

The regular meeting of the Sanilac County Board of Commissioners was called to order by Chairman John Hoffmann at 1:00 p.m., on Tuesday, June 20, 2017 in the Board of Commissioners' Chambers at 60 W. Sanilac Avenue, Sandusky, Michigan. The prayer was given by Commissioner Muxlow and the pledge was led by Commissioner Hoffmann. Roll call was taken. Members present: Daniel Dean, Gary Heberling, Bob Conely, Paul Muxlow and John Hoffmann. Quorum present.

Additions, Corrections and Deletions to the Agenda:

Additions: **RESOLUTION URGING THE FUNDING AND PRESERVATION OF PUBLIC OVERSIGHT AND DELIVERY OF COMMUNITY MENTAL HEALTH SERVICES; and**

Corrections: **REPLACEMENT MOTION FOR NFA-024-17 APPOINTMENT OF INDEPENDENT MEMBER AND AN APPOINTMENT OF A LOCAL SERVICE ORGANIZATION – VETERANS AFFAIRS.**

Approval of Minutes:

MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER MUXLOW THAT WE APPROVE THE MINUTES OF JUNE 6, 2017 AS PRINTED. Motion carried.

Adoption of Agenda:

MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER MUXLOW THAT WE ADOPT THE AGENDA AS PRESENTED WITH THE FOLLOWING ADDITIONS AND CORRECTIONS: RESOLUTION URGING THE FUNDING AND PRESERVATION OF PUBLIC OVERSIGHT AND DELIVERY OF COMMUNITY MENTAL HEALTH SERVICES; AND REPLACEMENT MOTION FOR NFA-024-17 APPOINTMENT OF INDEPENDENT MEMBER AND AN APPOINTMENT OF A LOCAL SERVICE ORGANIZATION – VETERANS AFFAIRS. Motion carried.

Communications and Introductions:

1. Minutes from the Sanilac County Parks Commission meeting held on June 6, 2017.
2. Public Meeting Notice, Meeting of the Board of Trustees of the Michigan CLASS Investment Pool.
3. Invitation from Deckerville Community Hospital inviting you along with other community partners in sponsoring the Third Annual Family Funtastic Fair, Friday, August 4, 2017.
4. Letter from Lakeshore Legal Aid, regarding Region VII Area Agency on Aging Funding Proposal.

Commissioner Reports:

Commissioner Heberling reported attending local board meetings and spoke with Greg Alexander, Drain Commissioner, regarding an issue they were having with Turtle Creek Drain. Also, Jamie Foster of FAN will be presenting a Resolution to the Board for adoption. Commissioner Conely reported on the Community Collaborative Committee and the implementation of the Promise Fund for students enrolled in kindergarten to start a savings fund that can be used for college or trade schools.

Administrator's Report:

None.

Public Comments:

Chairman Hoffmann opened the Public Hearing for the proposed Airport Zoning Ordinance at 1:05 P.M. Jim Wheeler, John Knoerr, Glen Phillips and Don Johnston spoke at the Public Hearing regarding the proposed Airport Zoning Ordinance. They discussed the process of permitting tall structures, height restrictions and the variance process. Linn Smith, Airspace & Airport Zoning Specialist, addressed each concern and illustrated on the map the permit requirements, the process and the benefit of adopting a countywide zoning ordinance being able to locally administer the airports.

The Board interviewed Voyle Bissett, Ronald Ireland (who withdrew his name for an appointment), Donald Maury and Donald Rudy for vacancies on the Veterans Affairs Committee.

Appointments to Standing Committee:

CHAIRMAN HOFFMANN OPENED NOMINATIONS FOR A PARTIAL TERM FOR THE VETERANS AFFAIRS COMMITTEE. MOVED BY COMMISSIONER HEBERLING THAT WE NOMINATE VOYLE BISSETT, DONALD MAURY, DONALD RUBY AND JOHN SHAW. MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER HEBERLING THAT NOMINATIONS BE CLOSED. Yes: Dean, Muxlow, Heberling, Conely and Hoffmann. Motion carried.

Results of signed ballots:

VOYLE BISSETT - Muxlow, Hoffmann, Heberling
DONALD MAURY -
DONALD RUDY - Conely, Dean
JOHN SHAW -

CHAIRMAN HOFFMANN DECLARED VOYLE BISSETT ELECTED TO THE VETERANS AFFAIRS COMMITTEE FOR A PARTIAL TERM, ENDING 11/1/2018.

CHAIRMAN HOFFMANN OPENED NOMINATIONS FOR A TWO YEAR TERM FOR THE VETERANS AFFAIRS COMMITTEE. MOVED BY COMMISSIONER DEAN THAT WE NOMINATE DONALD MAURY, DONALD RUBY AND JOHN SHAW. MOVED BY COMMISSIONER HEBERLING AND

SECONDED BY COMMISSIONER DEAN THAT NOMINATIONS BE CLOSED. Yes: Dean, Muxlow, Heberling, Conely and Hoffmann. Motion carried.

Results of signed ballots:

DONALD MAURY - Muxlow, Conely, Hoffmann
DONALD RUDY - Dean, Heberling
JOHN SHAW -

CHAIRMAN HOFFMANN DECLARED DONALD MAURY ELECTED TO THE VETERANS AFFAIRS COMMITTEE FOR A TWO YEAR TERM, ENDING 7/1/2019.

CHAIRMAN HOFFMANN OPENED NOMINATIONS FOR A FOUR YEAR TERM FOR THE VETERANS AFFAIRS COMMITTEE. MOVED BY COMMISSIONER HEBERLING THAT WE NOMINATE DONALD RUDY AND JOHN SHAW. MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER CONELY THAT NOMINATIONS BE CLOSED. Yes: Dean, Muxlow, Heberling, Conely and Hoffmann. Motion carried.

Results of signed ballots:

DONALD RUDY - Muxlow, Conely, Heberling, Dean, Hoffmann
JOHN SHAW -

CHAIRMAN HOFFMANN DECLARED DONALD RUDY ELECTED TO THE VETERANS AFFAIRS COMMITTEE FOR A FOUR YEAR TERM, ENDING 7/1/2021.

County Commission Appointments to Boards:

None.

General Resolutions:

MOVED BY COMMISSIONER CONELY AND SECONDED BY COMMISSIONER MUXLOW TO REMOVE FROM THE TABLE RESOLUTION HONORING SANDRA CARGILL FOR YEARS OF SERVICE. Motion carried.

MOVED BY COMMISSIONER CONELY AND SECONDED BY COMMISSIONER DEAN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE FOLLOWING:

**RESOLUTION HONORING SANDRA CARGILL
FOR YEARS OF SERVICE**

WHEREAS, Sandra Cargill has given over 26 years of dedicated service to the City of Marlette, 6 years as City Clerk and 20 years as Deputy Clerk, which included payroll and utility billing clerk; and

WHEREAS, Sandra has worked for six (6) City Managers and learned from each of them; and

WHEREAS, Sandra and her husband Dennis have been married for 46 years and have three (3) children and seven (7) grandchildren; and

WHEREAS, Sandra will now be able to spend more time at their cottage in Caseville, traveling, golfing and spending time with family.

