan 49735, does hereby certify that a certain Mortgage dated September 18, 1997, made and executed by Pamela A. Heim, a single woman, as Mortgagor to The County of Otsego, a Municipal Corporation, as Mortgagee, and recorded on December 8, 1997, in the office of the Register of Deeds for Otsego County, Michigan, in Liber 660, Page(s) 834-841, is fully forgiven, satisfied and discharged.

In Witness Whereof, the undersigned has executed this instrument as of the 14th day of November 2002.

WITNESSES:

*

(1) The County of Otsego
By _____
* Douglas C. Johnson
Its Chairman, Otsego Board of Commissioners
(5)

STATE OF MICHIGAN }
COUNTY OF OTSEGO }

The foregoing instrument was acknowledged before me this 14th day of November, 2002, by (4) Douglas C. Johnson, the (5) Chairman of (1) The County of Otsego, on behalf of the (6) Board of Commissioners.

(7) Prepared by: Susan C. Premo, Clerk
Otsego County Housing Committee
225 West Main Street
Gaylord, Michigan 49735

* Susan C. Premo Notary Public,
Otsego County, Michigan
My Commission Expires: July 19, 2005

Please send original recorded document(s) to: Pamela A. Heim
1379 South Maple Leaf Drive
Gaylord, Michigan 49735

(1) Name of entity discharging mortgage. (2) Status of entity discharging mortgage (e.g., Michigan corporation, etc.) (3) Address of entity discharging mortgage. (4) Name of person executing instrument. (5) Title of person executing instrument. (6) Type of entity discharging mortgage (corporation, etc.) (7) Name and business address of person who drafted instrument.
* Names of Witnesses, Notary Public, and persons executing this instrument must be legibly printed, typewritten or stamped immediately beneath the signature of such person.

RESOLUTION NO. OCR 02-061

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 272 Klarer Hinnel Drive, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 787 Page(s) 316-324 and modified in Liber 788 Page(s) 876-877 in the name of Lynee' A. Isaacson, a single woman,

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to, Lynee' A. Isaacson, a single woman,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

MORTGAGE DISCHARGE
(By Entity)

KNOW ALL MEN BY THESE PRESENTS, that (1) The County of Otsego, a (2) Municipal Corporation, whose address is (3) 225 West Main Street, Gaylord, Michigan 49735, does hereby certify that a certain Mortgage dated January 17, 2001, made and executed by Lynne' A. Isaacson, a single woman, as Mortgagor to The County of Otsego, a Municipal Corporation, as Mortgagee, and recorded on January 25, 2001, in the office of the Register of Deeds for Otsego County, Michigan, in Liber 787, Page(s) 316-324, and a Loan Modification dated February 8, 2001 and recorded on February 8, 2001 in Liber 788, Page(s) 876-877, is fully paid, satisfied and discharged.

In Witness Whereof, the undersigned has executed this instrument as of the 12th day of November 2002.

WITNESSES:

* _____
* _____

(1) The County of Otsego
By _____
* Douglas C. Johnson
Its Chairman, Otsego Board of Commissioners
(5)

STATE OF MICHIGAN }
COUNTY OF OTSEGO }

The foregoing instrument was acknowledged before me this 12th day of November, 2002, by (4) Douglas C. Johnson, the (5) Chairman of (1) The County of Otsego, on behalf of the (6) Board of Commissioners.

(7) Prepared by: Susan C. Premo, Clerk
Otsego County Housing Committee
225 West Main Street
Gaylord, Michigan 49735

* Susan C. Premo Notary Public,
Otsego County, Michigan
My Commission Expires: July 19, 2005

Please send original recorded document(s) to: Lynne' A. Isaacson
272 Klarer Hinnel Drive
Gaylord, Michigan 49735

(1) Name of entity discharging mortgage. (2) Status of entity discharging mortgage (e.g., Michigan corporation, etc.) (3) Address of entity discharging mortgage. (4) Name of person executing instrument.
(5) Title of person executing instrument. (6) Type of entity discharging mortgage (corporation, etc.) (7) Name and business address of person who drafted instrument.
* Names of Witnesses, Notary Public, and persons executing this instrument must be legibly printed, typewritten or stamped immediately beneath the signature of such person.

