

At a regular meeting of the Shiawassee County Board of Commissioners held on August 4, 2011, at 4:00 p.m. in the Commission Chambers, Surbeck Building, Corunna, Michigan:

The meeting was called to order by Chairman Fuja.

Pledge of Allegiance was given.

Prayer was offered by Commissioner Stewart.

Roll Call found Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja present.

It was moved by Commissioner Plowman, seconded by Commissioner Stewart to approve the agenda as presented. Motion carried.

It was moved by Commissioner Stewart, seconded by Commissioner Elder to approve the minutes of the July 14, 2011 Board of Commissioner's meeting as presented. Motion carried.

It was moved by Commissioner Stewart, seconded by Commissioner Plowman to approve of bills listed on the Invoice Edit Report dated July 20, 2011 in the amount of \$127,991.00, the Invoice Edit Report dated July 26, 2011 in the amount of \$792,544.96, the Invoice Edit Report dated July 26, 2011 in the amount of \$579,864.95, the June 2011 Wire Transfer in the amount of \$65,895.50 and the July 2011 Wire Transfer in the amount of \$50,000.00 as provided by the Clerk's Office and to authorize that warrants be drawn from the treasury for same. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Stewart, seconded by Commissioner Elder to accept with regret, the resignation of James Sanderson as the Emergency Management Coordinator effective October 1, 2011 and authorize the County Administrator to refill the position, under a contract for services agreement, at an hourly rate of \$28.00 - \$30.00 per hour. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Stewart, seconded by Commissioner Cole to approve the minutes of the August 2, 2011 Committee of the Whole meeting. Motion carried.

The following resolution was presented:

**SHIAWASSEE COUNTY BOARD OF COMMISSIONERS
RESOLUTION SETTING AN ELECTION/REFERENDUM DATE
FOR THE DETACHMENT OF CERTAIN PROPERTY
FROM THE CITY OF PERRY TO PERRY TOWNSHIP**

RESOLUTION No. 11-08-10

WHEREAS, the Shiawassee County Board of Commissioners has been presented with a petition requesting that an election/referendum date be set for the detachment of certain property from the City of Perry to Perry Township; and

WHEREAS, the Shiawassee County Board of Commissioners has reviewed the petitions and other accompanying material and has determined that the aforementioned petitions are valid and conform to the appropriate state statute.

THEREFORE BE IT RESOLVED, that the Shiawassee County Board of Commissioners establish November 8, 2011 as the election/referendum date for the qualified

electors of the City of Perry and Perry Township to consider detachment of certain property from the City of Perry to Perry Township.

BE IT FURTHER RESOLVED, that the Shiawassee County Clerk will, within 3 days, forward a certified copy of this Resolution to the respective Clerks of both the City of Perry and Perry Township as required by MCL 117.10.

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve Resolution #11-08-10 setting an election/referendum date of November 8, 2011 for the detachment of certain property from the City of Perry to Perry Township. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

The following resolution was presented:

**SHIAWASSEE COUNTY BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING THE BALLOT LANGUAGE FOR THE
ELECTION/REFERENDUM FOR THE DETACHMENT OF CERTAIN PROPERTY
FROM THE CITY OF PERRY TO PERRY TOWNSHIP**

RESOLUTION No. 11-08-11

WHEREAS, the Shiawassee County Board of Commissioners set November 8, 2011 as the election/referendum date for the qualified electors of the City of Perry and Perry Township to consider detachment of certain property from the City of Perry to Perry Township; and

WHEREAS, the Shiawassee County Board of Commissioners must authorize the ballot language for the detachment election/referendum to be placed on the November 8, 2011 ballot.

THEREFORE BE IT RESOLVED, the Shiawassee County Board of Commissioners authorizes the following language for the November 8, 2011 election/referendum regarding the detachment of certain property from the City of Perry to Perry Township:

**A PROPOSAL FOR THE DETACHMENT OF CERTAIN TERRITORY
FROM THE CITY OF PERRY, SHIAWASSEE COUNTY, MICHIGAN TO
PERRY TOWNSHIP, SHIAWASSEE COUNTY, MICHIGAN**

A proposal for the detachment of certain parcels of property located in the City of Perry to Perry Township, and which is generally described as certain parcels in that portion of the City of Perry located South of Bath Road and West of M-52, and more specifically described as follows:

Eleven (11) Parcels located on the North side of Beard Road and between Beardslee Road and M-52:

- Taxation Parcel Identification Number 024-60-104-000;
(commonly known as 4150 W. Beard Rd., Perry, MI 48872);
- Taxation Parcel Identification Number 024-60-097-001;
(commonly known as 4150 W. Beard Rd., Perry, MI 48872);
- Taxation Parcel Identification Number 024-60-120-000;
(commonly known as 3618 Beard Rd., Perry, MI 48872);
- Taxation Parcel Identification Number 024-60-121-000
(commonly known as 3618 Beard Rd. Perry, MI 48872);

- Taxation Parcel Identification Number 024-60-103-000
(commonly known as 4370 Beard Rd. Perry, MI 48872);
 - Taxation Parcel Identification Number 024-60-097-003
(commonly known as 4380 W. Beard Rd. Perry, MI 48872);
 - Taxation Parcel Identification Number 024-60-097-006
(commonly known as 4382 W. Beard Rd. Perry, MI 48872);
 - Taxation Parcel Identification Number 024-60-097-004
(commonly known as 4384 Beard Rd. Perry, MI 48872);
 - Taxation Parcel Identification Number 024-60-097-005
(commonly known as 4608 W. Beard Rd. Perry, MI 48872);
 - Taxation Parcel Identification Number 024-60-098-008
(commonly known as 5110 W. Beard Rd. Perry, MI 48872);
 - Taxation Parcel Identification Number 024-60-098-005
(commonly known as 5120 W. Beard Rd. Perry, MI 48872); and
- One (1) Parcel located on the West side of M-52 between Beard Road and Bath Road:
- Taxation Parcel Identification Number 024-60-123-000
(commonly known as 12454 S. M-52, Perry, MI 48872); and
- One (1) Parcel located East of Beardslee Road and South of Raelyn Hills Subdivision:
- Taxation Parcel Identification Number 024-60-098-007

Shall the above described property located in the City of Perry, Shiawassee County, Michigan, be detached to Perry Township, Shiawassee County, Michigan?

