

AMENDED

TENTATIVE AGENDA

DELTA COUNTY BOARD OF COMMISSIONERS

June 2, 2015

5:15 p.m.

- I. CALL TO ORDER
- II. PRAYER
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL

**SPECIAL ORDERS OF BUSINESS:**

- V. APPROVAL OF MINUTES OF PREVIOUS MEETINGS
  - County Board minutes: 5-19-15
  - Committee of the Whole:
- VI. APPROVAL OF AGENDA
- VII. PRESENTATION OF WRITTEN COMMUNICATIONS
  - A. COMMUNICATIONS RECEIVED
  - B. COMMUNICATIONS FORWARDED
- VIII. REPORTS OF STANDING, STATUTORY, SPECIAL COMMITTEES AND OTHERS
- IX. **PUBLIC COMMENT ON AGENDA ITEMS** (Sign In)
- X. **COMMITTEE REPORTS**
  - 1. Administrator' Report
- XI. GENERAL ORDERS OF BUSINESS
  - A. UNFINISHED BUSINESS
  - B. NEW BUSINESS

1. **Payment of Bills**
2. **Resolution Supporting Appeal of Tax Tribunal Ruling**
3. **Road Patrol Contract Ratification Date**
4. **Part Time Jail Staff**
5. **2015 Taxable Value Report**
6. **Executive Session**

XII. GENERAL PUBLIC COMMENT

XIII. COMMISSIONER'S COMMENTS

XIV. MEETING SCHEDULE

- A. Committee of the Whole Meeting on 6-3-15 at 1:30 p.m. in the Service Center Board room.
- B. Board of Commissioners Meeting on 6-16-15 at 5:15 p.m. in the Service Center Board room.
- C. Board of Commissioners Meeting on 7-7-15 at 5:15 p.m. in the Service Center Board room.
- D. Board of Commissioners Meeting on 7-21-15 at 5:15 p.m. in the Service Center Board room.

XV. NOTICES

30 day notice of Appointments

XVI. ADJOURNMENT

\*\*\*\*\*DUE TO THE TIME CONSTRAINTS, THE DELTA COUNTY BOARD OF COMMISSIONERS HAS ADOPTED A POLICY THAT ANY INDIVIDUAL WISHING TO ADDRESS THE BOARD WILL BE ALLOCATED THREE (3) MINUTES. THE THREE MINUTES USED BY THE INDIVIDUAL ARE TO MAKE STATEMENTS. THERE WILL BE NO QUESTION AND ANSWER SESSION FORMAT. THIS WILL STRICTLY BE A STATEMENT TYPE FORMAT. IF YOU WISH TO ADDRESS THE BOARD, PLEASE SIGN YOUR NAME ON THE SIGN UP LIST AVAILABLE FROM THE COUNTY CLERK. SPEAKERS WILL BE CALLED IN ORDER OF SIGN UP.\*\*\*\*\*

THE COUNTY OF DELTA WILL PROVIDE REASONABLE AUXILIARY AIDS AND SERVICES FOR THE HEARING IMPAIRED AND TO INDIVIDUALS WITH DISABILITIES AT THE MEETING/HEARING UPON REASONABLE NOTICE TO THE COUNTY OF DELTA. INDIVIDUALS WITH DISABILITIES REQUIRING SERVICES SHOULD CONTACT THE COUNTY OF DELTA ADA COORDINATOR BY WRITING OR CALLING THE FOLLOWING:

Daniel Menacher, DELTA COUNTY ADA COORDINATOR  
310 LUDINGTON STREET  
ESCANABA, MI 49829  
TELEPHONE (906) 789-5189

The Honorable Members of the Delta  
County Board of Commissioners

Dear Commissioners:

A regular meeting of the Delta County Board of Commissioners is scheduled for  
Tuesday, June 2, 2015 at 5:15 p.m. in the Board Room in the Delta County Service Center.