RESOLUTION NO. OCR 02-062

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 272 Klarer Hinnel Drive, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 562 Page(s) 656-663 in the name of William and Lynee Isaacson, husband and wife,

AND WHEREAS, said Mortgage has been paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to, William and Lynee Isaacson, husband and wife,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

MORTGAGE DISCHARGE

(By Entity)

KNOW ALL MEN BY THESE PRESENTS, that (1) The County of Otsego, a (2) Municipal Corporation, whose address is (3) 225 West Main Street, Gaylord, Michigan 49735, does hereby certify that a certain Mortgage dated April 26, 1994, made and executed by William and Lynee Isaacson, husband and wife, as Mortgagor to The County of Otsego, a Municipal Corporation, as Mortgagee, and recorded on June 15, 1994, in the office of the Register of Deeds for Otsego County, Michigan, in Liber 562, Page(s) 656-663, is fully paid, satisfied and discharged.

In Witness Whereof, the undersigned has executed this instrument as of the 12th day of November 2002.

WITNESSES:

*

(1) The County of Otsego
By _____
* Douglas C. Johnson
Its Chairman, Otsego Board of Commissioners
(5)

STATE OF MICHIGAN }
COUNTY OF OTSEGO }

The foregoing instrument was acknowledged before me this 12th day of November, 2002, by (4) Douglas C. Johnson, the (5) Chairman of (1) The County of Otsego, on behalf of the (6) Board of Commissioners.

(7) Prepared by: Susan C. Premo, Clerk
Otsego County Housing Committee
225 West Main Street
Gaylord, Michigan 49735

* Susan C. Premo Notary Public,
Otsego County, Michigan
My Commission Expires: July 19, 2005

Please send original recorded document(s) to: Lynee' A. Isaacson
272 Klarer Hinnel Drive
Gaylord, Michigan 49735

_____, Name of entity discharging mortgage. (2) Status of entity discharging mortgage (e.g., Michigan corporation, etc.) (3) Address of entity discharging mortgage. (4) Name of person executing instrument. (5) Title of person executing instrument. (6) Type of entity discharging mortgage (corporation, etc.) (7) Name and business address of person who drafted instrument.
* Names of Witnesses, Notary Public, and persons executing this instrument must be legibly printed, typewritten or stamped immediately beneath the signature of such person.

OTSEGO COUNTY, MICHIGAN

OCR-02-063

The purpose of this document is to accept the amendments known as PC-2002-16-BY to rezone Lots 1-3 and 6-9 of Commerce Park from B1 to B2 as proposed by the Otsego County Planning Commission.

HISTORY

Planning Commission Case No. PC-2002-16-BY Notice of Public Hearing: (1) October 2, 2002 and October 12, 2002.

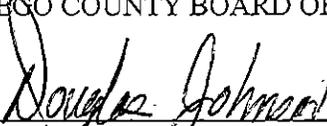
Date: Nov. 12, 2002 Ordinance No. PC-2002-16-BY - Ordained
 Ordinance Remanded to Planning Commission for Review
 Ordinance Defeated

ROLL CALL VOTE: OTSEGO COUNTY BOARD OF COMMISSIONERS

AYE	NAY	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Douglas Johnson, Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roland Chavey, Vice-Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allan Bentz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark Bates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carl Lord
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Liss
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Kenneth Glasser
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lee Olsen
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Beachnau

ADOPTED BY: THE OTSEGO COUNTY BOARD OF COMMISSIONERS

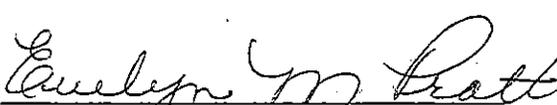
BOARD CHAIRMAN:



Douglas Johnson

DATE: November 12, 2002

COUNTY CLERK:



