

## Commissioner Minutes of October 9, 2018

*The Gladwin County Board of Commissioners met in Regular Session on Tuesday, October 9, 2018. The meeting was called to order at 9:00 a.m. by Chairman Walters. The Pledge of Allegiance was recited and a short prayer was given. Roll call found all Commissioners present.*

The Board reviewed the agenda. Commissioner Aultman noted the following items that would need to be added to the agenda: Library Report, Opening of the Repeater Bids and Karen Blonde from the Housing Commission. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to proceed with the consent agenda as amended. Ayes carried, motion passed.*

*The regular minutes of the September 25, 2018 were then reviewed. Motion by Commissioner Aultman, supported by Commissioner Hinman, to approve the minutes as prepared. Ayes carried, motion passed.*

Chairman Walters asked for a moment of silence due to the passing of Kerry Posey and Thomas Hoag, both former County employees.

**Public Comments:** *Yvette Keast, Chamber Director, came before the Board with information on several upcoming county events. Commissioner Smith shared the 2018 Voter Guide, commenting free copies are available at the Library.*

The **cash balances** were then read by Commissioner Aultman. *General Fund - \$1,573,793.51 after the payment of the finance bills. This balance includes an advance from the 210 EMS Fund of \$600,000.*

### **Finance Matters – Commissioner Aultman:**

1. Jim Maveal, Animal Control Officer, spoke on the retention of revenues in 2019. Mr. Maveal would like the following line items to be receipted into Fund 206 beginning 1-1-2019:  
101-000-606.000 Animal Shelter Fees  
101-000-606.430 Animal Shelter Sales  
101-000-484.000 Animal Shelter – Kennel Licenses.  
*Motion by Commissioner Aultman, supported by Commissioner Smith, to authorize the Treasurer to change these lines effective 1-1-2019 to the 206 Animal Shelter Millage Fund. Ayes carried, motion passed.*
2. The Equalization Department has requested the purchase of a laptop for their office. Quotes are as follows: IT Right - \$1,961.00, Genesis - \$1,399.99, Medical Data Rx - \$1,798.04. *Motion by Commissioner Aultman, supported by Commissioner Hinman, to authorize Equalization to purchase the laptop from IT Right in the amount of \$1,961.00 from 101-225-933.000. Ayes carried, motion passed.*
3. Nick Madaj, Deputy Court Administrator, has presented two quotes for a new computer in the Probate Court department. Quotes are as follows: Medical Data Rx – \$879.00 and IT Right - \$1,145.00. *Motion by Commissioner Aultman, supported by Commissioner Hinman, to allow Mr. Madaj to purchase the computer from Medical Data Rx from 101-148-933.000. Ayes carried, motion passed.*
4. Sergeant James Cuddie has requested payout of 180 hours of PTO time per his Union contract. Total cost of \$4,537.80 to be paid from 101-301-706.000 once approved. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to allow the Clerk to make the disbursement as outlined. Ayes carried, motion passed.*

5. Deputy Robert Doyle has resigned his position with the Sheriff's Department. With his resignation, 170 hours of PTO time is due for payment in the amount of \$3,967.80. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to allow the Clerk to make the disbursement from 101-301-705.000 as outlined. Ayes carried, motion passed.*
6. Mike Brubaker, 911 Director, has submitted two quotes for CPU updates in his department. Vector Tech Group - \$5,635.00 and IT Right - \$5,738.04. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to allow Mr. Brubaker to purchase his six computers from Vector Group from line 101-422-933.000 as requested. Ayes carried, motion passed.*
7. Rick Ghent, Maintenance Supervisor, has provided a proposal for the three-year full load pressure relief valve test and annual fire and smoke testing for the elevators. Cost for the service is \$1,685.69 for each of the locations and can be paid from 101-265-933.000. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to allow the Chairman to sign the proposal upon presentation. Ayes carried, motion passed.*
8. Mr. Ghent has also checked into pricing on a three-year maintenance contract through Vertiv for the UPS battery services for the generator located at the Sheriff's Department. Annual cost for each of the three years is \$1,600.00 and will be paid from 282-000-933.000. Upon inspection and diagnosis, a battery had to be replaced in the amount of \$957.00 which will also be paid for with 282 funds. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to allow the maintenance contract to be signed and to allow the Clerk to pay the invoice for the battery upon submission. Ayes carried, motion passed.*

*The Board then considered a handful of resolutions that were presented for their consideration and read by the Clerk.*