NOW THEREFORE, BE IT RESOLVED that the Sanilac County Board of Commissioners by this resolution recognizes and commends Sandra Cargill for her longstanding commitment to the City of Marlette and Sanilac County.

BE IT FURTHER RESOLVED that this resolution be presented to Sandra Cargill and spread upon the proceedings of the Sanilac County Board of Commissioners this 20th day of June, 2017.

Yes: Muxlow, Heberling, Dean, Conely and Hoffmann. No: None. Resolution declared adopted. Commissioner Conely presented the resolution to Sandra.

MOVED BY COMMISSIONER CONELY AND SECONDED BY COMMISSIONER DEAN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE FOLLOWING:

**RESOLUTION HONORING KIRK F. DALE
FOR YEARS OF SERVICE**

WHEREAS, Kirk Dale has given 28 years of dedicated service to Marlette Township, 15 years as Trustee and 13 years as Supervisor; and

WHEREAS, Kirk not only has the ability to get the job done, but a special personality, dedication and commitment to the people; and

WHEREAS, Kirk demonstrated those qualities with outstanding accomplishments during his tenure including the construction of a new Marlette Fire Hall, a new Marlette Township Hall / Marlette Airport Terminal and the completion of French Line Road. In 2007, he along with the Marlette Township Board was honored with MRA Excellence Award for Fiscal Management. Supervisor Dale was employed at GM for 38 years and brought to township government a high level of executive management skills. He worked with a cohesive township board for the benefit of Marlette Township Citizens; and

WHEREAS, Kirk always prioritized transparency and good stewardship of township fund, as well as strong communication so that citizens could make informed decisions regarding township government; and

WHEREAS, Kirk served on the Sanilac County Planning Commission and is presently on the Sanilac County Community Mental Health Board where he has served for the past 10 years. In addition he has served his community volunteering and continues to as a volunteer at the Marlette Regional Hospital; and

WHEREAS, Kirk and his wife Carol are the parents of two (2) sons and two (2) daughters, 13 grandchildren including spouses, 4 great grandchildren and one on the way. He is looking forward to having more time for family and continue their love for traveling.

NOW THEREFORE, BE IT RESOLVED that the Sanilac County Board of Commissioners by this resolution recognizes and commends Kirk Dale for his longstanding commitment to the Marlette Township and the community.

BE IT FURTHER RESOLVED that this resolution be presented to Kirk Dale and spread upon the proceedings of the Sanilac County Board of Commissioners this 20th day of June, 2017.

Yes: Conely, Muxlow, Heberling, Dean and Hoffmann. No: None. Resolution declared adopted. Commissioner Conely presented the resolution to Kirk.

MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER HEBERLING THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE FOLLOWING:

**RESOLUTION URGING THE FUNDING AND PRESERVATION
OF PUBLIC OVERSIGHT AND DELIVERY OF COMMUNITY MENTAL HEALTH
SERVICES**

WHEREAS, currently, Medicaid health services are delivered through private health plans while mental health services are delivered through the community mental health boards.

WHEREAS, public behavioral health services are delivered through Community Mental Health Services Programs (CMHSP), which are public entities that are created by county governments to provide a comprehensive array of mental health services to meet local needs regardless of an individual's ability to pay.

WHEREAS, CMHSPs provide Medicaid, state, block grant, and locally funded services to children with serious emotional disturbances, adults with serious mental illness and children and

adults with intellectual/developmental disabilities either directly or through contracts with providers in the community.

WHEREAS, behavioral health specialty services and supports are primarily funded through Michigan's 10 Prepaid Inpatient Health Plans (PIHP).

WHEREAS, MDHHS contracts with PIHPs to operate and manage Medicaid-funded behavioral health specialty services and supports on a regional basis and PIHPs are also the responsible entities for directly managing Substance Abuse Block Grant funding and local substance abuse funding and each PIHP contracts with CMHSPs and other providers within its region to deliver publicly-funded services and supports.

WHEREAS, the Region 10 PIHP is one of Michigan's ten Prepaid Inpatient Health Plans (PIHP) which covers Lapeer County, St. Clair County, Genesee County and Sanilac County.

WHEREAS, the PIHP, along with the member CMHSPs, provide services to enrollees under contract with the state Medicaid agency on the basis of the prepaid Medicaid payments.

WHEREAS, Sanilac County CMH addresses a vital need for the county, has institutional and historical knowledge of consumers and successfully provides service with low administration fees.

WHEREAS, the Michigan Department of Health and Human Services (MDHHS) launched the Section 298 Initiative, based upon Section 298 of Public Act 268 of 2016, a statewide effort to improve the coordination of physical health services and behavioral health services in Michigan.

WHEREAS, under Section 298 the Michigan Legislature directed the Michigan Department of Health and Human Services to develop a set of recommendations "regarding the most effective financing model and policies for behavioral health services in order to improve the coordination of behavioral and physical health services for individuals with mental illnesses, intellectual and developmental disabilities, and substance use disorders."

WHEREAS, MDHHS convened the Behavioral Health Section 298 workgroup to develop a report with recommendations that was presented to the Michigan Legislature on March 15, 2017.

WHEREAS, more than 120 stakeholders representing individuals in service and their advocates, as well as various organizations, including Community Mental Health Service Providers (CMHSPs), Prepaid Inpatient Health Plans (PIHPs), Medicaid Health Plans (MHPs), behavioral health providers, statewide advocacy organizations, and tribal nations were invited to participate in the workgroup.

WHEREAS, the workgroup compiled information to design a strengthened system of supports and services for persons (adults, children, youth and their families) at risk for or with intellectual/developmental disabilities, substance use disorders, mental health needs, and

physical health needs that is consistent with stated core values and is seamless, maximizes percent of invested resources reaching direct services, and provides the highest quality of care and positive outcomes for the person and the community.

WHEREAS, the Final Report of the 298 Facilitation Workgroup recommended that the state should retain system structures for Medicaid funding with separate funding for and management of physical health flowing through the MHP system and separate funding for and management of specialty behavioral health and intellectual/developmental disabilities flowing through the public PHIP/CMHSP system and a public separately funded and managed system for non-Medicaid specialty behavioral health and intellectual/developmental disability services with CMHSPs continuing to play the central role in the delivery of Medicaid and non-Medicaid specialty behavioral health and intellectual/developmental disabilities services.

WHEREAS, the Michigan legislature's 2018 budget recommendation would begin the process of ending Region 10's status as one of Michigan's 10 PIHPs.

WHEREAS, the Michigan legislature's 2018 budget recommendation would merge 7 of the current PIHP's into one by creating one PIHP for 80 Michigan Counties which in effect will eliminate local input/control.

WHEREAS, the Legislative budget proposal called for up to three pilot projects that use a single contract between the state and private HMOs.

WHEREAS, for 20 years the Medicaid Health Plans (MHP) have inadequately administered benefits for persons with mild-to-moderate mental health conditions.

WHEREAS, according to the Michigan Department of Health and Human Services (MDHHS), the average number of mental health visits authorized for qualifying MHP enrollees in 2014 was four; in 2015, only 10 percent of all contacts for Medicaid recipients seeking behavioral health services were with a behavioral health professional.