Evelyn M. Pratt

DATE: November 12, 2002

OCR-02-064
GRANT OF EASEMENT

FOR A GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, **The County of Otsego**, a Michigan municipality, whose address is 225 West Main Street, Gaylord, Michigan 49735, does hereby grant, assign and convey to the **City of Gaylord**, a Michigan municipal corporation, whose address is 225 West Main Street, Gaylord, Michigan 49735, an easement for the placement, construction, maintenance and repair of a fifteen (15') foot wide bituminous surface path for the use of non-motorized traffic (pedestrian and otherwise) and for all activities associated therewith or incidental thereto. The easement hereby granted shall remain in effect until such time, if ever, as the Grantor expands the current Otsego County Airport, and secures a vacation and relocation of the existing Milbocker Road right-of-way. The easement hereby granted shall be upon and confined within the following described parcel of property, to-wit:

Part of the Southwest one-quarter of Section 8, Town 30 North, Range 3 West, Bagley Township, Otsego County, Michigan more fully described as: The Northerly 15 feet of the Southerly 48 feet of the Southwest one-quarter of Section 8, Town 30 North, Range 3 West, Bagley Township, Otsego County, Michigan except the recorded plat of Gaylord Air Industrial Park No. 1.

The Grantee shall have the sole responsibility for the maintenance and repair of the said path and, upon the completion of any construction, maintenance or repair shall return the surrounding property to the same condition as existed prior to such construction, maintenance or repair.

COUNTY OF OTSEGO, a Michigan municipality

Witness

By: _____

Witness

Its: _____

Dated: _____

Witness

By: _____

Its: _____

Dated: _____

Witness

RESOLUTION IN OPPOSITION OF DESIGNATING THE UPPER MANISTEE RIVER
AS A STATE NATURAL RIVER

OCR-02- 065

We, the Otsego County Board of Commissioners, oppose the designation of the Upper Manistee River System for inclusion in the Michigan Natural Rivers Program in its current form (Part 305 of P.A. 451 of 1994, as amended, MCL 324.30501 35 seq.).

The County Board supports sound environmental protection including watershed management. However, we believe that County and Township governments (local elected officials) should have the final decision whether or not watersheds in their jurisdictions should be regulated by additional zoning rules.

Under the current form of the Natural Rivers Act, the designation of the Upper Manistee River System would allow the State to mandate zoning rules even if the Otsego County Board does not agree with the natural River Plan as it is drafted by the MDNR and advisory groups.

We question the need for additional land and water environmental regulation in light of the numerous existing statutes designed to protect water quality including; the Goemaere-Anderson Wetland Protection Act, the inland Lakes and Streams Act, the Soil Erosion Control and Sedimentation Act, the Michigan and federal Clean Water Acts, etc., as well as the volumes of corresponding rules associated with the above statutes.

It is our position that local governments are best able to regulate land uses through balancing the need for resource protection with managed development and private property rights. We urge the state legislature to amend the Natural Rivers Act to give local governments the authority to accept or reject proposed and or existing designations of a river or creek within their townships as a "natural river." In the long run, we believe this approach is in the best interest of our watershed resource, and the residents of Otsego County.

Be it further resolved, that a copy of this resolution be sent to the Governor, district legislators, the Department of Natural Resources director and relevant officials of the other counties, townships and villages in the UMR watershed.

Motion by Roland Chavey ,supported by Kenneth Glasser

I, Evelyn M. Pratt, certify this as a true copy reflecting action taken by Otsego County Board of Commissioners, Otsego County, Michigan, at its meeting of November 12, 2002.