Sincerely yours,

Nancy J. Kolich  
Delta County Clerk

Proposed

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING  
May 19, 2015**

Escanaba, Michigan

A Regular meeting of the Delta County Board of Commissioners was held this date, pursuant to the following call:

May 14, 2015

The Honorable Members of the Delta  
County Board of Commissioners

Dear Commissioners:

A Regular Meeting of the Delta County Board of Commissioners is scheduled for Tuesday May 19, 2015, at 5:20 p.m. in the Boardroom of the Delta County Service Center.

Sincerely yours,  
Nancy J. Kolich  
Delta County Clerk

ROLL CALL

PRESENT: Commissioners Harrington, Malnar, Johnson, Moyle, and Rivard.

EXCUSED: None.

The meeting was called to order at 5:15 p.m. in the Boardroom of the Delta County Service Center by Delta County Clerk, Nancy Kolich.

SPECIAL ORDERS OF BUSINESS

1. Closed Session.

No closed session.

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by Commissioner Moyle and seconded by Commissioner Harrington to approve the minutes of the May 5, 2015 meeting. MOTION CARRIED.

VI. APPROVAL OF AGENDA

Moved by Commissioner Moyle and seconded by Commissioner Malnar to approve the agenda as presented. MOTION CARRIED.

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

Proposed

- A. Received: No written communications were received.
- B. Forwarded: No Communications were forwarded.

VIII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

IX. PUBLIC COMMENT ON AGENDA ITEMS

None.

X. COMMITTEE REPORTS:

1. Administrator's Report.

Thanks for the welcome. Would like to set up a schedule.

- 1. Budget Process June 2<sup>nd</sup> meeting.
- 2. Set up goals for the County June 16<sup>th</sup> meeting.
- 3. Pension system July 7<sup>th</sup> meeting.

XI. GENERAL ORDERS OF BUSINESS

A. UNFINISHED BUSINESS

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Rivard and seconded by Commissioner Johnson to approve payment of the bills in the amount of \$748,753.01 and Commissioner's expenses of \$1,372.36. MOTION CARRIED.

2. Airport Grant - MDOT 2015-0242.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to accept the MDOT 2015-0242 grant, as presented. MOTION CARRIED.

3. MMRMA Representative.

Moved by Commissioner Rivard and seconded by Commissioner Johnson to appoint Administrator Ryan Bergman as the County's Member Representative to the Michigan Municipal Risk Management Authority. MOTION CARRIED.

4. Fish Dam Property.

Moved by Commissioner Malnar and seconded by Commissioner Johnson to authorize Rory Mattson to start the

Proposed

process to abandon the county road on the Fish Dam property and assume the costs. MOTION CARRIED.

5. Committee of the Whole Work Session Prior to Board Meetings.

Will hold a work sessions as needed.

6. Resolution Supporting Appeal of Tax Tribunal Ruling.

Tabled until the next meeting.

7. Jury Commission Appointment (1 opening).

Moved by Commissioner Rivard and seconded by Commissioner Malnar to ratify the reappointment of Glen Taylor to the Jury Commission. MOTION CARRIED.

XII. PUBLIC COMMENT

Rory Mattson, Conservation District Director, addressed the Board with his concerns regarding wood ordinances for Pioneer Trail Park. Rory will put together and present to the Board for approval.

XIII. COMMISSIONERS CONCERNS

Commissioner Malnar: Welcome Ryan and can attend to the Baldwin Township.

Commissioner Johnson: Welcome Ryan and thank you Nora.

Commissioner Moyle: None.

Commissioner Rivard: None.

Commissioner Harrington: Welcome Ryan and acknowledged Nora for all that you've done. Happy Retirement.

XIV. MEETING SCHEDULE

June 2 <sup>nd</sup>	5:15 p.m.	Board meeting.
June 16 <sup>th</sup>	5:15 p.m.	Board meeting.
July 7 <sup>th</sup>	5:15 p.m.	Board meeting.
July 21 <sup>st</sup>	5:15 p.m.	Board meeting.