WHEREAS, Sanilac County CMH's role would be lessened, and its ability to be more cost effective and with greater quality outcomes than HMOs would be lost.

NOW, THEREFORE, BE IT RESOLVED, that the Sanilac County Board of Commissioners is opposed to the privatization of public dollars and supports maintaining public oversight of mental health services and does not support abandoning its constitutional obligation or relinquishing its moral charge to assist in supporting the dreams and aspirations of the most vulnerable persons to the private/for-profit health plans.

BE IT FURTHER RESOLVED that the Sanilac County Board of Commissioners urges the Michigan Legislature and Executive Branch to deliver appropriate funding which includes a policy that preserves the public oversight and public delivery of Community Mental Health services that currently exists.

BE IT FURTHER RESOLVED that hard copies of this resolution, digital copies, if possible, be provided to the Michigan federal legislation delegation, Michigan's Governor and Lieutenant Governor, Michigan State legislative delegation, Director of Michigan Department of Public Health, Sanilac County Administrator and Sanilac County Community Mental Health Board and Director.

Yes: Muxlow, Dean, Conely, Heberling and Hoffmann. No: None. Resolution declared adopted.

Committee Reports:

None.

Unfinished Business:

None.

New Business:

FA-072-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER CONELY THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE PAYMENT OF CURRENT CLAIMS FOR 2017 IDENTIFIED ON THE ACCOUNTS PAYABLE REPORT DATED JUNE 14, 2017, FOR THE GENERAL BANK ACCOUNT IN THE AMOUNT OF \$260.204.05. Motion carried.

FA-073-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER HEBERLING THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE FOLLOWING AMENDMENTS AND ESTABLISHES THE FOLLOWING ACCOUNTS:

2017 BUDGET AMENDMENTS

REVENUE:

Increase:	508-751-401.001	Current Property Tax	\$	(5,000.00)
Decrease:	508-751-402.000	Delinq Real, Pers, Bldg Lease	\$	1,500.00
Increase:	508-751-425.000	Other Property	\$	(100.00)
Increase:	508-751-437.000	Indust & Commer Facilities Tax	\$	(200.00)
Increase:	508-751-445.000	Int & Penalties on Taxes	\$	(3.00)
Increase:	508-751-617.001	Camping Fees-Forester	\$	(5,000.00)
Increase:	508-751-617.002	Camping Fees-Lexington	\$	(2,000.00)
Increase:	508-751-617.003	Camping Fees (Evergreen)	\$	(10,000.00)
Increase:	508-751-618.002	Day Use-Lexington	\$	(100.00)
Increase:	508-751-647.001	Wood Sales-Forester	\$	(100.00)
Decrease:	508-751-665.120	Interest-Investments	\$	100.00
Increase:	508-751-667.001	Cabin Rent-Forester	\$	(500.00)
Increase:	508-751-667.003	Cabin Rent-Evergreen	\$	(1,000.00)

(UNOFFICIAL MINUTES)

Increase:	508-751-676.001	Reimb - Forester Electricity	\$	(650.00)
Increase:	508-751-688.001	Contributions-Forester	\$	(2,500.00)
Increase:	508-751-688.003	Misc. Fees-Evergreen	\$	(500.00)
Increase:	259-682-400.001	Veterans - Beginning Balance	\$	(22,313.44)

EXPENSE

Increase:	508-751-701.001	Forester Park Manager	\$	554.38
Increase:	508-751-701.002	Lexington Park Manager	\$	22,270.87
Increase:	508-751-701.003	Evergreen Park Manager	\$	554.38
Increase:	508-751-702.000	Per Diems	\$	400.00
Increase:	508-751-702.001	Salary-Permanent-Forester	\$	123.30
Decrease:	508-751-702.002	Salary-Permanent-Lexington	\$	(22,027.68)
Increase:	508-751-702.003	Salary-Permanent-Evergreen	\$	384.34
Increase:	508-751-703.001	Salaries-Temporary-Forester	\$	1,240.43
Increase:	508-751-703.002	Salaries-Temporary-Lexington	\$	400.00
Increase:	508-751-703.003	Salaries-Temporary-Evergreen	\$	200.00
Increase:	508-751-715.000	FICA & Medicare	\$	986.86
Increase:	508-751-716.000	Hospitalization/Emplry	\$	2,500.00
Increase:	508-751-718.000	Retirement	\$	2,338.47
Decrease:	508-751-723.000	Life Insurance	\$	(20.00)
Increase:	508-751-727.001	Office Supplies-Forester	\$	100.00
Increase:	508-751-727.002	Office Supplies-Lexington	\$	100.00
Increase:	508-751-727.003	Office Supplies-Evergreen	\$	100.00
Decrease:	508-751-729.003	Printing-Evergreen	\$	(300.00)
Decrease:	508-751-730.003	Postage-Evergreen	\$	(25.00)
Increase:	508-751-736.001	Grounds Care/Maint-Forester	\$	145,000.00
Increase:	508-751-740.002	Yard Supplies-Lexington	\$	300.00
Increase:	508-751-740.004	Yard Supplies-Delaware	\$	500.00
Increase:	508-751-747.000	Mileage Reimb. & Gas Purchase	\$	500.00
Decrease:	508-751-747.001	Gas & Oil-Tractors & Lawnmowers	\$	(500.00)
Decrease:	508-751-747.003	Mileage Reimb. & Gas-Evergreen	\$	(500.00)
Increase:	508-751-776.002	Janitorial Supplies-Lexington	\$	150.00
Increase:	508-751-801.001	Contract Fee-Forester	\$	500.00
Increase:	508-751-816.000	Cost Allocation	\$	500.00
Decrease:	508-751-851.001	Telephone-Forester	\$	(300.00)
Decrease:	508-751-851.003	Telephone-Evergreen	\$	(200.00)
Increase:	508-751-852.002	Internet-Lexington	\$	50.00
Decrease:	508-751-920.001	Utilities-Forester	\$	(5,000.00)
Increase:	508-751-920.003	Utilities-Evergreen	\$	1,000.00
Decrease:	508-751-925.000	Water Billing	\$	(500.00)

(UNOFFICIAL MINUTES)

Increase:	508-751-932.002	Equip. Repairs-Lexington	\$	500.00
Decrease:	508-751-942.001	Equip. Rental-Forester	\$	(100.00)
Decrease:	508-751-965.000	Contingency	\$	(12,527.35)
Decrease:	508-751-967.002	Grant Matching Funds-Lexington	\$	(82,000.00)
Decrease:	508-751-975.001	Building Improvements-Forester	\$	(15,000.00)
Increase:	508-751-975.002	Bldg Improvements-Lexington	\$	7,000.00
Decrease:	508-751-975.003	Building Improvements-Evergreen	\$	(25,000.00)
Decrease:	508-751-978.001	Machinery & Equipment-Forester	\$	(1,000.00)
Increase:	508-751-978.003	Machine & Equipment - Evergreen	\$	1,000.00
Increase:	508-751-996.001	Tax Dockets & Tribunal Refund	\$	700.00
Increase:	508-751-997.001	Fees-Forester	\$	1,000.00
Increase:	508-751-997.002	Fees-Lexington	\$	200.00
Decrease:	508-751-997.003	Fees-Evergreen	\$	(100.00)
Decrease:	101-148-802.000	Visiting Judge	\$	(750.00)
Increase:	101-148-727.000	Office Supplies	\$	200.00
Increase:	101-148-747.000	Mileage	\$	300.00
Increase:	101-148-861.000	Motel	\$	250.00
Decrease:	101-136-810.000	Membership/Subscription	\$	(100.00)
Increase:	101-148-810.000	Membership/Subscription	\$	100.00
Decrease:	259-682-965.000	Contingency	\$	(1,000.00)
Increase:	259-682-978.000	Equipment	\$	1,000.00
Increase:	259-682-965.000	Contingency	\$	22,313.44

FURTHER, ESTABLISH THE FOLLOWING ACCOUNTS:

230-529-832.000	HHW Collection Event
266-345-084.000	Due From Other Funds
286-321-084.000	Due From Other Funds

Motion carried.