Evelyn M Pratt

OCR-02-066

**Resolution of Agreement to Participate in the Preparation of the
Otsego County Local Hazard Mitigation Plan by the
Northeast Michigan Council of Governments**

Motion by Roland Chavey, supported by Lee Olsen
To adopt the following resolution:

Whereas, the Federal Emergency Management Agency (FEMA) will be requiring communities to have local hazard mitigation plans in place or in the process of being prepared by November 1, 2003 in order to be eligible for FEMA grants for hazard mitigation; and

Whereas, the Michigan Department of State Police, Emergency Management Division, is recommending communities in Michigan to prepare these plans and has identified agencies that could prepare the plans; and

Whereas, the Emergency Management Coordinators from the eight counties that comprise the Northeast Michigan Council of Governments (Cheboygan, Presque Isle, Otsego, Montmorency, Alpena, Crawford, Oscoda and Alcona) met with the Michigan Department of State Police and the Northeast Michigan Council of Governments (NEMCOG) to explore a joint cooperative planning process by the NEMCOG; and

Whereas, it was the unanimous consensus of the eight county Emergency Management Coordinators that the counties proceed in preparing these plans through a cooperative planning process by the NEMCOG with funding provided by FEMA and the Regional Commission; and

Whereas, the planning process is expected to take approximately two (2) years commencing in the fall of 2002, and matching funds required by FEMA will be provided by NEMCOG and by in-kind services provided by the county Emergency Management Coordinators;

Now, Therefore be it resolved: that the Otsego County Board of Commissioners agrees to participate in the preparation of a local hazard mitigation plan for Otsego County and designates the Northeast Michigan Council of Governments (NEMCOG) as the planning agency responsible for the preparation of the plan with oversight provided by the Michigan Department of State Police, Emergency Management Division.

Roll Call Vote *9 ayes 0 nays*

Certification: *Motion Carried*

Date: *11-12-02*

OCR-02-067
Otsego County Ordinance

**To establish charges for County Emergency Services
Responding to a Hazardous Materials Emergency Incident**

An ordinance to establish for county emergency services responding to an incident involving hazardous materials under Public Act 102 of 1990 (compiled law 41.806a) and to provide methods for the collection of such charges.

Otsego County, Michigan ordains:

Section 1: Purpose:

In order to protect Otsego County and its governmental subdivisions from incurring extraordinary expenses from the utilization of county resources to respond to an incident involving hazardous materials, the Otsego County Board of Commissioners authorizes the imposition of charges to recover reasonable and actual costs incurred by the township in responding to calls for assistance in connection with a hazardous materials release.

Section 2: "Governmental Subdivisions" Defined:

For purposes of this ordinance, "Governmental Subdivisions" include, but are not limited to, the City of Gaylord and its responding agencies; the village of Vanderbilt and its responding agencies, the townships of Bagley, Charleton, Chester, Corwith, Dover, Elmira, Hayes, Livingston, and Elmira and its responding agencies.

Section 3: "Hazardous Materials" Defined:

For purposes of this ordinance, "hazardous materials" include, but are not limited to, a chemical that is a combustible liquid, a flammable gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable reactive or water reactive.

Section 4: "Release" Defined:

Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, leaching, dumping, or disposing into the environment.

Section 5: "Responsible Party" Defined:

Any individual, firm, corporation, association, partnership, commercial entity, consortium, joint venture, governmental entity or any other legal entity that is responsible for a release of a hazardous material, either actual or threatened, or is an owner, tenant, occupant or party in control of property onto which or from which hazardous materials release.

Section 6: Charges Imposed Upon Responsible Party:

Where the Fire Departments of Otsego County and its political subdivisions responds to a call for assistance in connection with a hazardous materials release, actual costs incurred by the responding agencies to such a call shall be imposed upon responsible parties, including but not limited to:

- A. Equipment Costs will be based upon the current costs for equipment usage.
- B. All personnel-related costs incurred by Otsego County and its political subdivisions as a result of responding to the hazardous materials incident. Such costs may include, but are not limited to, wages, salaries and fringe benefits and insurance for full-time and part-time employees; overtime pay and related fringe benefit costs for hourly employees, and fees paid to on-call employees. Such personnel-related charges shall commence after the first hour that responding parties has responded to the hazardous materials incident, and shall continue until all personnel have concluded hazardous materials incident-related responsibilities.
- C. Other expenses incurred by Otsego County and its political subdivisions in responding to the hazardous materials incident, including but not limited to, rental or purchase of machinery, equipment, labor, consultants, legal and engineering fees, medical and hospitalizations costs and the replacement costs related to disposable personnel protective equipment, extinguishing agents, supplies, water purchased from municipal water systems and meals and refreshments for personnel while responding to the hazardous materials incident.
- D. Charges to Otsego County and its political subdivisions imposed by an local, state or federal government entities related to the hazardous materials incident.
- E. Costs incurred in accounting for all hazardous material incident-related expenditures, including billing and collection costs.

