

Kalkaska County Board of Commissioners  
Resumption of Regular Board meeting July 13, 2011  
July 25, 2011  
(UNAPPROVED)

Meeting called to order by Chair Michael Cox at 4:00 PM Room #103, Kalkaska County Governmental Center. Roll call of Commissioners: All present- Mike Cox, Debra Kimball, Antonio Martini, Stuart McKinnon, David Ritter, Carroll Sexton and Craig Wood.

Pledge of Allegiance given by all. Invocation by Deb Kimball.

**Approval of Agenda:**

Martini requested to add Log Lake to Unfinished Business. Cox to add letters received. **Motion** by Wood to approve agenda. Supported by McKinnon. 7 yeas. 0 nays. **Carried.**

**Public Input:**

Robert Dryden-requested to reserve time.

**Appointments:**

Mike Merriwether-reported on county property parcels for forest management including those purchased under Public Act 551 for forest management purposes. Merriweather reported on various options including public trust responsibilities, funds involved or available for forestry, importance of forest management plan and working with Soil Conservation. Merriweather recommended appointment of committee to review forestry plan and to add forestry budget to county budget. Discussion, DPW Committee to review with Soil Conservation for recommendations.

Laura Hendricks, Planning and Zoning-requested approval of Resolution 2011-05, allowing Wind Energy Systems for personal use. Hendricks advised language was revised at Planning and Zoning and resubmitting for approval. **Motion** by McKinnon to approve Resolution 2011-05 with language changes, contingent on Planning Commission to hold another public hearing 8-17-2011 for Ordinance 142 and that no further changes are made. Discussion. Supported by Martini. Roll call vote: Martini, yes; McKinnon, yes; Kimball, yes; Ritter, yes; Sexton, yes; Wood, yes; Cox, yes. 7 yeas. 0 nays. **Carried.**

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A RESOLUTION TO AMEND THE KALKASKA COUNTY ZONING ORDINANCE

RESOLUTION NUMBER: 2011-05  
KALKASKA COUNTY BOARD OF COMMISSIONERS  
JULY 25<sup>TH</sup>, 2011

Page 2 BOC meeting Minutes 7-25-2011 (Resumption of 7-13-2011 Meeting)

At a special meeting of the Kalkaska County Board of Commissioners for Kalkaska County, Kalkaska, Michigan, held in the County Governmental Building located at 605 N. Birch Street, Kalkaska, Michigan on the 25th day of July, 2011:

Present: Debra Kimball, Stuart McKinnon, David Ritter, Antonio Martini, Craig Wood, Carroll Sexton, Michael Cox

Absent: None

The following was offered by Stuart McKinnon and supported by Antonio Martini.

**WHEREAS**, the current Kalkaska County Zoning Ordinance (KCZO) was adopted by the Kalkaska County Board of Commissioners in October 2001; and

**WHEREAS**, the current KCZO was last reprinted in July 2010; and

**WHEREAS**, the KCZO (Section 21.29.C) currently allows Wind Energy Systems (WES) for Personal Use only by special use permit approval by the Kalkaska County Planning Commission; and

**WHEREAS**, the Kalkaska County Planning Commission determined that Wind Energy Systems (WES) for Personal Use should be a primary use (not subject to a special use permit) to make it more feasible for the citizens of Kalkaska County under this Ordinance who desire to install a Wind Energy System (WES) for personal use; and

**WHEREAS**, the Kalkaska County Planning Commission, during a public hearing held on June 15<sup>th</sup>, 2011 involving Ordinance #142, Amendment #163 (2011-139), approved the proposed text amendment to remove the current language in Section 21.29.C-Exception, and replace it with Section 21.29.C-Wind Energy Systems (WES) For Personal Use and add text amendment.

**WHEREAS**, the Kalkaska County Planning Commission approved a motion on June 15<sup>th</sup>, 2011 that the attached proposed KCZO text amendment be forwarded to the Kalkaska County Board of Commissioners for adoption; and

**WHEREAS**, the Kalkaska County Board of Commissioners did not approve the proposed KCZO text amendment on July 13<sup>th</sup>, 2011 and remanded it back to the Planning Commission; and

**WHEREAS**, the Kalkaska County Planning discussed and approved changes to the proposed KCZO text amendment on July 20<sup>th</sup>, 2011; and

**WHEREAS**, the Kalkaska County Planning Commission approved a motion on July 20<sup>th</sup>, 2011 that the attached proposed KCZO text amendment be forwarded to the Kalkaska County Board of Commissioners for adoption at their July 25<sup>th</sup>, 2011 special meeting.