FA-074-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER MUXLOW THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE PAYMENT OF ADDITIONAL GENERAL FUND BANK ACCOUNT CHECKS CHARGED TO MAY, 2017, AS FOLLOWS:

ADDITIONAL GENERAL FUND BANK ACCOUNT CHARGES FOR MAY, 2017.

\$933,876.88 ADDITIONAL - ALL FUNDS
 \$533,807.87 ACH PAYMENTS
 \$516,189.01 PAYROLL

\$1,983,873.76 TOTAL

(UNOFFICIAL MINUTES)

Motion carried.

FA-075-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER CONELY THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE ATTACHED GIS MAP / DATA FEE SCHEDULE, AS PRESENTED. Motion carried.

FA-076-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER HEBERLING THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE FOLLOWING JOB DESCRIPTIONS DEPUTY EQUALIZATION DIRECTOR/ MAPPING SPECIALIST, EQUALIZATION DIRECTOR / GIS COORDINATOR AND INFORMATION/TECHNOLOGY DIRECTOR:

County of Sanilac

Job Description

Job Title: Deputy Equalization Director/Mapping Specialist	Reports to: Equalization Director
Department: Equalization	FLSA: Non-Exempt
Pay Grade: 5	Prepared by: Administration
Date: May 22, 2017	

Position Summary:

Under the direct supervision of the Equalization Department Head, this position is responsible for maintaining countywide assessing data; for printing tax bills, notices, studies and state mandated reports, conducting routine public office duties. Maintaining and updating geographic information systems (GIS) maps.

Essential Duties and Responsibilities:

1. Prepare and submit Apportionment Report to the Board of Commissioners and the State of Michigan.
2. Responsible for creating and balancing the new assessed and taxing year.
3. Prepare and submit 4410 Report to State of Michigan.
4. Review Form 4029 (millage rate request) for accuracy.
5. Assist with assessment roll auditing.
6. Maintain current name, address, legal descriptions and homestead changes for all property.
7. Responsible for preparing and printing all aspects of summer and winter tax billing, village taxes, special assessments, millage rates, tax payment messages, setting and notifying the local units of deadlines.
8. Assist with gathering information for the sales study report.

(UNOFFICIAL MINUTES)

9. Copy and sort all recorded instruments from the Register of Deeds; input recorded sales; determine appropriate legal description; review splits to determine compliance with the Land Division Act.
10. Updating and printing county GIS maps – daily splits.
11. Assists and trains County Departments, local communities and the public with gather property information and maps. Works closely with, assists and provides support to Assessors, other County employees, elected officials and public.
12. Provides input on GIS planning and development.
13. Enter sales into computer; generate reports of recorded instruments. Run monthly sales report to track sales activity in the county.
14. Preparing and printing of assessment notices.
15. Prepares and prints personal property statements.
16. Review and correct existing information for accuracy; when errors are found, contact the drafter of the document and get corrections; re-record the instrument.
17. Import/export information from local units.
18. Prepare billings to the local units for all tax seasons.
19. Answer telephones; wait on customers; issue receipts for money received.

Incidental Duties and Responsibilities:

1. Performs a wide variety of other duties as assigned

(The above statements are intended to describe the general nature and level of work being performed backup by people assigned to this classification. They are not intended to be construed as an exhaustive list of all duties and responsibilities required of personnel so classified.)

Working Conditions/Environment:

Continuous exposure to several disagreeable conditions such as excessive deadlines; intense attention to detail, severe visual strain; etc.

Supervision:

Supervises: None

Qualifications & Skills:

Education: High School Diploma or Equivalent

Experience: A minimum of two (2) years of experience in mapping, thorough understanding of legal descriptions, understanding and ability to apply the Land Division Act, proficient in Microsoft Excel and Word. Knowledge of land contracts, grantors, grantees. Knowledge of GIS equipment, software, data and products.

Physical/Mental Requirements

Visual acuity to handle long periods of reading and computer work.

County of Sanilac

Job Description

Job Title: Equalization Director/GIS Coordinator	Reports to: Board of Commissioners
Department: Equalization	FLSA: Exempt
Pay Grade: 11	Prepared by: Administration
Date: May 22, 2017	

Position Summary:

Under the general supervision of the Sanilac County Board of Commissioners, this position is responsible for developing and implementing procedures for conducting surveys of assessments, provides the Board with the information needed to determine the equalization of assessments, coordinates the activities of local assessing officers and audits local assessment roles. Coordinates countywide GIS activities.

Essential Duties and Responsibilities:

1. Develops procedures and policies to ensure the equitable survey of assessments to determine the true cash value of real estate and personal property; analyzes sales information and conducts property appraisals, land value studies and building cost studies; verifies all sales data on parcels of land and compiles appraisal card on each parcel based on the sales data; computes assessment equalization figures and reports for the Sanilac County Board of Commissioners and the Michigan State Tax Commission. Acts as a liaison between the State Tax Commission and the Board of Commissioners.
2. Assists local assessors and property owners with the more complex appraisals and provides information concerning legislation, court decisions, appeals, and assessment and equalization procedures.
3. Brings assessment values in line with market values by analyzing assessments in each governmental unit of the County and developing an equalization factor based on this analysis in order to meet the 50% assessment requirement.
4. Assists the County Treasurer's Office, surveyors, abstractors and realtors in identifying and locating property from tax maps maintained by the Equalization Department; provides information about equalization studies and assessment procedures to the general public via telephone inquiries and face to face contacts; makes presentations to local clubs upon request; serves as the liaison between the Townships and Cities supervising the compilation of tax rolls, tax notices and property description.
5. Prorates all costs to townships for computer services and supplies; collects payments from townships and villages for reimbursement of funds; supervises the ordering of tax rolls, personal property statements, envelopes, assessment change notices, tax bills and other needed supplies; distributes supplies to townships and villages.
6. Provides supervision of day-to-day implementation and operation of the GIS system including managing contracts, planning and organizing system development, coordinating data sharing, developing and maintaining policies and procedures, performing quality assurance of mapping and databases, works closely with and provides support to other County departments, staff members and local communities.
7. Attends conferences, workshops and classes to remain current with respect to GIS related technology.

Incidental Duties and Responsibilities:

(UNOFFICIAL MINUTES)

1. Informs the Board of Commissioners of any issues which may affect the equalization process. Frequently confers with the County Treasurer, Register of Deeds, County Clerk and various Township officials on matters of mutual concern.