Section 7: Billing Procedures:

Following the conclusion of the hazardous materials incident, the Department Agency Heads of the responding agencies shall submit a detailed listing of all known expenses to the County Treasurer, who shall prepare an invoice to the responsible party for payment. The treasurer's invoice shall demand full payment within thirty (30) days of receipt of the bill. Any additional expenses that become known to the Department Agency Heads of the responding agencies following the transmittal of the bill to the responsible party shall be billed in the same manner on subsequent

bill to the responsible party. For any amount due that remain unpaid after thirty (30) days, Otsego County shall impose a late charge of one percent (1%) per month, or fraction thereof.

Section 8: Other Remedies:

Otsego County and its political subdivisions may pursue any other remedy, or may institute any appropriate action or proceeding, in a court of competent jurisdiction to collect charges imposed under this ordinance. The recovery of charges imposed under this ordinance does not limit liability of responsible parties under local ordinance or state or federal law, rule or regulation.

Section 9: Severability:

Should any provision or part of the within ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not effect the validity or enforceability of the balance of this ordinance which shall remain in full force and effect.

Section 10: Effective Date:

This ordinance shall take effect immediately. All ordinances or parts of ordinances in conflict are hereby repealed.

MOTION by CLAREN BATES

THAT ON 2002-69, A RESOLUTION
ADOPTING THE "2003 BORROWING RESOLUTION
FOR THE 2002 DELINQUENT TAXES" AND
AUTHORIZING THE "2003 NOMINISTRALE
FUND" BE ADOPTED AS PRESENTED

SECONDED by PAUL BECHAMP SIGNED

DATE 11-12-02

**OTSEGO COUNTY
RESOLUTION NO. 70 of 2002**

At a special meeting of the Otsego County Board, Otsego County, Michigan, held in the Otsego County Building located at 225 W Main, Gaylord, Michigan, on the 26 day of November, 2002.

PRESENT: Douglas Johnson, Allan Bentz, Lee Olsen, Kenneth Glasser, Paul Beachnau, Carl Lord

ABSENT: Paul Liss and Roland Chavey

The following resolution was offered by Carl W. Lord and supported by Lee F. Olsen.

WHEREAS, the Otsego County Prosecutor has filed a lawsuit against Otsego County relating to the County's 2003 budget;

WHEREAS, Otsego County wishes to retain its own civil counsel to prosecute this litigation and other civil matters for the County;

WHEREAS, Otsego County has determined that separate civil counsel is necessary to handle the County's civil matters pursuant to MCL 49.71;

BE IT RESOLVED that the law firm of Young, Graham & Elsenheimer, PC, is hereby retained for the purposes of prosecuting Hesselink v Otsego County, File No. 02-10000-CZ, and;

BE IT FURTHER RESOLVED that the law firm of Young, Graham & Elsenheimer, PC, is hereby retained as the County's civil counsel beginning on January 1, 2003. The Otsego County Prosecutor is to remain as civil counsel to the County until that date.

Carl Lord, Douglas Johnson
YES: Allan Bentz, Lee Olsen, Kenneth Glasser, Paul Beachnau

NO: None

RESOLUTION DECLARED ADOPTED.