Proposed

XVI. ADJOURNMENT

Moved by Commissioner Johnson and seconded by Commissioner Malnar to adjourn at 5:50 p.m. MOTION CARRIED.

Respectfully Submitted,

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Nancy J. Kolich, County Clerk

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Mary K. Harrington, Board Chair

# DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE  
310 LUDINGTON STREET  
ESCANABA, MICHIGAN 49829  
PHONE: 906-789-5100  
FAX: 906-789-5197

B1



June 2, 2015

TO: Delta County Board of Commissioners  
FR: Ryan Bergman, Administrator  
RE: Payment of Bills

I have examined all claims presented, and recommend payment of the following; and that the County Clerk be directed to issue orders on the County Treasurer to the Claimants for the amounts allowed.

Ryan Bergman, Administrator

Date	Amount	
05-21-15	212,226.17	
Total Report of Claims	\$ 212,226.17	
Total Jury Expense	\$ 0.00	
GRAND TOTAL OF BILLS	\$ 212,226.17	
Commissioner Expenses:	\$ 0.00	Paid

AUTHORIZED SIGNATURE \_\_\_\_\_  
AUTHORIZED SIGNATURE \_\_\_\_\_  
AUTHORIZED SIGNATURE \_\_\_\_\_  
AUTHORIZED SIGNATURE \_\_\_\_\_  
AUTHORIZED SIGNATURE \_\_\_\_\_

Check Date	Check	Vendor	Vendor Name	Description	Amount
<b>Bank FIRST ALL FUNDS</b>					
05/18/2015	156971	001024	AIS MARKETING INC	EXPENDITURE - CGAP GRANT	204,113.00
05/21/2015	156977	003130	CITY OF ESCANABA	UTILITIES - ACCT 1-06-1320-01	26.36
05/21/2015	156978	004200	DELTA COUNTY CLERK	BOND - FINES & 10% - METZGER 15-FH-9081	250.00
05/21/2015	156979	008027	HANNAHVILLE TRIBAL COURT	OUT OF COUNTY BOND-MELISSA RITCHIE	100.00
05/21/2015	156980	013095	DLP MQT PHYSICAN PRACTICES INC	PHYSICAL/DRUG SCREEN- KARISSA RUDDEN	203.00
05/21/2015	156981	015039	OFFICE PLANNING GROUP	CANON IR5075 USAGE	676.26
				6 INK CARTRIDGES FOR PLOTTER & 24X500 RO	468.50
					<u>1,144.76</u>
05/21/2015	156982	016032	P & M INSPECTIONS, INC.	PAYROLL 55-4-2015 THROUGH 5-15-2015	1,634.00
05/21/2015	156983	016038	HONORABLE STEVEN C PARKS	MILEAGE / IRON MOUNTAIN - DISTRICT JUDGE	59.80
05/21/2015	156984	018064	REDWOOD TOXICOLOGY LABORATORY INC.	PROBATION DEPARTMENT DRUG SCREENS - SUPP	120.88
				PROBATION DEPARTMENT DRUG SCREENS 4/7/2	184.11
					<u>304.99</u>
05/21/2015	156985	019010	ST. FRANCIS HOSPITAL	MEDICAL BILL - SHELLEY TODD-ACT 27293342	143.00
05/21/2015	156986	019025	STAPLES CREDIT PLAN	CARTRIDGES/JOURNAL-ACCT 6035 5178 2022 2	71.97
05/21/2015	156987	019385	SUNLIFE FINANCIAL	LIFE INSURANCE- JUNE 2015	765.29
05/21/2015	156988	021038	UFACC	SPRING CONF- RIVARD/MALNAR	110.00
05/21/2015	156989	022062	VIQ SOLUTIONS INC	ENCOMPASS MEDIA/MANAGER/ICM TOOL	3,300.00
					<u>212,226.17</u>
					<u>0.00</u>
					<u>212,226.17</u>

**FIRST TOTALS:**

Total of 14 Checks:

Less 0 Void Checks:

Total of 14 Disbursements:

*OK 156972 - 156976 Payroll checks*

B2

Minutes of a regular meeting of the Chippewa County Board of Commissioners, held at the Chippewa County Courthouse, 319 Court St., Sault Ste. Marie, Michigan on the 11th day of May, 2015 at 5:30 p.m.