(The above statements are intended to describe the general nature and level of work being performed by people assigned to this classification. They are not intended to be construed as an exhaustive list of all duties and responsibilities required of personnel so classified.)

Working Conditions/Environment:

Continuous exposure to several conditions such as excessive deadlines; long periods of careful thought, concentration and attention to detail, etc.

Supervision:

Supervises: One

Qualifications & Skills:

Education: Bachelor Degree and Level III State Assessment Certification

Experience: A minimum of two (2) years of experience as an assessor. Experience with geographic information system (GIS) operations, services and activities.

Physical/Mental Requirements

Visual acuity to handle long periods of reading and computer work.

County of Sanilac

Job Description

Job Title: Information/Technology Director	Reports to: County Administrator/Controller
Department: Administration	FLSA: Exempt
Pay Grade: 11	Prepared by: Jody Morris
Date: March 10, 2016	

Position Summary:

Appointed by the Board of Commissioners, this position works under the general direction of the County Administrator/Controller. The Information/Technology Director Responsible for all aspects of the county's information systems including but not limited to: installation, upgrades, security, troubleshooting, training and purchasing. Maintains an inventory of all information systems equipment. Responsible for maintaining and coordinating the county's internet website and email system.

Essential Duties and Responsibilities:

1. Support LANs, WANs, network segments, Internet, intranet and geographic information systems (GIS).
2. Maintain system efficiency. Evaluate and modify system's performance. Ensure design of system allows all components to work properly together. Make recommendations for future upgrades of entire system infrastructure.

3. Troubleshoot problems reported by users. Identify user needs and address solutions.
4. Serves as Chairperson of the Information and Technology Planning Committee. Receives and assesses technology requests from individual departments and presents to ITPC. Presents ITPC recommendations to the Finance Committee and Board of Commissioners, as necessary.
5. Secures price quotes and orders all computer technology purchases. Processes all ordering and tracks invoices.
6. Monitors all hardware/software maintenance agreements.
7. Develops and maintains an inventory of all PC/LAN hardware and software currently in use by the county including a schematic representation of the inventory; work with the AS400 clients to develop a similar representation of the AS400 system and inventory.
8. Maintain and monitor overall network and system infrastructure for security integrity. Analyze and isolate issues. Monitor server and networks to ensure security and availability to specific users.
9. Responsible for the county's telephone system including internal programming changes.
10. Responsible for all aspects of the county's e-mail and internet capabilities.
11. Ensure network connectivity throughout the county's LAN/WAN infrastructure is on par with technical considerations and regulations.
12. Interface between software in departments and software vendor, as needed to insure most efficient and global use of software. Train staff in proper use of department software.
13. Perform network address assignment. Assign routing protocols and routing table configuration. Assign configuration of authentication and authorization of directory services.
14. Maintain network facilities in individual machines, such as drivers and settings of personal computers as well as printers. Maintain network servers such as file servers, E-Mail, Website, VPN gateways, intrusion detection systems.
15. Provides GIS software education and support to county offices and local communities. Promotes the usage of GIS as a meaningful management tool.

Incidental Duties and Responsibilities:

1. Performs a wide variety of other duties as assigned.

(The above statements are intended to describe the general nature and level of work being performed by people assigned to this classification. They are not intended to be construed as an exhaustive list of all duties and responsibilities required of personnel so classified.)

Working Conditions/Environment:

Continuous exposure to several difficult conditions such as excessive deadlines, long periods of careful thought, concentration, and intense attention to detail

Supervision:

Supervises:

Qualifications & Skills:

(UNOFFICIAL MINUTES)

Education: Associates Degree in Computer Science, Bachelor's Degree preferred.

Experience: Three (3) years' experience as Systems or Network Manager preferably in a governmental setting. AS400 education, or comparable experience and working knowledge.

Physical/Mental Requirements

Visual acuity to handle long periods of reading and working on the computer. Lift and manipulate up to 50 lbs.

Discussion followed. Commissioner Dean addressed the Board and urged the motion to be referred to the Personnel Committee for further review. After reviewing this proposal, the added job duties to the three existing employees may not be adequate amount of time to fully implement and maintain the GIS system, and additional personnel may be necessary to complete the implementation and training. **MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER HEBERLING TO REFER THE MOTION TO THE PERSONNEL COMMITTEE FOR FURTHER REVIEW.** Motion carried.

FA-077-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER CONELY THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE PURCHASE OF THE RAVE ALERT SYSTEM IN THE AMOUNT OF \$6,700, WITH FUNDING FROM THE 911 MILLAGE FUND. Motion carried.

FA-078-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER MUXLOW THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES AN AMENDMENT TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES ACTIVITY OF THE CHILD CARE FUND FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$40,000 FOR INSTITUTIONAL CARE, WITH THE COUNTY'S SHARE OF THE EXPENSE BEING 50% FROM CONTINGENCY AND THE STATE'S SHARE 50%. Motion carried.

FA-079-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER HEBERLING THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES AN AMENDMENT TO INCREASE THE STATE BUDGET FOR THE CHILD CARE FUND OF \$75,000 FOR JUVENILE INSTITUTIONAL PLACEMENTS AND \$11,024 FOR HEALTH INSURANCE INCREASE FOR THE JUVENILE OFFICER. NO AMENDMENT TO THE COUNTY BUDGET IS NEEDED AT THIS TIME. Motion carried.

FA-080-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER CONELY THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE PURCHASE OF A 2016 JOHN DEERE XUV825I, INCLUDING OVER \$5,000 IN ACCESSORIES INSTALLED, FROM TRI-COUNTY EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$17,000, WITH FUNDING FROM THE MEDICAL MARIJUANA GRANT OF \$10,000, AND THE

BALANCE FROM DRUG TASK FORCE MILLAGE, NUNC PRO TUNC TO JUNE 6, 2017. Motion carried.

FA-081-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER MUXLOW THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE PURCHASE OF TWO (2) 2017 FORD INTERCEPTOR UTILITIES AWD ECO BOOST FOR UNIFORM SERVICES AND ONE (1) 2017 FORD INTERCEPTOR UTILITY STANDARD FOR THE UNDERSHERIFF FROM SIGNATURE FORD AT A COST NOT TO EXCEED \$87,877, AND THE PURCHASE A 2017 CHEVROLET SILVERADO 2500 HD 4WD FOR MARINE DIVISION FROM GRAFF CHEVROLET-BUICK, INC. IN THE AMOUNT NOT TO EXCEED \$32,233, WITH FUNDING FROM POLICE VEHICLE FUND. Motion carried.

FA-082-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER HEBERLING THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES PAYMENT TO JAMESTOWN ADVANCED PRODUCTS IN THE AMOUNT NOT TO EXCEED \$12,093, FOR THE PURCHASE OF PICNIC TABLES AND GRILLS FOR THE COUNTY PARKS BUDGET NUNC PRO TUNC TO JUNE 6, 2017. Motion carried.