*Motion by Commissioner Aultman, supported by Commissioner Birgel, to adopt the resolution in approval of the Pratt Lake Level budget. Roll call vote as follows: Hinman – yes, Walters – yes, Aultman -yes, Smith – yes, Birgel -yes. 5 yes, 0 no. Ayes carried, **Resolution 2018-030 declared adopted.***

*Motion by Commissioner Smith, supported by Commissioner Aultman, to adopt the resolution in approval of the Wiggins Lake Level budget. Roll call vote as follows: Walters -yes, Aultman – yes, Smith -yes, Birgel -yes, Hinman -yes. 5 yes, 0 no. Ayes carried, **Resolution 2018-031 declared adopted.***

*Motion by Commissioner Smith, supported by Commissioner Hinman, to adopt the Gladwin County Zoning Ordinance Revision resolution as presented. Roll call vote as follows: Aultman -yes, Smith – yes, Birgel - yes, Hinman – yes, Walters -yes. 5 yes, 0 no. Ayes carried, **Resolution 2018-032 declared adopted.***

*Motion by Commissioner Birgel, supported by Commissioner Hinman, to adopt the Gladwin County Zoning Ordinance Text Amendment as prepared. Roll call vote as follows: Smith -yes, Birgel -yes, Hinman – yes, Walters -yes, Aultman – yes. 5 yes, 0 no. Ayes carried, **Resolution 2018-033 declared adopted.***

Attorney Douglas Jacobson spoke to the Board on the Resolution for the Determination of the Normal Lake Level for Wixom Lake, Sanford Lake, Smallwood Lake and Secord Lake. Discussion. *Motion by Commissioner Hinman, supported by Commissioner Smith, to adopt the resolution in Determination of Normal Lake Level. Roll call vote as follows: Birgel -yes, Hinman -yes, Walters – yes, Aultman -yes, Smith yes. 5 yes, 0 no. Ayes carried, **Resolution 2018-034 declared adopted.***

**Commissioner Reports by District –**

**Commissioner Hinman reported:**

- On attending the Dispatch meeting, noting conversation on the new computers and that things are going well.
- That he participated in the DATA meeting. IT Right will be drafting an RFP for IT services that can be used when advertising.

**Commissioner Smith reported:**

- On attending the Animal Control committee meeting, noting progress is being made with the Tales for Tails project through MSU. The kennel doors have been replaced and they are looking at painting.
- That she attended the Tobacco Township meeting last night.
- There will be a Special Library Board meeting today at 11:00 a.m., commenting they are still working on hiring a new director.

**Commissioner Birgel reported:**

- That the Insurance Committee has reviewed the insurance rates for 2019, noting a slight improvement in the Blue Care Product. The hard caps have increased, but the rates are still very close to the PA 152 caps.
- The Point of Sale program is “idle” at the moment while waiting for direction from the Health Department.
- That he attended the Grout and Beaverton Township meetings.
- On his concern over the cost of the pressure test for the Health Department elevator, noting it is a “non-public” elevator. Discussion on the use and the expense related.

**Commissioner Aultman reported:**

- That she attended the Mental Health meeting on September 25<sup>th</sup>, commenting that the financial reports from that meeting are available for review.
- On her work with Bob Balzer from EDC on the Rising Tide grant on September 26<sup>th</sup>. This grant opportunity will provide the County training funds on various programs.
- On the Central Michigan District Health Department meeting in Harrison, noting she has Dr. Morse’s reports and the finance reports available for review.
- That she attended the Soil Conservation Dinner, stating it was a nice meal and the presentation was good.
- On meeting with Chairman Walters and Rick Ghent on September 27<sup>th</sup> to review the Architect’s proposal.
- That she attended the Michigan Works meeting on September 28<sup>th</sup>. Gladwin County’s statistics and financial reports are available for review.
- On the Bentley Township meeting last night where they approved their election workers for November.
- That she attended the Billings Township meeting where they spoke on the completion of the roof project and the mosquito contract for 2019.

**Comments from the Chairman:**

- On reviewing the USDA grant proposal with the Architect, noting changes have been made.
- That he also attended the Soil Conservation Dinner.
- On attending Finance on September 27<sup>th</sup>.
- That he participated in the Gladwin City meeting on October 1<sup>st</sup>.

- On the DATA meeting.
- That he went to the 911 Dispatch meeting.
- On attending the Finance meeting, followed by the Insurance meeting to review the 2019 rates.
- That many changes are happening with the Lake districts. Discussion on the issues and progress moving forward.
- That EJournal has been “taken over” by ISP.