**PRESENT:** Scott Shackleton, Don McLean, Jim Martin, Conor Egan and Rudy Johnson

**ABSENT:** None

The following preamble and resolution was offered by Commissioner Egan and seconded by Commissioner Martin.

**RESOLUTION NO. 15-08**

**RESOLUTION IN SUPPORT OF APPEAL OF TAX TRIBUNAL RULING**

**WHEREAS,** the Chippewa County Board of Commissioners, know of many appeals of a Final Opinion and Judgment entered in the Michigan Tax Tribunal through-out the Upper Peninsula of Michigan;

**WHEREAS,** many Upper Peninsula Counties are appealing the ruling of the state of Michigan's tax tribunal ruling, which significantly reduces the ad valorem property tax assessments of modern home improvement store properties located in Michigan's Upper Peninsula; and,

**WHEREAS,** each property was valued after the store's construction in accordance with its existing use as a home improvement store; and,

**WHEREAS,** each property owner appealed the ad valorem tax assessment levied by the townships to the Tax Tribunal asserting that the properties must be valued as if they were vacant and unoccupied retail buildings;

**WHEREAS,** the Tax Tribunal ruled in favor of the property owners and substantially reduced the property tax assessments. Such ruling will impact the ability of the local governments to provide support services at the current level and to cover the expenses to install and maintain the municipal infrastructure needed for the development of the big box stores.

**WHEREAS,** this ruling will also eliminate the ability to generate the funds for continued growth, jobs, and economic development.

**WHEREAS,** taxing units will experience heavy long-term financial losses for future years under Proposal A, which effectively prevents the taxing units from raising the taxable values significantly in future years.

**NOW, THEREFORE, BE IT RESOLVED,** that the Chippewa County Board of Commissioners supports the appeals of all the Upper Peninsula Counties and that the properties should be valued by considering the existing use and the present economic income of the land and structures at the time of assessment.

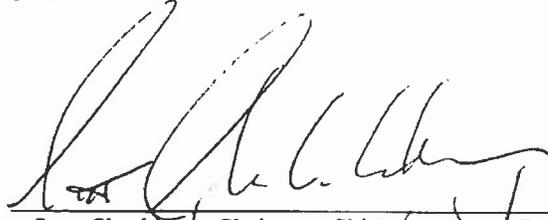
**FUTHERMORE, BE IT RESOLVED** that the Chippewa County Board of Commissioners requests that the Legislature study and provide a permanent solution that will preserve the tax base of all our local communities.

A VOTE WAS TAKEN AS FOLLOWS

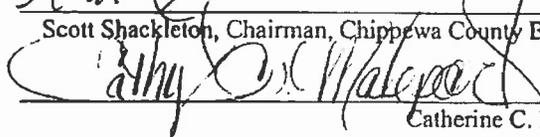
AYES: Shackleton, McLean, Martin, Egan and Johnson

NAYS: None

RESOLUTION DECLARED ADOPTED.



\_\_\_\_\_  
Scott Shackleton, Chairman, Chippewa County Board of Commissioners



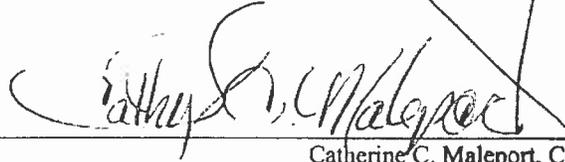
\_\_\_\_\_  
Catherine C. Maleport, County Clerk

STATE OF MICHIGAN )

) ss.