NFA-024-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER MUXLOW THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPOINTS JOHN NEZWORSKI AS THE INDEPENDENT MEMBER TO THE VETERANS AFFAIRS COMMITTEE WITH THE TERM EXPIRING NOVEMBER 1, 2018, AND FURTHER APPOINTS JEFF LYALL AS A MEMBER APPOINTED BY A LOCAL SERVICE ORGANIZATION TO THE VETERANS AFFAIRS COMMITTEE WITH THE TERM EXPIRING NOVEMBER 1, 2020, EFFECTIVE JUNE 20, 2017. Motion carried.

NFA-025-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER CONELY THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE PURCHASE AND INSTALLATION OF AMERICAN STANDARD 40,000 BTU NATURAL GAS FURNACE FOR FORESTER PARK AT A COST NOT TO EXCEED \$3,100, WITH FUNDING FROM THE PARKS MILLAGE. Motion carried.

CHAIRMAN HOFFMANN CLOSED THE PUBLIC HEARING FOR THE AIRPORT ZONING ORDINANCE AT 2:19 P.M.

NFA-026-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER MUXLOW THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY ADOPTS THE FOLLOWING AIRPORT ZONING ORDINANCE, EFFECTIVE SEPTEMBER 1, 2017:

**ORDINANCE 2017-01
AIRPORT ZONING ORDINANCE
COUNTY OF SANILAC, MICHIGAN**

GENERAL

An Ordinance establishing airport zoning regulations restricting the height of structures and objects of natural growth and otherwise regulating the use of property in Sanilac County; providing for the allowance of variances from such regulations; designating the Administrative Agency charged with the administration and enforcement of such regulations; establishing an airport zoning board of appeals; providing for enforcement; and imposing penalties for violation of this Ordinance.

Pursuant to the authority conferred by the provisions of the Airport Zoning Act, being Act No. 23 of the Public Acts of the State of Michigan for the year 1950 (Extra Session) and for the purpose of promoting the health, safety, and general welfare of the inhabitants of the County of Sanilac by preventing the establishment of the airport hazards and thereby protecting the general public, users of the Sandusky City Airport, Marlette Township Airport, and occupants of land in its vicinity, and preventing the destruction and impairment of the utility of said airports and the public investment therein.

The Board of Commissioners of the County of Sanilac under the provisions of Section 13, M.C.L. 259.443, of Act No. 23 of the Public Acts of the State of Michigan for the year 1950 (Extra Session), does hereby ordain as follows:

ARTICLE 1

PURPOSE AND LIMITATIONS

1.1 Title

This Ordinance includes all airport zoning plans attached hereto and is to be known and may be cited as the "Sanilac County Airport Zoning Ordinance."

1.2 Objective

The principle objective of this Ordinance is to prevent the creation or establishment of airport hazards and thereby to provide additional safety and protection to the users of the airports and to the people who live and work in their vicinity.

(UNOFFICIAL MINUTES)

1.3 Hazard Area

The Ordinance establishes regulations on land within Sanilac County (see attached Sheet 3). This Ordinance establishes a maximum height limitation of 500' feet above ground at the outer edge of the County. If within 10 miles of either airport, the maximum height limitation is 500' above ground or the established elevation of the airport and has a minimum height limitation of 25' feet above the ground at some locations in the approaches to the runways immediately adjacent to the airports. The height limitations of this Ordinance become less severe as the distance from the airport is increased.

1.4 Hazards

Structures and trees which project above the height limitations under this Ordinance are considered hazards to flying and endanger lives and property. The prescribed height limits are not arbitrarily set, but are based on past experience and studies made by the Michigan Aeronautics Commission (MAC) and by the Federal Aviation Administration (FAA). Height limits are based upon the established elevation of the airport or upon the elevation of the end of the nearest runway.

1.5 Existing Non-Conforming Objects

The Ordinance does not affect existing structures, the height of which exceeded the limits imposed by this Ordinance at the time it became effective. New construction, and construction increasing the height of existing structures, within the hazard area, must conform to the provisions on height limitations. The Ordinance also restricts such uses of land within the vicinity of the airport as will unreasonably interfere with radio communications systems, navigational aids, or other devices used by the airport and aircraft, or would reduce visibility or would create confusing lights, or would be subject to undesirable effects that may be caused by the operation of aircraft.

1.6 Administration

The Manager of the Sandusky City Airport, acting as the Administrative Agency, shall administer and enforce the provisions of the Ordinance.

1.7 Heights Requiring Permits

To effectively administer the Ordinance, the Board of Commissioners hereby establishes application heights which are below the allowable height limits of the Ordinance. This is

done to make it easier for the local Zoning Boards and the general public to decide whether an application for permit must be filed with the Administrative Agency. This was also done to give added insurance to those who are constructing the higher, more costly structures. The establishment of application heights reduces the number of those who must make application. See sheet 2 "Permit Required Map".

1.8 Land-Use Types Requiring Permits

To promote the general purpose and objectives of this Ordinance and its effective administration, all persons making use of land within the areas shown on sheet 3 of the zoning plans are advised to consult Section 3.7 of this Ordinance as to undesirable land uses within designated airport land-use guidance zones.

1.9 Provisions for Variance

The Ordinance contains provisions for the variance of the regulations in event of practical difficulty or unnecessary hardship if the relief granted would not be contrary to the public interest and safety. It is the intent of the Administrative Agency, with the cooperation of the public, to have the Ordinance administered in a reasonable and just manner in keeping with the responsibilities involved.

1.10 Where to Obtain Copies of this Ordinance

Information regarding the application and copies of the Ordinance are available by contacting the Clerk of Sanilac County.

ARTICLE 2 DEFINITIONS

2.1 Words and Phrases

For the purposes of this Ordinance, the words, terms and phrases set forth in Sections 2.2 through 2.12 inclusive, shall have the meanings prescribed in those sections.

2.2 Above Mean Sea Level

The term "above mean sea level" when used in this ordinance or on accompanying maps, denotes elevations above sea level based upon and determined by reference to National Geodetic Survey datum.

2.3 Administrative Agency

"Administrative Agency" means the Sandusky City Airport Manager.

2.4 Airports

The term "Airports" means the Sandusky City Airport and Marlette Township Airport all appurtenances used or acquired for airport buildings or other airport facilities, and all other appurtenant rights of way or other interests either heretofore or hereafter established.

2.5 Airport Hazard

The term "Airport Hazard" means any structure or tree within the airport hazard area which exceeds the height limitations established by this Ordinance, or deemed a Presumed Hazard or Hazard to Air Navigation by the FAA, or any use of land or appurtenances thereto contrary to the provisions of this ordinance within an airport hazard area.

2.6 Airport Hazard Area

The term "Airport Hazard Area" means any area of land or water, or both, lying within Sanilac County.

2.7 Airport Zoning Act

The term "Airport Zoning Act" refers to Public Act 23 of 1950 (Ex. Sess.), as amended, known as the Airport Zoning Act.

2.8 Board

The term "Board" means the Sanilac County Zoning Board of Appeals as hereinafter created and designated below.

2.9 Non-Conforming Use

The term "Non-Conforming Use" means any structure, tree or use of land which does not conform to a regulation prescribed in this Ordinance or any amendment as of the effective date of such regulation.

2.10 Person

The term "person" means any individual, firm, partnership, corporation, company, association, joint stock association, Municipal Corporation or other body politic, including any trustee, receiver, assignee or other similar representative.