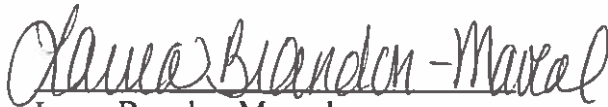
**Public Comments** – Chris Waugh inquired about the posting of the agenda in advance of the meeting to ensure that residents have time to review the items for the upcoming meeting. Discussion.

Don Zackett gave a FEMA update to the Board, including notices residents are receiving regarding insurance coverage.

Gina Coon spoke on the proposed insurance coverage for 2019, noting she would like to see additional quotes obtained for various coverage. Ms. Coon stated that she expressed her desire to obtain quote information from the Board and has not heard a response. Discussion. The Insurance committee will be meeting with the Unions on October 17<sup>th</sup> at 9:00 a.m. to review the proposed plans that have been offered. Ms. Coon also offered praise to the County’s Animal Control for the wonderful job they do.

*Motion by Commissioner Smith, supported by Commissioner Aultman, to receive and file various correspondence and reports. Ayes carried, **motion passed.***

*Motion by Commissioner Birgel, supported by Commissioner Hinman, to adjourn. Ayes carried, **motion passed.** Meeting adjourned at 9:57 a.m., until the next regular Board meeting on October 23, 2018 at 9:00 a.m., unless otherwise ordered.*



Laura Brandon-Maveal  
County Clerk



Terry Walters  
Chairman

RESOLUTION 2018-30

AT A MEETING OF THE BOARD OF COMMISSIONERS OF GLADWIN COUNTY, MICHIGAN, HELD AT 9:00 am, ON 10-9-2018, 2018.

WHEREAS in an Order issued on October 24, 1985, the Gladwin County Circuit Court established a normal water level for Pratt Lake pursuant to the Natural Resources and Environmental Protection Act.

WHEREAS, the Board of Commissioners of Gladwin County having delegated the authority to maintain that lake level to the Pratt Lake Level Authority.

WHEREAS, pursuant to MCL 324.30722, when the annual budget for maintenance and repair of a lake level project exceeds more than \$10,000.00 annually, said budget must be approved by a resolution of the County Board.

NOW THEREFORE, be it resolved by the Board of Commissioners of Gladwin County, Michigan, that the annual budget as presented by the Pratt Lake Level Authority is approved.

Dated: 10-9, 2018

Gladwin County Board of Commissioners,  
Gladwin County, Michigan.

AYES: 5  
NAYS: 0  
ABSENT/ABSTAIN: 0

I, Laura Brandon-Maveal, Clerk of the County of Gladwin, Michigan certify that the above Resolution was adopted by the Gladwin County Board of Commissioners at a meeting held on the 9th, day of October, 2018.

Dated: 10-9-, 2018

Laura Brandon-Maveal  
Laura Brandon-Maveal, Clerk

Att Hale

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# PRATT LAKE LEVEL MAINTENANCE BUDGET 2018 - 2022

A budget for the proposed five year maintenance plan is tabulated below:

ITEM	2018	2019	2020	2021	2022
Administrative Fees	\$1,450.00	\$1,450.00	\$1,450.00	\$1,450.00	\$1,450.00
Advertising	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
Attorney Fees ***	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Court Costs ***	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Contingencies	\$800.00	\$800.00	\$800.00	\$800.00	\$800.00
Inspection Fees	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00
Postage & Mailing	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
Maintenance / Repairs	\$25,000.00	\$20,000.00	\$15,000.00	\$10,000.00	\$10,000.00
<b>Total Assessment Amount</b>	<b>\$27,500.00</b>	<b>\$22,600.00</b>	<b>\$17,500.00</b>	<b>\$12,500.00</b>	<b>\$12,500.00</b>
				\$92,500.00 ÷ 5	\$18,500.00

\*\*\*These costs will be assessed to the assessment district at such time as these costs are necessary.

Unit amount      \$26.60

Lot Description	Unit #	# of Lots	Amount	Total Assmnt
Lake Front 100' +	4	42	\$106.40	\$4,468.80
Lake Front 60' - 99'	3.5	62	\$93.10	\$5,772.20
Lake Front 0' - 59'	3	86	\$79.80	\$6,783.00
Backlot no frontage	1	56	\$26.60	\$1,489.60
Totals:		245		\$18,513.60

RESOLUTION 2018- 31

AT A MEETING OF THE BOARD OF COMMISSIONERS OF GLADWIN COUNTY, MICHIGAN, HELD AT 9:00 am, ON 10-9-2018, 2018.