**NOW, THEREFORE BE IT RESOLVED**, as follows:

The Kalkaska County Board of Commissioners adopts Ordinance #142, Amendment #163 (2011-139) as presented.

The Board hereby directs the Kalkaska County Zoning Administrator to have the Notice of Adoption published in the local newspaper.

The adopted KCZO text amendment shall take effect seven (7) days after publication of the Notice of Adoption in the local newspaper.

Yeas: McKinnon, Martini, Wood, Ritter, Kimball, Sexton, Cox

Nays: None

Absent: None

Abstain: None

**RESOLUTION DECLARED ADOPTED**

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Michael Cox, Chairperson  
Kalkaska County Board of Commissioners

I, the undersigned, County Clerk of Kalkaska County, Kalkaska, Michigan, do hereby certify that the foregoing is a true and correct copy of certain proceedings taken by the Kalkaska County Board of Commissioners of said municipality at its resumption of its regular meeting (held on 7/13/2011) held on July 25<sup>th</sup>, 2011, 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.

STATE OF MICHIGAN )  
County of Kalkaska )

July 25<sup>th</sup>, 2011

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Deborah Hill, County Clerk

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Ron Harris, 2010 County Audit-provided copies and reviewed 2010 County Audit findings including recommendations. Harris reported County has been responsible in spending and budgeting, noting no grave concerns at this time.

Chair called for break @ 5:00 PM.

Chair called meeting back into session @ 5:10 PM.

**Appointments Con't:**

Haider Kazim, County Attorney-requested Closed Session. **Motion** by McKinnon to enter into Closed session to consult with County attorney to discuss the matter of court case 10-10622-CZ, in the matter of Dupuis/Dunkerley v. Jewell/Kalkaska County, as discussion in an open meeting would have a detrimental effect on the litigation of the county. Supported by Kimball. Roll call vote: McKinnon, yes; Kimball, yes; Martini, yes; Ritter, yes; Sexton, yes; Wood, yes; Cox, yes.

7 yeas. 0 nays. **Carried.** Kazim requested Mr. Hiller remain for closed session due to participation in medication.

**\*\*\*Board entered into Closed Session at 5:15 PM\*\*\***

**\*\*\*Board returned to Open Session at 5:40 PM\*\*\***

**Motion** by Sexton to return to Open Session. Supported by Martini. 7 yeas. 0 nays. **Carried.**

**Motion** by Wood to accept the settlement agreement as discussed in Closed Session.

Supported by Sexton. Roll call vote: Wood, yes; Sexton, yes; Kimball, yes; Martini, yes; McKinnon, yes; Ritter, yes; Cox, yes. 7 yeas. 0 nays. **Carried.**

#### **Unfinished Business:**

Martini addressed issues with Log Lake coverage, requested temporary coverage as DPW and Recycling departments do not have time to assume responsibilities. Discussion. **Motion** by Martini to **interim** appointment/position of Stuart Rodgers Jr. for Log Lake Caretaker position at same pay rate as current contract starting immediately. Supported by Sexton. 7 yeas. 0 nays.

**Carried.** Martini to obtain contract from Controller and take to Rodgers for signature.

#### **Other Business:**

**Motion** by Sexton to accept resignation of Sharon Zakrajsek as Equalization Director. Supported by Martini. 7 yeas. 0 nays. **Carried.** Personnel to address advertising for replacement of position.

Chair advised MHSDA (Housing Department), picked up records, suggested County could still recoup some funds, and requested special meeting. Discussion. Consensus not to schedule special meeting.

Chair noted Mr. Schlueter from Area on Aging will be attending a BOC meeting to answer questions expressed at 7-13-2011 meeting.

Chair addressed review of Village request to waive rental fee for Civic Center. **Motion** by Sexton to waive rental fee for Village of Kalkaska to use Civic Center for retirement party of Craig Wood. Supported by Martini. 6 yeas. 0 nays. 1 abstain. **Carried.**

#### **Public Input:**

Robert Dryden-advised Board of anniversary celebration for Garfield Township Fire Department on 7-30-2011.

**Motion** to adjourn by Wood to call of the Chair. Supported by Sexton. 7 yeas. 0 nays. **Carried.**

Respectfully submitted:

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Nancy Merritt, Deputy County Clerk  
(prepared by Deborah Hill, County Clerk,  
Clerk of Board of Commissioners)

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Michael Cox, Chairman of  
Kalkaska County Board of Commissioners

These minutes are not official until they are approved at the next regular Board of Commissioners meeting.