COUNTY OF CHIPPEWA )

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the County Board of Commissioners of Chippewa County at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



\_\_\_\_\_  
Catherine C. Maleport, County Clerk

To: County Commissioners

May 29, 2015

**Agenda Item 2: Support of Chippewa County Resolution**

At the May 19 meeting the Board of Commissioners considered a resolution supporting Chippewa County's resolution to support the appeals of Upper Peninsula Counties on Tax Tribunal rulings. The resolution that Chippewa passed is again included in the Board Packet. The discussion was tabled to include added emphasis on the big box store issue. Included below is a simple resolution supporting Chippewa County with that added emphasis. This is just suggested language, as was requested.

"A motion to support Chippewa County's Resolution No. 15-08, which supports the appeal of all Upper Peninsula Counties on Tax Tribunal Rulings. Delta County would also like to emphasize appeals related to the dark store issue on big box stores. By supporting the resolution, Delta County also supports Chippewa County's request that the state Legislature study and provide a permanent solution that will preserve the tax base of all our local communities."

Thanks,  
Ryan Bergman  
Director of Administration and Finance

To: County Commissioners  
CC: Sheriff Oswald, Undersheriff Griebel

May 29, 2015

**Agenda Item 3: Road Patrol Contract Ratification Date**

On January 6, 2015 the Board of Commissioners ratified an agreement with the Road Patrol that included a pay increase. Under Michigan Law, Police are eligible for retroactive pay increases. The agreement included a pay schedule effective January 1, 2015. However the agreement was not formerly ratified until January 6, 2015 and no retroactive pay was explicitly awarded.

Based on the presumed intent of negotiations, and to clarify the issue, I am recommending that the County pay the increase for the period of January 1 through January 5. The total cost in salaries of this action is less than \$600. I will have an exact cost available for the meeting.

Thanks,  
Ryan Bergman  
Director of Administration and Finance

To: County Board Members  
CC: Sheriff Oswald, Undersheriff Griebel

BH

**Agenda Item 4: Part Time Jail Staff**

The January 1, 2015-December 31, 2015 union agreement with the Corrections Division provides no health insurance for part-time employees. However the Affordable Care Act requires large employers to provide health insurance to part-time employees if the employee averages more than 30 hours per week during a "look back" period of up to a year. Delta County is considered a large employer because it has more than 100 employees.

It has become apparent that the two active part-time employees in the Corrections Division will both exceed the 30 hour average during the look back period. To prevent any penalties associated with the Affordable Care Act, I am recommending that the County provide limited healthcare coverage to these two employees. This coverage would not include dental benefits, vision benefits, or payment in lieu of health insurance. This coverage would continue until the next union contract, where future terms will be negotiated.

The Affordable Care Act requires that employers provide affordable coverage in which annual premiums do not exceed 9.5 percent of the employee's household income. Additionally, the Act requires that plan designs generally cover more than 60 percent of the non-premium costs. If approved, the county will only consider quotes that provide coverage within these guidelines. Based on Affordable Care Act requirements, coverage would be available for employee-only and employee-and-dependant plans. The plan will be separate from, and will not impact, the bargained health insurance that the full-time Teamsters currently receive.

I am also asking for ongoing discretion to determine if coverage should be offered for the part-time Corrections Division when it becomes clear that a part-time employee will exceed 30 hours during a look back period. This will be done with the Sheriff after determining the anticipated future workload and based on the Divisions staffing level.

I consider the Corrections Division to be a unique situation where additional part-time work is often required due to the required minimum staffing, 24 hour work schedules, and the lengthy training process required to replace attrition. I project the cost to Delta County for these two employees to be anywhere from \$0 to \$660 per month based on their plan election. This action is intended to ensure that the County will not pay fines under the Affordable Care Act.

Thanks,  
Ryan Bergman  
Director of Administration and Finance

May 28, 2015

BS

To: Delta County Board of Commissioners

From: Juli Kolbe, Equalization Director

**Subject: 2015 Taxable Value**

The L-4046 is a report of the County's Taxable Value for 2015. Each unit of government is listed by class, real and personal. The reports also includes totals for the Principal Residence Exemption (PRE) and separates out the Commercial and Industrial Personal Properties.