WHEREAS in an Order issued on December 3, 1964 and amended on February 9, 2004, the Gladwin County Circuit Court established a normal water level for Wiggins Lake pursuant to the Natural Resources and Environmental Protection Act.

WHEREAS the Board of Commissioners of Gladwin County having delegated the authority to maintain that lake level to the Wiggins Lake Authority.

WHEREAS pursuant to MCL 324.30722, when the annual budget for maintenance and repair of a lake level project exceeds more than \$10,000.00 annually, said budget must be approved by a resolution of the County Board.

NOW THEREFORE, be it resolved by the Board of Commissioners of Gladwin County, Michigan, that the annual budget as presented by the Wiggins Lake Level Authority is approved.

Dated: 10-9, 2018

Gladwin County Board of Commissioners,  
Gladwin County, Michigan.

AYES: 5  
NAYS: 0  
ABSENT/ABSTAIN: 0

I, Laura Brandon-Maveal, Clerk of the County of Gladwin, Michigan certify that the above Resolution was adopted by the Gladwin County Board of Commissioners at a meeting held on the 9th day of October, 2018.

Dated: 10-9, 2018

  
Laura Brandon-Maveal, Clerk

## WIGGINS LAKE LEVEL MAINTENANCE BUDGET 2018 - 2020

A budget for the proposed three year maintenance plan is tabulated below:

ITEM	2018	2019	2020
Repay Gladwin County	\$17,000.00	\$0.00	\$0.00
Utilities	\$1,800.00	\$1,850.00	\$1,900.00
Landscape	\$1,000.00	\$1,050.00	\$1,100.00
Labor	\$2,400.00	\$2,400.00	\$2,400.00
Professional Services	\$2,500.00	\$2,500.00	\$2,500.00
Sensors	\$1,000.00	\$1,000.00	\$1,000.00
Generator	\$750.00	\$505.00	\$440.00
Tainter Gate	\$0.00	\$0.00	\$104,000.00
Attorney Fees ***	\$0.00	\$0.00	\$0.00
Court Costs ***	\$0.00	\$0.00	\$0.00
<b>Total Assessment Amount</b>	<b>\$26,450.00</b>	<b>\$9,305.00</b>	<b>\$113,340.00</b>
			<b>\$149,095.00 ÷ 3 \$49,698.33</b>

\*\*\*These costs will be assessed to the assessment district at such time as these costs are necessary.

Unit amount \$26.90

Lot Description	Unit #	# of Lots	Amount	Total Assmnt
Waterfront over 301'	7	12	188.30	\$2,259.60
Waterfront 201' - 300'	6	11	161.40	\$1,775.40
Waterfront 101' - 200'	5	59	134.50	\$7,935.50
Waterfront 0' - 100'	4	271	107.60	\$29,159.60
Tier 2	2	123	53.80	\$6,617.40
Tier 1	1	73	26.90	\$1,963.70
Totals:		549		\$49,711.20



**RESOLUTION 2018-032**  
**GLADWIN COUNTY ZONING ORDINANCE REVISION**

WHEREAS, Public Act 110 of 2006, being MCLA 125.3101 through 125.3702 as amended, enables a county board of commissioners to adopt a county zoning ordinance to regulate the use of land, and

WHEREAS, Gladwin County adopted a county zoning ordinance pursuant to Public Act 110 of 2006, and such zoning ordinance becoming effective on February 1, 2008, and

WHEREAS, the Gladwin County Planning Commission reviewed zoning district boundaries established by the zoning ordinance and has initiated a revision to change specific boundaries to allow B2-Business Two zoning in certain areas, and

WHEREAS, required notices were published in the *Gladwin County Record*, first class mailings were completed, a public hearing was held by the Gladwin County Planning Commission, and the Planning Commission has presented a summary of the comments received at the public hearing along with its recommendation for revision to the Gladwin County Board of Commissioners,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Gladwin County Board of Commissioners approves the recommended revision to the Gladwin County Zoning Ordinance as follows:

Revise zoning district from a B-1-Business One to B-2-Business Two zoning district in the following location: Buckeye Township, Section 5, part of the SE1/4 of NE1/4 located on W. M-61 Gladwin MI 48624

The foregoing resolution was offered by Commissioner Smith, supported by Commissioner Hinman. Upon roll call vote, the following voted "aye":

5 "nay": \_\_\_\_\_ absent: 0

~~The Chairperson declared the resolution adopted.~~

[Signature]

Clerk, Laura Brandon-Maveal

I, Laura Brandon-Maveal, the duly elected and acting Clerk of Gladwin County, hereby certify that the foregoing resolution, 2018-032 was adopted by the Gladwin County Board of Commissioners at a regular meeting of said Board held on October 9, 2018, at which meeting a quorum was present, by roll call vote of said members as herein before set forth; and that said resolution was ordered to take effect

10-9-2018.