COUNTY OF OTSEGO

By: Douglas C. Johnson
Douglas C. Johnson, Board Chairman

**OTSEGO COUNTY
RESOLUTION CERTIFICATION**

At a special meeting of the Otsego County Board, Otsego County, held in the Otsego County Building, located in Gaylord, Michigan, on November 26, 2002, at 9:00 A.M./~~P.M.~~

PRESENT: Paul Beachnau, Carl Lord
Douglas Johnson, Allan Bentz, Lee Olsen, Kenneth Glasser,
ABSENT: Paul Liss, Roland Chavey

It was moved by Carl W. Lord and supported by Lee F. Olsen that the following Resolution be adopted:

(See attached OTSEGO COUNTY RESOLUTION)
Carl Lord, Douglas Johnson, Allan Bentz, Lee Olsen,
YES: Kenneth Glasser, Paul Beachnau
NO: None

RESOLUTION DECLARED ADOPTED.

OTSEGO COUNTY

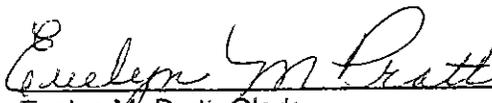
By: *Douglas C. Johnson*
Douglas C. Johnson, Board Chairman

I, the undersigned, the Clerk of the County of Otsego, Gaylord, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Otsego County Board of said County at a special meeting held on November 26, 2002, relative to adoption of the Resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act; and was filed with the County Clerk on November 26, 2002.

Dated: November 26, 2002 *Evelyn M. Pratt*
Evelyn M. Pratt, Clerk

I, the undersigned, the Clerk of the County of Otsego, Gaylord, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Otsego County Board of said municipality at a special meeting held on November 26, 2002, relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: November 26, 2002



Evelyn M. Pratt, Clerk

OCR-02-071
A RESOLUTION OF CONCURRENCE WITH
THE 2002/2003 NORTHEAST MICHIGAN
COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS) ANNUAL REPORT

- WHEREAS, Otsego County desires to improve the county economy, and
- WHEREAS, The Otsego County Board of Commissioners actively supports and currently participates in the economic development district activities of the Northeast Michigan Council of Governments (NEMCOG), and
- WHEREAS, The Northeast Michigan Council of Governments' Regional Economic Development Advisory Committee (REDAC) has reviewed and adopted the 2002/2003 Comprehensive Economic Development Strategy (CEDS) Annual Report, and
- WHEREAS, Concurrence with the CEDS Annual Report by each county in the Region - Alcona, Alpena, Cheboygan, Crawford, Montmorency, Oscoda, Otsego and Presque Isle - does not preclude any of developing their own CEDS and allows them to retain eligibility for U.S. Economic Development Administration (EDA) funds,

THEREFORE BE IT RESOLVED, That Otsego County hereby adopts the CEDS Annual Report, because it does reflect the economic interests and concerns of the county, and

BE IT FURTHER RESOLVED, That Otsego County requests continued designation by the Economic Development Administration as a Redevelopment Area eligible for EDA grants, loans and other programs under the Public Works and Economic Development Act of 1965, as amended.

Moved by Liss, seconded by Lord to adopt the above Resolution at a meeting of the Board of Commissioners of Otsego County on December 10, 2002, and passed by a vote of:

Ayes 9 Nays 0 Absent 0

Dated: 12-10-02

Attested by: Douglas Johnson, Chairman
Otsego County Bd. of Commissioners



RESOLUTION NO. OCR 02 - 072

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 8707 Sparr Road, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 786 Page(s) 830-837 in the name of Michael S. Fahler and Elizabeth A. Fahler, Husband and Wife,

AND WHEREAS, said Mortgage has been Paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to, Michael S. Fahler and Elizabeth A. Fahler, Husband and Wife,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

MORTGAGE DISCHARGE

(By Entity)

I NOW ALL MEN BY THESE PRESENTS, that (1) The County of Otsego, a (2) Municipal Corporation, whose address is (3) 225 West Main Street, Gaylord, Michigan 49735, does hereby certify that a certain Mortgage dated January 10, 2001, made and executed by Michael S. Fahler and Elizabeth A. Fahler, Husband and Wife, as Mortgagor to The County of Otsego, a Municipal Corporation, as Mortgagee, and recorded on January 22, 2001, in the office of the Register of Deeds for Otsego County, Michigan, in Liber 786, Page(s) 830-837, is fully forgiven, satisfied and discharged.