2.11 Structure

The term "structure" means any object constructed or installed by man, including but without limitation, buildings, towers, smokestacks, cranes, temporary construction equipment, overhead transmission lines, and radio and television aerials and antennae, but not including highways and their appurtenances.

2.12 Tree

The term "tree" means any object of natural growth.

ARTICLE 3 ZONES

3.1 Airport Hazard Areas

An airport hazard area is established, which area or zone consists of all the lands within Sanilac County lying beneath the approach, transitional, 150 feet horizontal, conical and 500 feet horizontal surfaces, said land being located within a circle having a radius extending horizontally 10 miles (see attached Sheet 3) from the established center of the usable landing areas of the airport, known as the airport reference point. For all other lands within the county, the height limitation shall be 500' above ground level for all the lands outside of 10 miles of the airports. The boundaries of the hazard areas are shown on the airport zoning plans numbered 1 through 6, which maps are attached hereto and made part hereof. The several "surfaces" referred to herein are defined as follows:

- A. Approach Surfaces. The approach is an inclined plane located directly above the approach area; the length is measured beginning 200' feet from the end of each runway, on a centerline to the desired length. The width of the approach surface is symmetrically located with respect to the extended runway centerline and flares uniformly to its terminus. The slope of the approach surface is on a predetermined ratio.
- B. Horizontal Surface. The horizontal surface is a plane with its height 150 feet above the established airport elevation as specified for the airport in this ordinance.
- C. Conical Surface. The conical surface extends upward and outward from the periphery of the horizontal surface at a prescribed slope.
- D. Transitional Surface. Transitional surfaces are inclined planes with a slope of 7 feet horizontal to 1 foot vertical, measured at right angles to and located symmetrically about the centerline of the runway.

3.2 Height Limitations

The height limitations shown on the attached airport zoning plans are imposed on the lands in the airport hazard areas, the same being based upon the elevations above mean sea level at the ends of the respective airport runways and the established elevation of the airport, which elevations are shown on sheets 2 thru 4 of the zoning plans.

3.3 Unlawful to Exceed Height Limitations

From and after the effective date of this ordinance, it shall be unlawful for any person to erect any structure to a height in excess of the limitations prescribed by the terms of this Ordinance and the attached airport zoning maps, or a height determined by the FAA that would affect an instrument approach or departure procedure; or to plant or allow any tree to grow to a height in excess of the limitations prescribed by the terms of this Ordinance and the attached maps; or to establish any use of lands contrary to the provisions of this Ordinance.

3.4 Electric Interference, Lights and Smoke

Notwithstanding any other provisions of this Ordinance, it shall be unlawful to put any lands within any airport hazard to any use which:

- (a) Could create electrical interference with radio communications between the airport and aircraft or create interference with navigational aids employed by aircraft;
- (b) Could make it difficult for flyers to distinguish between airport lights and others or result in glare to the eyes of flyers using the airport;
- (c) Could create air pollution in such amounts as to impair the visibility of flyers in the use of the airport;
- (d) Would locate or permit the operation of a dump, waste disposal site, sanitary landfill, hazardous waste facility, solid waste transfer station or recycling facility within 10,000 feet of any runway at the airport, unless the construction, location and operation of the site is approved or authorized by the Federal Aviation Administration as not being in violation of its orders, rules or regulations applicable to the airport, or unless a waiver is issued by the Federal Aviation Administration.

3.5 Applicability to Existing Uses

The provisions of Section 3.3 of this Ordinance shall not apply to structures, trees or other non-conforming uses existing in an airport hazard area on the effective date of this Ordinance, unless subsequent thereto the Agency determines it to be abandoned, or 80% torn down, destroyed, deteriorated, or decayed.

3.6 Applicability to Changes to or Alterations in Existing Uses.

The provisions of Section 3.3 of this Ordinance shall apply to changes or alterations which increase the height of existing structures, trees or other non-conforming uses after the effective date of this Ordinance, with the same force and effect as though the same were new uses.

3.7 Permit Required.

An airport zoning permit shall be obtained before any new structure or use may be constructed or established and before any existing use or structure may be substantially changed, substantially altered or substantially repaired, in any airport hazard area, except as otherwise provided in Section 3.9.

3.8 Non-Conforming Uses. Nothing in this ordinance except the provisions of Section 3.7 hereof and except the conditions of a variance granted under Section 4.3 hereof, shall require the removal, lowering or other change or alteration of any structure or tree not conforming to this ordinance and the Zoning maps when adopted or amended, or otherwise interfere with the continuance of any non-conforming use.

3.9 Exception for Emergency Utility Repairs.

No permit shall be required for the emergency repair or replacement of non-conforming public utility structures, other than buildings, when the height of such structures will not be increased by such emergency repairs or replacements. It is intended that is the application of this provision any combination of circumstances calling for the immediate action or remedy in repair or replacement of such non-conforming public utility structures shall be deemed an emergency.

ARTICLE 4
ORDINANCE ADMINISTRATION

4.1 Approach Standards

The approach, transitional, conical and inner horizontal surfaces which establish the height limitations under this Ordinance are denoted on sheets 3 and 4 of the zoning plans, and are established in conformance with approach standards or regulations of the Michigan Aeronautics Commission or the Federal Aviation Administration. In acting upon applications for permits the Administrative Agency will arrive at proper height limitations by interpolating between contours shown on the zoning plans.

4.2 Administrative Agency Permit Procedure

The Airport Manager of the Sandusky City Airport shall act as the "Administrative Agency" referred to in the Airport Zoning Act. Applications for Sanilac County Airport Zoning Permits shall be made upon form furnished by said Agency, and the Agency shall issue within (15) days from the filing thereof determine whether the height limitations and/or land use guidelines as designated by the Airport Zoning Maps and this ordinance would or would not be violated if such application be granted, shall thereupon grant or deny said application accordingly and advise the applicant of its action within five (5) business days after the same has been taken. The force and effect of denial shall be to leave the applicant free to apply to the Board of Appeals for a variance. The issuance of a permit shall not be construed to permit a use that violates any other general zoning ordinance or regulation applicable to the same area.

4.3 Board of Appeals

There is hereby created a Board of Appeals that shall be a five member panel appointed by the Sanilac

- (a) Official Name: The board shall be officially known as the Sanilac County Airport Zoning Board of Appeals (ZBA).
- (b) Compensation: The Board of Appeals shall receive such compensation and expense reimbursement for attendance at meetings and hearings, and may employ such necessary personnel, as may be provided for by resolution of the Board of Commissioners.
- (c) Rules and Procedures: The Board of Appeals shall adopt rules concerning its organization and procedure, including appeal forms, and other authorized matters, consistent with the provisions of the Airport Zoning Act and this Ordinance. Such rules shall include, but not be limited to, providing a reasonable period of time from which appeal may be taken to it from an action of the Zoning Administrator. Meetings of the

Board shall be held at the call of the Chair and at such other times as the Board may determine, and notice of all meetings shall be given to all members. The Chair, or in his or her absence the Vice-Chair, may administer oaths or affirmations and issue subpoenas to compel the attendance of witnesses. All hearings of the Board of Appeals shall be public, and it shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, then so indicating, and the Board shall keep records of its examinations and other official acts, all of which shall be immediately filed in the offices of the Board and shall be a public record.