[Signature]  
Clerk, Laura Brandon-Maveal

## **2.2 Specific Terms**

**ALTERNATIVE ENERGY FARM:** A solar collection system or wind energy conversion system or collection of devices or elements which rely upon direct sunlight or wind as an energy source, and where energy produced is for commercial purposes rather than to serve an individual site.

**ERECTED:** The word "erected" includes built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered as part of erection.

**GLARE:** The effect produced by light with intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**SHADOW FLICKER:** Alternating changes in light intensity caused by the moving blade of a wind energy system casting shadows on the ground and stationary objects, such as but not limited to a window at a dwelling.

## **Special Use Permits**

**\*Note - This ordinance applies only to Commercial Farms, not residential solar panels.**

## **7.26 ALTERNATIVE ENERGY FARMS**

- a. **INTENT AND PURPOSE.** To allow and promote the use of alternative energy within the County as a clean alternative energy source and to provide associated placement, land development, installation, and construction regulations for alternative energy farm facilities subject to reasonable conditions that will protect the public health, safety, and welfare. These regulations establish minimum requirements for alternative energy farm facilities, while promoting a renewable energy source in a safe, effective, and efficient manner.
- b. **COMPLIANCE WITH FEDERAL AND STATE REGULATIONS.** All alternative energy farms shall comply at all times with applicable County, State, and Federal requirements, including all necessary permits and licensing. Facilities shall be constructed according to the adopted building code for the State of Michigan. Failure to comply with such regulations shall be considered a violation of this ordinance.
- c. **MINIMUM LOT SIZE.** There is no minimum lot size. Each alternative energy farm is permitted as a special land use which review will consider its compatibility with the surrounding area.

- d. **SETBACK REQUIREMENTS.** The setbacks for Alternative Energy Farms are listed in the table below. The Planning Commission may require additional setbacks as part of a conditional land use approval.

	Solar	Wind
Front	50 ft	1.5 times blade at highest point
Side	50 ft	1.5 times blade at highest point
Rear	50 ft	1.5 times blade at highest point
From Residential Districts or Sites Containing Residential Uses	50 ft	1.5 times blade at highest point
Setback from Residential Structures	50 ft	1.5 times blade at highest point
Distance from Non-Residential Structures	50 ft	1.5 times blade at highest point

e. **HEIGHT RESTRICTIONS.**

1. Freestanding solar collection devices shall not exceed 30 feet in height.
2. Roof mounted solar collection devices shall not extend more than 2 feet from the top of the roof. The total height of the building including the solar collection device shall not exceed 30 feet.
3. Commercial wind energy conversion systems shall not exceed 200 feet in height. Tower blades may not extend closer than 30 feet to the ground.

f. **FENCING AND STORAGE.**

1. All wind energy towers shall be fenced to prevent trespass.
2. Where needed for safety or security, the Planning Commission may require fencing around the entire perimeter of the farm.
3. At a minimum, equipment and materials, whether temporary or permanent, used to maintain or operate the farm shall be housed in a completely enclosed building.
4. The Planning Commission may allow outside equipment where it is necessary to the operation, or where no other feasible alternative exists, such as for solar panels. In such cases, equipment shall be fully enclosed within a fence at least 6 feet in height.
5. Fencing shall be setback far enough off property lines to maintain the property without trespassing on adjacent property.

g. **LANDSCAPING.**

1. The special land use applications shall include a proposed landscaping and screening/buffering plan prepared by a licensed landscape architect.

This plan will be reviewed through the special land use approval process to assure that the proposed facility is appropriately landscaped in relation to adjacent land uses and road right-of-ways. The use of berms and evergreen plantings along property lines adjacent to residential land uses is strongly encouraged. Trees shall be a minimum of 4 feet tall at time of planting and shall remain in good condition for the life of the Farm.

2. Solar Farms shall include screening, capable of providing year round screening, shall be provided along the non-reflective axis of the solar collection device or collection of devices.
3. Lighting shall be prohibited, except as may be required by another regulating agency, or where the Planning Commission finds it necessary for security or safety purposes.
4. All structures, including those accessory to the operation, shall be constructed in accordance with the requirements for principal structures.
5. Access/Driveways: Access to Alternative Energy Farms shall be paved with a durable hard surface, such as asphalt or concrete. The Planning Commission may modify this requirement for driveways that are not expected to generate more than one service call per day.