YES _____

NO _____

BE IT FURTHER RESOLVED, that the Shiawassee County Clerk will forward a copy of this resolution to the respective Clerks of both the City of Perry and Perry Township.

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve Resolution #11-08-11 authorizing the ballot language for the election/referendum for the detachment of certain property from the City of Perry to Perry Township. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Elder, seconded by Commissioner Cole to approve the PA 116 Agreements for Mark J. Senk for property located in Rush Township Parcel #78-002-16-200-001 and Parcel #78-002-05-200-005. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve Ordinance #11-08-02 an amendment to the 1999 Shiawassee County Zoning Ordinance by amending Text Language to Section 2.26.4 (Table 2-2 Outdoor Recreation and Entertainment Establishments), Section 4.3.52 (Outdoor Recreation and Entertainment Establishments), and Section 4.3.56 (Private Non-Commercial Race Track). The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Elder, seconded by Commissioner Cole to approve Ordinance #11-08-03 an amendment to the 1999 Shiawassee County Zoning Ordinance by amending Article 4, Section 4.3.76 (Wind Energy Conversion Systems) #D. General Standards, #6. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

The following resolution was presented:

RESOLUTION NO. 11-08-12
BOARD OF COMMISSIONERS
SHIAWASSEE COUNTY

A RESOLUTION EXTENDING THE TEMPORARY MORATORIUM ON THE
ESTABLISHMENT OF AND PERMITS FOR MARIHUANA DISPENSARIES

WHEREAS the sales or dispensing of medical marihuana was not envisioned when the current Shiawassee County Zoning Ordinance was adopted and is not locally regulated; and

WHEREAS the People of the State of Michigan adopted, initiative, the Michigan Medical Marihuana Act (the Act), Initiated Law 1 of 2008, MCL 333.26421 et seq; and

WHEREAS on August 19, 2010, the County of Shiawassee adopted a moratorium upon the use of land for purposes of distribution of marihuana for a period of six (6) months, which moratorium was extended by resolution for an additional six (6) months on February 10, 2011; and

WHEREAS it is the desire of the Shiawassee County Board of Commissioners that no marihuana dispensaries, cooperatives, or other medical marihuana related businesses that grows, sells, or dispenses marihuana be established within Shiawassee County while the County studies and drafts appropriate and necessary regulations; and

WHEREAS the Act fails to provide guidance to local units of government with regard to how the commercial trade in medical marihuana is to be regulated, and therefore additional time is required to permit the Shiawassee County Planning Commission to update its zoning regulations;

WHEREFORE THE COUNTY OF SHIAWASSEE ORDAINS:

The moratorium upon the distribution of the Medical Marihuana adopted by the County Commission on August 19, 2010 and extended on February 10, 2011 is hereby extended for a period not to exceed three (3) months from the effective date of this resolution or until the effective date of the adoption by the County Commission of any appropriate and necessary regulations, whichever occurs first.

ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

It was moved by Commissioner Elder, seconded by Commissioner Cole to approve Resolution #11-08-12 extending the temporary moratorium on the establishment of and permits for marihuana dispensaries. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve the minutes of the August 1, 2011 Economic & Physical Development Committee meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Elder to approve the MERS Employer Delegate (Cheryl Grice) and Employee Delegate (Marcy Brady) to attend the annual MERS Conference on September 27-29, 2011 with fees and expenses paid by the County. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Plowman, seconded by Commissioner Cole to approve the Agreement to Provide Professional Consulting Services between MAXIMUS Consulting Services, Inc. and the Shiawassee County 35th Circuit Trial Court for a sum not to exceed \$5,000.00 and authorize the County Administrator to sign the same. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Plowman, seconded by Commissioner Elder to approve the minutes of the August 1, 2011 Finance & Administration Committee meeting. Motion carried.

It was moved by Commissioner Cole, seconded by Commissioner Stewart to approve the Michigan Works! Career Alliance, Inc. Foster Care Summer Youth Employment Program for Chafee-Eligible Youth for the period of June 1, 2011 through September 15, 2011 with an allocation of \$72,000.00 and authorize the Board Chair to sign the same. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Cole, seconded by Commissioner Stewart to approve Amendment #2 to the CPBC Agreement between the Shiawassee County Health Department and the Michigan Department of Community Health increasing the Fiscal Year 2010-2011 total budget from \$1,000,015 to \$1,000,830 for the purpose of providing more immunization outreach money and authorize George Pichette, Health Director to sign the same. The motion carried with the following roll call vote of 7 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Roszman, Stewart and Fuja

It was moved by Commissioner Cole, seconded by Commissioner Holzhausen to accept and place on file the Shiawassee County Health Department 2010 Annual Report. Motion carried.

It was moved by Commissioner Cole, seconded by Commissioner Holzhausen to approve the minutes of the August 3, 2011 Health & Human Services Committee meeting. Motion carried.

The meeting was adjourned at 4:16 p.m.

Lauri L. Braid, Shiawassee County Clerk
and Clerk to the Board of Commissioners