- (d) Powers: The Board of Appeals, by the concurring vote of a majority of its members, shall have the power to issue certificates of variance under the provisions of this Ordinance, or to otherwise decide appeals from any order, requirement, rule, regulation, decision or determination made by the Administrative Agency under the powers conferred upon it by this Ordinance.
- (e) Who May Appeal: Any person, including the governing body of any political subdivision, aggrieved by any decision of the Administrative Agency made in the administration of this Ordinance, may appeal to the Board of Appeals.
- (f) Appeal Procedure: All appeals from actions of the Administrative Agency shall be taken within the time and in the manner provided by the rules of the Board of Appeals, by filing with the Administrative Agency and with the Board a notice of appeal specifying the grounds of appeal. The Administrative Agency shall promptly transmit to the Board all the papers constituting the record upon which the action appealed was taken. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Administrative Agency certifies to the Board, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the Administrative Agency's opinion, cause imminent peril to life or irreparable damage to property. In that case, proceedings shall not be stayed otherwise than by order of the Board and on due cause shown. The Board shall fix a time for the hearing of the appeal, give public notice and due notice to the parties in interest, and decide the appeal within a reasonable time. At the hearing any

party may appear in person or by agent or by attorney. The Board may, in conformity with the provisions of this Ordinance, reverse, affirm or modify, wholly or partly, the order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the Administrative Agency.

- (g) Certificates of Variance: An application for certificate of variance is to be submitted on the form provided for by the rules of the Board of Appeals. If the application is granted, the applicant will receive a certificate of variance in the form prescribed by such rules. The certificate shall provide that it is not effective for a period of thirty (30) days following the date of its issuance. Immediately upon issuance, copies of the certificate shall be filed with the Administrative Agency, the Michigan Aeronautics Commission and each political subdivision affected by the certificate. In acting upon applications for variance, variances shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest and approach protection, but would do substantial justice and be in accordance with the spirit of the regulations of this Ordinance; provided, however, that any variance may be allowed subject to any reasonable condition or conditions subsequent that the Board of Appeals may deem necessary to effectuate the purpose of this Ordinance. Nothing in this section shall be construed to permit a use which would conflict with any general zoning ordinance or regulation of any political subdivision applicable to the same area.
- (h) Appeals to Circuit Court: Any person, including the Michigan Aeronautics Commission, on behalf of and in the name of the State, aggrieved by any decision of the Board of Appeals, may appeal to the Circuit Court, as provided in P.A. 23 of 1950, Section 30, M.C.L. 259.260, as amended, known as the Airport Zoning Act.

ARTICLE 5 JUDICIAL ACTION

5.1 Penalties

Any person who violates this Ordinance or any regulations, orders or rulings made pursuant to this Ordinance, shall be guilty of a misdemeanor and, upon conviction thereof, shall be

(UNOFFICIAL MINUTES)

punished by a fine of not more than \$100.00 or imprisoned for a term not to exceed 90 days, or both. Each day a violation continues to exist after notice shall constitute a separate offense. Such notice may be given by the Administrative Agency by certified mail, return receipt requested, addressed to the person maintaining the violation at the last known address.

5.2 Appearance Ticket Authorization

Unless prohibited by state law, the following persons are empowered to issue and serve appearance tickets for violations of this Ordinance, pursuant to Act No.175 of the Public Acts of 1927, as amended by Act No.506 of the Public Acts of 1980, Act No.366 of the Public Acts of 1984 and Act No.49 of the Public Acts of 1988, being sections 764.9c and 764.9f of the Michigan Compiled Laws:

The Sanilac County Sheriff and all other Deputies
of the Sanilac County Sheriff's Department

5.3 Civil Action Available

The Sanilac County Board of Commissioners, on behalf of and in the name of the County of Sanilac, may, in addition to any criminal action taken, institute in the Circuit Court of Sanilac County, an action to prevent, restrain, correct or abate any violation of this Ordinance or the Airport Zoning Act, or of airport zoning regulations adopted under this Ordinance or under the Airport Zoning Act, or of any order or ruling made in connection with their administration or enforcement, and the court shall adjudge to the plaintiff such relief, by way of injunction (which may be mandatory) or otherwise, as may be proper under all the facts and circumstances of the case, in order to effectuate fully the purposes of this Ordinance or the Airport Zoning Act and the regulations adopted and orders and rulings made pursuant thereto.

ARTICLE 6 FEDERAL LAWS FEDERAL AVIATION REGULATIONS

6.1 Federal Laws (Part 77, 14 C.F.R. §77.1 et seq.)

The airport zoning ordinance is not intended to conflict with existing federal approach protection laws. The Federal Aviation Administration requires that it be given notice of any construction or alteration:

- (a) That would be more than 200 feet above ground level at its site.

- (b) That would be above an imaginary surface extending outward and upward at 100:1 slope within 20,000 feet of the nearest point of a runway more than 3200 feet in length.
- (c) That would be above an imaginary surface extending outward and upward at 50:1 slope within 10,000 feet of the nearest point of a runway less than 3200 feet in length.

ARTICLE 7
SEVERABILITY OF PROVISIONS

7.1 Severability of Provisions

If any of the provisions of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications of the Ordinance, and to that end the provisions of this Ordinance are declared to be severable.

ARTICLE 8
AMENDMENTS

8.1 Amendments

This Ordinance, and the regulations prescribed herein, may be amended by the Board of Commissioners after a public hearing is held in relation to the proposed amendment, pursuant to Section 19 of the Airport Zoning Act.

ARTICLE 9
EFFECTIVE DATE

9.1 Effective Date

This Ordinance shall take effect on September 1, 2017.

Yes: Heberling, Dean, Muxlow, Conely and Hoffmann. No: None. Motion carried.

BPW-005-17 MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER HEBERLING THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES PAYMENT FOR THE WORTH TOWNSHIP SEWER PROJECT TOTALING \$83,006.44, WITH FUNDING FROM THE WORTH TOWNSHIP SEWER CONSTRUCTION FUND. Motion carried.

MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER DEAN TO SUSPEND THE RULES TO ADD TO THE AGENDA MOTION NFA-027-17 AUTHORIZATION TO SIGN PAPERS AT REAL ESTATE CLOSING. Motion carried.

NFA-027-17 MOVED BY CHAIRMAN HOFFMANN AND SECONDED BY COMMISSIONER HEBERLING THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZE KATHY DORMAN, ADMINISTRATOR / CONTROLLER, TO EXECUTE THE NECESSARY DOCUMENT(S) TO CLOSE ON THE COUNTY PROPERTY IN FORESTER TOWNSHIP. Motion carried.

Public Comments:

Glen Phillips, Marlette Township Zoning Administrator, complimented the Board on the GIS system; the maps benefit all the Zoning Administrators in the County.

Closed Session:

None.

Adjournment:

MOVED BY COMMISSIONER MUXLOW AND SECONDED BY COMMISSIONER CONELY THAT WE ADJOURN AT 2:25 P.M. Motion carried.

John Hoffmann, Chairman

Denise McGuire, County Clerk