**h. PERFORMANCE STANDARDS.**

1. Alternative Energy Farms shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard. Where possible, a rust-resistant, non-obtrusive color and finish shall be used on visible towers and equipment.
2. Alternative Energy Farms shall be designed, sited, and operated in such a manner to minimize shadow flicker on a roadway. In addition the Alternative Energy Farm shall be designed, sited, and operated in a manner to prevent shadow flicker on any existing structures located off the property on which the Alternative Energy Farm is erected. The owner and/or operator shall prohibit shadow flicker on any future lawfully constructed structure located off the property on which the Alternative Energy Farm is erected.
3. The applicant shall demonstrate that an alternative energy farm will not unreasonably interfere with the use of or view from, sites of significant public interest, such as a park or civic building.
4. Use of guy wires is prohibited.
5. Alternative energy farm operations shall not exceed 60 dBA as measured from the property line.

**i. REMOVAL OF ABANDONED FACILITIES.**

1. Alternative energy farms not operated for a continuous period of 12 months shall be considered abandoned and the owner shall remove all equipment and materials associated with the operation within 90 days of receiving an abandonment notification from the County. Failure to remove

an abandoned tower or antenna within 90 days shall be grounds for the County to remove such items at the owner's expense.

2. The Planning Commission may require the applicant to post a bond in an amount equal to the reasonable cost of removal for the tower and/or antenna. If a bond is to be required, the Planning Commission shall include the requirement as a condition of approval.

J. **SUBMITTAL REQUIREMENTS.** The following information shall be submitted to the County, in addition to the information required for special land use and site plan review.

1. Manufacturer's specification sheets, including specific engineering tests that verify the safety of proposed systems.
2. Elevation drawings showing the height, color, and design of all buildings, structures, and visible equipment.
3. Engineering drawings showing compliance with the Building Code and certified by a licensed professional engineer.
4. Siting elevations, existing photography, and a photo simulation of the proposed visual impacts.
5. A narrative that explains how the site will not unreasonably interfere with the use of or view from sites of significant public interest, such as a park or civic building.
6. The Planning Commission may require a visual impact assessment to determine the visual impact of the farm on scenic views.
7. The name, address, and telephone number of the person to contact regarding site maintenance or other notification purposes. This information shall be periodically updated by the facility owner.
8. Any additional information as may be required by the Planning Commission as appropriate, to demonstrate compliance with the regulations.
9. Proof of liability coverage naming the County of Gladwin as a certificate holder.
10. A sound pressure level modeling and analysis study.
11. An environmental impact analysis.
12. An avian and wildlife impact analysis.
13. A shadow flicker analysis.

**County Planning Commission  
Presentation to County Commissioners  
October 9, 2018**

The Gladwin County Planning Commission has determined the need for an amendment to the Gladwin County Zoning Ordinance. The required Public Hearing was held at the October 3, 2018 Planning Commission meeting. Required notices were published in the newspaper as mandated by state statutes. No letters of notification were required. The Planning Commission is recommending to the County Commissioners that amendments be made to the ordinance as listed on the attachments, to be effective October 9, 2018.

**Summary of Change to the ordinance**

The text change will allow commercial Alternative Energy Farms (commercial solar and wind farms) with a Special Use permit.

**Summary of Comments at Public Hearing, October 3, 2018**

Zoning Administrator Justin Schneider presented the proposed text amendment to the Planning Commission. Commission member Richard Christie made a motion to recommend approval of the proposed text change to the Gladwin County Board of Commissioners. Supported by Commission Member Mike Mahaffy. All ayes. Motion carried.

The changes recommended by the Planning Commission are attached.

**Gladwin County Planning Commission  
Recommendation to Gladwin County Commissioners  
October 9, 2018**

The Gladwin County Planning Commission has, at the request of the property owner, Manning Loving Trust, James Manning, reviewed the zoning district at property located on W.M-61, Gladwin, MI, located in Buckeye Township, Section 5, Part of the SE1/4 of NE1/4. The Planning Commission is recommending to the County Commissioners that this property be rezoned from B-1-Business One to B-2-business Two zoning district. The required public hearing was held at the October 3, 2018 regular planning meeting. Required notices were posted, and first- class mailings were sent as mandated by state statutes.