In Witness Whereof, the undersigned has executed this instrument as of the 10th day of December 2002.

WITNESSES:

*

*

(1) The County of Otsego
By Douglas C. Johnson
* Douglas C. Johnson
Its Chairman, Otsego Board of Commissioners

(5)

STATE OF MICHIGAN }
COUNTY OF OTSEGO }

The foregoing instrument was acknowledged before me this 10th day of December, 2002, by (4) Douglas C. Johnson, the (5) Chairman of (1) The County of Otsego, on behalf of the (6) Board of Commissioners.

(7) Prepared by: Susan C. Premo, Clerk
Otsego County Housing Committee
225 West Main Street
Gaylord, Michigan 49735

* Susan C. Premo Notary Public,
Otsego County, Michigan
My Commission Expires: July 19, 2005

Please send original recorded document(s) to: Michael & Elizabeth Fahler
8707 Sparr Road
Gaylord, Michigan 49735

(1) Name of entity discharging mortgage. (2) Status of entity discharging mortgage (e.g., Michigan corporation, etc.) (3) Address of entity discharging mortgage. (4) Name of person executing instrument. (5) Title of person executing instrument. (6) Type of entity discharging mortgage (corporation, etc.) (7) Name and business address of person who drafted instrument.
* Names of Witnesses, Notary Public, and persons executing this instrument must be legibly printed, typewritten or stamped immediately beneath the signature of such person.

RESOLUTION NO. OCR 02 - 073

AUTHORIZING RESOLUTION

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 274 Klarer Hinnel Drive, Gaylord, Michigan 49735 and has a mortgage recorded in Liber 573 Page(s) 527-533 in the name of Dennis J. Early and Susan E. Early, Husband and Wife,

AND WHEREAS, said Mortgage has been Paid in full,

NOW THEREFORE BE IT RESOLVED, that Otsego County hereby issue a DISCHARGE OF MORTGAGE to, Dennis J. Early and Susan E. Early, Husband and Wife,

AND FURTHER BE IT RESOLVED, that the Chairman of the Otsego County Board of Commissioners be authorized to sign said document.

MORTGAGE DISCHARGE

(By Entity)

NOW ALL MEN BY THESE PRESENTS, that (1) The County of Otsego, a (2) Municipal Corporation, whose address is (3) 225 West Main Street, Gaylord, Michigan 49735, does hereby certify that a certain Mortgage dated October 20, 1994, made and executed by Dennis J. and Susan E. Early, Husband and Wife, as Mortgagor to The County of Otsego, a Municipal Corporation, as Mortgagee, and recorded on November 15, 1994, in the office of the Register of Deeds for Otsego County, Michigan, in Liber 573, Page(s) 527-533, is fully paid, satisfied and discharged.

In Witness Whereof, the undersigned has executed this instrument as of the 10th day of December, 2002.

WITNESSES:

*

(1) The County of Otsego
By Douglas C. Johnson
* Douglas C. Johnson
Its Chairman, Otsego Board of Commissioners
(5)

STATE OF MICHIGAN }
COUNTY OF OTSEGO }

The foregoing instrument was acknowledged before me this 10th day of December, 2002, by (4) Douglas C. Johnson, the (5) Chairman of (1) The County of Otsego, on behalf of the (6) Board of Commissioners.

(7) Prepared by: Susan C. Premo, Clerk
Otsego County Housing Committee
225 West Main Street
Gaylord, Michigan 49735

* Susan C. Premo Notary Public,
Otsego County, Michigan
My Commission Expires: July 19, 2005

Please send original recorded document(s) to: Dennis J. & Susan E. Early
274 Klarer Hinnel Drive
Gaylord, Michigan 49735

(1) Name of entity discharging mortgage. (2) Status of entity discharging mortgage (e.g., Michigan corporation, etc.) (3) Address of entity discharging mortgage. (4) Name of person executing instrument. (5) Title of person executing instrument. (6) Type of entity discharging mortgage (corporation, etc.) (7) Name and business address of person who drafted instrument.
* Names of Witnesses, Notary Public, and persons executing this instrument must be legibly printed, typewritten or stamped immediately beneath the signature of such person.

