

Bad Axe, Michigan  
Tuesday, June 22, 2010

The regular meeting of the Huron County Board of Commissioners was held on Tuesday, June 22, 2010, commencing at 9:45 a.m. in the Board of Commissioners office, Third Floor, Huron County Building, Bad Axe, Michigan.

The meeting was called to order by Chairman Peruski with The Lord's Prayer and Pledge to the Flag.

Commissioners present: Chairman Dave Peruski, Steve Vaughan, Kurt Damrow, Clark Elftman, John Horny, and Ron Wruble. Jim Leonard was excused.

The agenda was reviewed. Consent Agenda Resolution 8 will be moved to the New Business Agenda. Legislative Committee will have one late motion. Chairman Peruski will make late appointments.

**Motion** by Vaughan, seconded by Horny to approve the agenda as corrected. Motion carried.

**Motion** by Vaughan, seconded by Damrow to approve the minutes of the June 8, 2010 regular meeting. Motion carried.

**Motion** by Wruble, seconded by Damrow to approve the minutes of the June 8, 2010 closed session. Motion carried.

**Motion** by Damrow, seconded by Wruble to approve the minutes of the June 11, 2010 special meeting. Motion carried.

**Motion** by Elftman, seconded by Vaughan to approve the minutes of the June 11, 2010 closed session. Motion carried.

**Motion** by Damrow, seconded by Horny to approve the minutes of the June 15, 2010 10:00 a.m. special meeting. Motion carried.

**Motion** by Horny, seconded by Vaughan to approve the minutes of the June 15, 2010 11:00 a.m. special meeting. Motion carried.

**Motion** by Elftman, seconded by Horny to approve the minutes of the June 15, 2010 closed session. Motion carried.

**Motion** by Vaughan, seconded by Horny to turn communications over to proper committee. Discussion followed. Motion carried.

- E-mail communication from Port Crescent Hawk Watch Head Monica Essenmacher asking that a letter sent May 22, 2010 be acknowledged, entered and discussed as official correspondence and responding to the DTE Energy conservation-related statements about environmental stewardship.
- Letter from LeRoy D. Boesch requesting appointment to the Zoning Board of Appeals.
- Letter from Heritage Sustainable Energy requesting the Board move the July 20, 2010 public hearing to an earlier date in order to allow a possible election in November.
- Letter from Region VII Area on Aging requesting written comments from the Board as to any application for Huron County for the Request for Proposal process.
- Letter from DTE Energy requesting the Board move the July 20, 2010 public hearing to an earlier date in order to allow a possible election in November.
- Newsletter from Saginaw Bay RC&D for April – June 2010.
- Resolution from Lenawee County in opposition to the proposal to move \$2.2 million from the Sheriff's Secondary Road Patrol fund to the Michigan State Police budget to fund troopers and radios.

**9:59 a.m.**

Time scheduled for Open Meetings Act. Kate Hessling questions the progress on the VA proposal. There has been no progress. Meeting concludes

**10:00 a.m.**

Recess.

**10:05 a.m.**

Time scheduled for the Public Hearing on the proposed ORV Ordinance. Caseville Township Supervisor Larry Degg commends the Board for the ordinance, but wishes there would be more specifics as to golf carts. County Corporation Counsel Steve Allen clarified some questions from the Board. Jerry Longuski appeared on behalf of the Ugly Foxhunters Club and indicates the club is in favor of the ordinance. Vaughan questioned the maturity of the proposed age of 12 as the age of the operator; he feels training is necessary. Horny indicates each township can opt out of the ordinance if they wish. Sheriff Hanson responds to the question as to the number of complaints received concerning ORVs. Tom Donnellon from the Road Commission answered several questions as well. Craig Routzhan questioned the effective date of the ordinance, which will be July 1, 2010. Mr. Allen indicates that the townships, municipalities, County and Road Commission would be exempt from liability. Public meeting closed at 10:29 a.m.

**Motion** by Wruble, seconded by Damrow to approve the resolutions on the Consent Agenda. Motion carried. Resolutions adopted.

**CA RESOLUTION** by Finance Committee: #10-127C (Oppose HB 5882 as it pertains to a funding increase for Juvenile Justice Residential Programs (detention facilities).

**CA RESOLUTION** by Legislative Committee: #10-128C ( Amend the Huron County Board of Commissioners Rules as it pertains to Section 6 – Conduct of Meetings.)

**CA RESOLUTION** by Personnel Committee: #10-129C (Promote Jeffrey A. Smith to Multi-Certified Code Inspector in the Building & Zoning Department at Grade 10, Step 5, with a salary of \$37,389, effective April 15, 2010.)

**CA RESOLUTION** by Personnel Committee: #10-130C (Employ Neal J. Stanley as a part-time Corrections Officer in the Huron County Sheriff's Office at a rate of \$9.00 per hour while in training, increasing to \$11.50 per hour upon completion, effective June 23, 2010.)

**CA RESOLUTION** by Properties Committee: #10-131C (Pledge the full faith and credit of Huron County for Byers County Drain, principal amount of \$121,000.)

**CA RESOLUTION** by Properties Committee: #10-132C (Pledge the full faith and credit of Huron County for Humphrey County Drain, principal amount of \$97,000.)

**CA RESOLUTION** by Properties Committee: #10-133C (Pledge the full faith and credit of Huron County for Case and Branches Drain, principal amount of \$505,000.)