**Summary of Comments at Public Hearing, October 3, 2018**

Zoning Administrator Justin Schneider presented the proposed rezoning amendment to the Planning Commission. Discussion on future use of property to be used for the sale of used cars and sheds and that it will work with the Gladwin Auto Auction. Commission member Birgel moved to recommend to the Board of Commissioners approval of the rezoning request, supported by member Mahaffy. All ayes, motion carried.

**RESOLUTION 2018-033**  
**GLADWIN COUNTY ZONING ORDINANCE**  
**TEXT AMENDMENT**

WHEREAS, Public Act 110 of 2006, being MCLA 125.3101 through 125.3702, as amended, enables a county board of commissioners to adopt a county zoning ordinance, and,

WHEREAS, Gladwin County adopted a county zoning ordinance pursuant to Public Act 110 of 2006, and such zoning ordinance becoming effective on February 1, 2008, and,

WHEREAS, the Gladwin County Planning Commission reviewed proposed text amendments to the zoning ordinance and has initiated a revision to specific text to the ordinance, (see list attached), and,

WHEREAS, the required notice was published in the *Gladwin County Record*, a public hearing was held by the Gladwin County Planning Commission, and the Planning Commission has presented a summary of the comments received at the public hearing along with its recommendation for revision to the Gladwin County Board of Commissioners,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Gladwin County Board of Commissioners approves the recommended revision to the Gladwin County Zoning Ordinance as follows, (see attached) effective October 9, 2018.

The foregoing resolution was offered by Commissioner Birgel, supported by Commissioner Hinman

Upon roll call vote, the following voted "aye": 5  
"nay": 0 absent: 0

The Chairperson declared the resolution adopted. Laura Brandon-Maveal  
Clerk, Laura Brandon-Maveal

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I, Laura Brandon-Maveal, the duly elected and acting Clerk of Gladwin County, hereby certify that the foregoing resolution, 2018-033 was adopted by the Gladwin County Board of Commissioners at a regular meeting of said Board held on October 9, 2018, at which meeting a quorum was present, by roll call vote of said members as hereinbefore set forth; and that said resolution was ordered to take effect October 8, 2018.

Laura Brandon-Maveal  
Clerk, Laura Brandon-Maveal



Introduced by \_\_\_\_\_:

BOARD OF COMMISSIONERS OF THE COUNTY OF GLADWIN

**RESOLUTION FOR THE DETERMINATION OF THE NORMAL LAKE LEVEL FOR WIXOM LAKE, SANFORD LAKE, SMALLWOOD LAKE AND SECORD LAKE PURSUANT TO PART 307 OF THE MICHIGAN NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT**

RESOLUTION # 2018-034

Minutes of a regular meeting of the Board of Commissioners of the County of Gladwin, Michigan, held at the 401 W Cedar Ave, Gladwin, Michigan 48624, on October 9, 2018, 2018, at 9:00 a.m., local time.

PRESENT: Commissioners Hinman, Walters, Aultman,  
Smith, Birgel

ABSENT: Commissioners none

The following resolution was offered by Commissioner Hinman and supported by Commissioner: Smith.

WHEREAS, Wixom Lake, Sanford Lake, Smallwood Lake, and Secord Lake are inland lakes located in Gladwin and Midland Counties, created by the impoundment of the Tittabawassee River by four (4) hydroelectric dams which are privately owned and operated by Boyce Hydro Power, LLC ("Boyce Hydro"); and are currently regulated by the Federal Energy Regulatory Commission ("FERC") which, among other things, includes terms and conditions concerning the water levels for each of the lakes, dam safety, property rights, water quality, public recreation and safety, and other areas of public concern; and,

WHEREAS, Wixom Lake, Sanford Lake, Smallwood Lake, and Secord Lake, are important resources in Gladwin and Midland Counties, and the continued operation of the dams are of paramount importance to the environment, recreation, property values of lake residents, and the public and economic health of Gladwin and Midland Counties; and,

WHEREAS, in the event that Boyce Hydro loses its FERC license(s) with respect to any of the Lakes, or is unable to perform its responsibilities, there is no current state requirement for maintaining the lake levels or governance structure in the community to ensure that the dams and lake levels will be sustained long term; and,

WHEREAS, Part 307 of the Michigan Natural Resources and Environmental Protection Act, "Inland Lake Levels", MCL 324.30701 et seq. ("Part 307") governs the process for the determination, establishment and maintenance of the water level of inland lake, and authorizes counties to finance, construct, operate and maintain dams as necessary to maintain such levels as determined by the circuit court; and,

WHEREAS, Section 307011 of Part 307, MCL 324.30711 provides that the County may determine that the whole or part of the cost of the project to establish and maintain the normal

level for an inland lake be defrayed by special assessments for the benefits derived against privately owned parcels of land, political subdivisions of the state, and state owned lands, through the establishment of a special assessment district; and,