OTSEGO COUNTY, MICHIGAN

OCR- 02-074

The purpose of this document is to accept the amendments known as PC-2002-19-TEXT to change Section 18.7.1 and 18.7.2 Cluster Residential Option as proposed by the Otsego County Planning Commission.

HISTORY

Planning Commission Case No. PC-2002-19-TEXT Notice of Public Hearing: (1) October 26, 2002 and (2) November 2, 2002.

Date: Dec. 10, 2002 Ordinance No. PC-2002-19-TEXT - Ordained
 Ordinance Remanded to Planning Commission for Review
 Ordinance Defeated

ROLL CALL VOTE: OTSEGO COUNTY BOARD OF COMMISSIONERS

AYE	NAY	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Douglas Johnson, Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roland Chavey, Vice-Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Allan Bentz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark Bates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carl Lord
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Liss
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kenneth Glasser
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lee Olsen
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Beachnau

ADOPTED BY: THE OTSEGO COUNTY BOARD OF COMMISSIONERS

BOARD CHAIRMAN: *Douglas Johnson*
Douglas Johnson

DATE: December 10, 2002

COUNTY CLERK: *Everlyn M. Pratt*
Everlyn M. Pratt

DATE: December 10, 2002

OTSEGO COUNTY, MICHIGAN

OCR- 02-075

The purpose of this document is to accept the amendments known as PC-2002-17-TEXT to add Section 18.47 Commercial Wind Turbine Generators to the Zoning Ordinance as proposed by the Otsego County Planning Commission.

HISTORY

Planning Commission Case No. PC-2002-17-TEXT Notice of Public Hearing: (1) October 26, 2002 and (2) November 2, 2002.

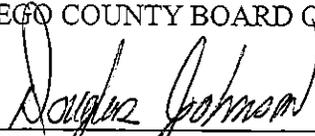
Date: Dec. 10, 2002 Ordinance No. PC-2002-17-TEXT - Ordained
 Ordinance Remanded to Planning Commission for Review
 Ordinance Defeated

ROLL CALL VOTE: OTSEGO COUNTY BOARD OF COMMISSIONERS

AYE	NAY	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Douglas Johnson, Chairman
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roland Chavey, Vice-Chairman
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Allan Bentz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark Bates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carl Lord
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Liss
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kenneth Glasser
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Lee Olsen
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Beachnau

ADOPTED BY: THE OTSEGO COUNTY BOARD OF COMMISSIONERS

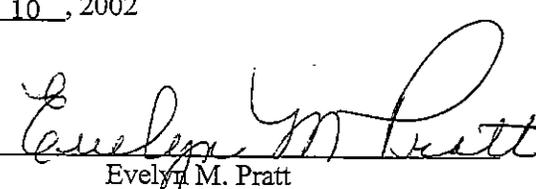
BOARD CHAIRMAN:



Douglas Johnson

DATE: December 10, 2002

COUNTY CLERK:



Evelyn M. Pratt

DATE: December 10, 2002

RESOLUTION NO: 2002-076

WHEREAS Otsego County is a member of the Otsego County Economic Alliance and supports the Alliance's efforts to make improvements and undertake revitalization of Otsego County's town centers to stimulate business activity, combat blight and deterioration and improve the look and feel of these important gateways to the county.

THEREFORE BE IT RESOLVED that the Otsego County Board of Commissioners supports Charlton Township and the Michigan Department of Transportation Grayling Transportation Service Center's application for Enhancement funding for the Johannesburg Town Center Streetscape Project.

Presented this /2 day of December, Two Thousand and Two.

I, Evelyn M. Pratt, Clerk of the County of Otsego, State of Michigan, do hereby certify that the foregoing resolution was adopted by the Otsego County Board of Commissioners on the ___ day of December, 2002



Evelyn M. Pratt, County Clerk