**RESOLUTION** by Safety Committee: #10-134 (Adopt ORV Ordinance.) **Motion** by Elftman, seconded by Damrow for approval. Discussion followed. Motion by Horny, seconded by Damrow to eliminate the sentence in Sec. 4 as follows: "The road commission may not close a municipal street to ORVs opened under Section 5 of this ordinance." pursuant to recommendation of corporation counsel. Discussion followed.

**10:40 a.m.**

Recess.

**10:47 a.m.**

The Board questions corporation counsel on amendments to the ORV ordinance and what sections could be modified. Answers were given by Steve Allen. **Motion** by Vaughan, seconded by Wruble to amend Sec. 6 – b) by eliminating the age of 12 and substituting the age of 16 into the ordinance. Discussion followed. Roll call vote: Ayes, Vaughan. Nays – Horny, Elftman, Wruble, Damrow, and Peruski. Absent: Leonard. Motion fails. **Motion** by Elftman, seconded by Damrow to amend Sec. 6 – b) by eliminating the age of 12 and substituting the age of 14 into the ordinance. Roll call vote: Ayes – Elftman, Damrow, Horny, Vaughan, and Wruble. Nays – Peruski. Absent – Leonard. Motion carried. Original **motion** as amended voted on and carried unanimously. Resolution adopted.

Chairman Peruski appoints LeRoy D. Boesch to the Zoning Board of Appeals to fill 1 vacancy for a one-year term. **Motion** by Elftman, seconded by Horny to approve the Chairman's appointment. Discussion followed. Motion carried.

Chairman Peruski appoints the following individuals to the Wind Turbine Noise Study Committee:

- David G. Peruski, Chairman of the Board of Commissioners
- Kurt E. Damrow, Legislative Committee Chairman
- Robert W. Oakes, M.D., Planning Commission Member
- (Alternate) Russell R. Lundberg, Building & Zoning Director
- (Alternate) Ron Wruble, Finance Committee Chairman

**Motion** by Vaughan, seconded by Horny to approve the Chairman's appointment. Discussion followed. Motion carried.

**Motion** by Damrow, seconded by Wruble to authorize the County Clerk to advertise for vacancies on the following Boards, with an application deadline of noon on Thursday, July 22, 2010. Motion carried.

- Mental Health Services Board – 1 vacancy, 3-year term.
- Nature Center – 2 vacancies, 3-year term and 2-year term.

**Motion** by Damrow, seconded by Wruble to dissolve the Ad-Hoc Wind Turbine Ordinance Committee established in 2009. Motion carried.

**Motion** by Damrow, seconded by Wruble to hold a Special Meeting on Tuesday, July 6, 2010, at 6:45 p.m. at the Huron County Expo Center. The purpose of this meeting is to conduct public hearings for and Act on ZA 2010-03 and ZA 2010-04, and also to appoint members to a Safety Committee for the Huron County Building.

**Horny** attended: June 8 – regular Board meeting; June 11 – Senior Fair; June 14 – Soil Conservation meeting; June 15 – Committee of the Whole meeting; June 18 – Sugar Festival in Sebewaing; June 21 – Sebewaing Village meeting.

**Peruski** attended: June 8 – regular Board meeting, meeting with Corporation Counsel, Vice Chairman Leonard and real estate agent; June 9 – meeting with Veteran's Administration in Saginaw; Bingham Township meeting; June 11 – special BOC meeting; June 14 – meeting with Register of Deeds, meeting with Vice-Chairman and Finance Chairman; June 15 – Committee of the Whole meeting, BOC Special meeting, BOC 2<sup>nd</sup> Special meeting; June 16 – meeting with Equalization Director; June 18 – meeting with Safety Chairman and Vice Chairman; June 21 – Sheridan Township meeting.

**Eftman** attended: June 8 – regular Board meeting, Pigeon Historical Society meeting; June 9 – McKinley Township meeting; June 10 – Eagle Scout ceremony; June 11 – Senior Fair, special Board meeting; June 12 – Pigeon Historical Society building dedication; June 14 – EMAC – 911 meeting, City of Caseville meeting; June 15 – regular Board meeting; June 16 – Medical Control meeting; June 18 – EMS meeting, Special Board meeting; June 19 – Sugar Festival parade; June 21 – DHS meeting in Cass City and in Bad Axe, DPW meeting in Bad Axe, Village of Pigeon meeting.

**Vaughan** attended: June 8 – regular Board meeting, Meade Township meeting; June 9 – Colfax Township meeting; June 11 – special Board meeting; June 15 – special Board meeting; June 16 – HDC Board meeting; June 18 – Health Department meeting; June 21 – Health Department meeting, meeting with engineer.

**Wruble** attended: June 8 – regular Board meeting, Finance Committee meeting; June 9 – meeting with Veterans Administration in Saginaw; June 11 – special Board meeting; June 13 – viewing of Rite Aid building in Bad Axe; June 14 – meeting with Chairman and Vice Chairman, tour of Rite Aid building, Port Hope Village meeting; June 16 – HDC Executive and regular Board meetings; June 20 – meeting with constituent about wind issues.

**Motion** by Wruble, seconded by Damrow to approve monthly Board bills as submitted. Motion carried.

Health Department	\$ 78,478.13
Board Bills Approved	\$ 35,228.44
Paid Without Presentation	<u>\$1,676,018.34</u>
	\$1,789,724.91

**11:15 a.m.**

Meeting adjourned.

s/ David G. Peruski  
David G. Peruski, Chairman  
Board of Commissioners

s/ Peggy A. Koehler  
Peggy A. Koehler  
Huron County Clerk