WHEREAS, Section 30704(1) of Part 307, MCL 324.30704(1), provides that if the County Board of Commissioners finds it expedient to have determined and established the normal level of an inland lake, the County shall direct legal counsel of the county to initiate a proceeding by proper petition in the circuit court for a determination of the normal level and for establishment of a special assessment district; and,

WHEREAS, the Sanford Lake Preservation Association, a Michigan non-profit corporation and IRC 501(c)(3) organization has raised the funds and committed to the funding of the Part 307 through creation of an authority and special assessment districts, and will expand their bylaws to include the preservation of all four lakes, and include representation of all four Lake Associations Presidents or Delegates currently represented on the Four Lakes Task Force, and representative(s) from Gladwin and Midland County, upon this and a similar resolution from Midland County; and,

WHEREAS, Section 30704(2) of Part 307, MCL 324.30704(2) provides that if the waters of an inland lake are located in 2 or more counties, the normal level of the lake may be determined by all counties involved, by resolution directing legal counsel of 1 or more counties to initiate proceedings by proper petition in the circuit court for a determination of the normal level and for establishment of a special assessment district; and,

WHEREAS, in order to maintain the normal lake levels for Wixom Lake, Sanford Lake, Smallwood Lake, and Secord Lake (the "Lakes") in Gladwin and Midland Counties, the County Board of Commissioners has determined that it is necessary to establish the normal level or levels of the Lakes in order to protect the public's health, safety, and welfare, to best preserve the natural resources of the state, and to preserve and protect the value of property around the lake.

NOW THEREFORE BE IT RESOLVED, that the County Board of Commissioners finds that in order to protect the public's health, safety, and welfare, to best preserve the natural resources of the state, and to preserve and protect the value of property around the Lakes, that it is necessary to take all action to establish and maintain the normal lake level for the Lakes (the "Lake Level Project").

BE IT FURTHER RESOLVED, that County Board of Commissioners finds that the cost of the Lake Level Project to establish and maintain the normal level of the Lakes shall be defrayed by special assessments for the benefits derived against privately owned parcels of land, political subdivisions of the state, and state owned lands.

BE IT FURTHER RESOLVED, that the Sanford Lake Preservation Association, upon approval of new bylaws including representation of all lakes, shall be the "Delegated Authority" as provided by Part 307 to act on behalf of the Board of Commissioners to oversee the Lake Level Project, to prepare a Special Assessment District and Special Assessment Roll in

accordance with the procedures set forth in Part 307, and to take all other actions as necessary and required by the delegated authority as provided in Part 307.

BE IT FURTHER RESOLVED, that attorney, Douglas A. Jacobson representing Gladwin County as to Smallwood Lake, Secord Lake, and that portion of Wixom Lake located in Gladwin County, and attorney, Lawrence Wm. Smith, Jr., representing Midland County as to Sanford Lake and a portion of Wixom Lake located within Midland County, are appointed as joint-legal counsel for the Lake Level Project, and are directed to initiate a petition or other appropriate legal action in the appropriate Circuit Court(s) in Midland and/or Gladwin County for the determination of the legal lake level and the approval of boundaries of the Special Assessment District in accordance with the procedures set forth in Part 307 and said counsel may obtain the assistance of additional counsel where appropriate; and to assist the Delegated Authority with the Project and procedures as set forth in Part 307.

BE IT FURTHER RESOLVED, that the Spicer Group, Inc., is appointed as the engineer for the Lake Level Project, to prepare a preliminary study and/or reports required for the Lake Level Project, and to assist the Delegated Authority with all actions as necessary and required by the delegated authority as set forth in Part 307.

BE IT FURTHER RESOLVED, this Resolution shall not take effect unless and until the adoption of a resolution with substantially the same findings, determinations and conditions as set forth herein by the Board of Commissioners for the County of Midland, Michigan, within thirty (30) days from the date of the adoption of this Resolution.

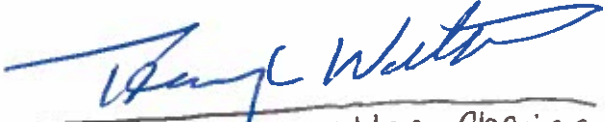
YEAS: Commissioners 5

NAYS: Commissioners 0

ABSTAIN: Commissioners 0

  
Laura Brandon-Maveal, Clerk

10-9-2018

  
Terry L. Walter, Chairman