**The total Taxable Value for 2015 is \$1,206,534,426.  
An increase of 1.20 %**

The increase is due to the following factors:

- 1) 2015 Consumer Price Index was 1.60%
- 2) Increase in market value on residential sales

I am asking for Board approval of this report. Signature of the Board Chair is required before I can submit the values to the State Tax Commission.

Other values of interest:

**The Top 20 Taxpayers for 2015**

**Industrial Tax Facilities Abatements total:**

New Facilities - \$24,713,878  
Rehab Facilities - \$ 3,623,562

TOTAL - \$28,337,440

County receives tax dollars from these IFT's at ½ the county millage rate.

**DNR PILT properties** for 2015 total \$1,579,243 with the State of Michigan owning over 3,979 acres of land within Delta County.

## TAXABLE VALUATIONS

STATEMENT of taxable valuations in the year 2016. File this form on or before the fourth Monday in June.

Real Property Taxable Valuations as of the Fourth Monday in May.  
(DO NOT REPORT ASSESSED VALUATIONS OR EQUALIZED VALUATIONS ON THIS FORM.)

Township or City	(Col. 1) Agricultural	(Col. 2) Commercial	(Col. 3) Industrial	(Col. 4) Residential	(Col. 5) Timber-Cutover	(Col. 6) Developmental	(Col. 7) Total Real
001 BALDWIN TOWNSHIP	2,388,868	168,138	315,752	23,279,505	0	0	26,152,263
002 BARK RIVER TOWNSHIP	4,327,804	2,103,208	263,289	30,241,905	0	0	36,936,206
003 BAY DE NOC TOWNSHIP	149,066	49,000	212,844	27,578,351	0	0	27,989,261
004 BRAMPTON TOWNSHIP	0	202,138	0	25,426,133	0	0	25,628,271
005 CORNELL TOWNSHIP	2,847,008	99,881	604,586	16,629,728	0	0	20,181,203
006 ENSIGN TOWNSHIP	983,215	428,374	0	26,496,776	0	0	27,908,365
007 ESCANABA TOWNSHIP	1,943,826	1,769,292	1,059,511	90,554,103	0	0	95,326,732
008 FAIREBANKS TOWNSHIP	2,974,112	128,818	24,476	16,615,238	0	0	19,742,644
009 FORD RIVER TOWNSHIP	992,082	2,174,903	73,581	58,389,971	0	0	61,630,537
010 GARDEN TOWNSHIP	2,572,634	1,402,041	8,500	35,478,509	0	0	39,461,684
011 MAPLE RIDGE TOWNSHIP	2,468,953	422,572	125,306	21,655,367	0	0	24,672,198
012 MASONVILLE TOWNSHIP	1,968,346	2,524,482	848,847	46,229,754	0	0	51,571,429
013 NAHMA TOWNSHIP	429,849	569,256	0	29,538,131	0	0	30,537,236
014 WELLS TOWNSHIP	1,449,753	13,106,755	18,048,871	115,227,305	0	52,749	147,885,433
051 CITY OF ESCANABA	0	103,973,282	6,176,481	166,145,145	0	0	276,294,908
Totals for County	25,495,516	142,945,514	32,196,657	805,540,185	0	52,749	1,006,230,621

This form is used to report total Taxable Valuations, broken down by classification, for each township and city within the county. The Taxable Valuations reported here are the final Taxable Valuations as of the fourth Monday in May, NOT the Tentative Taxable Valuations. Final Taxable Valuations may be different from Tentative Taxable Valuations when a township or city receives a county and/or state equalization factor more or less than was used to calculate Tentative Taxable Valuations.



STATEMENT of taxable valuations in the year 2016. File this form on or before the fourth Monday in June.

TAXABLE VALUATIONS

Real Property Taxable Valuations as of the Fourth Monday in May.  
(DO NOT REPORT ASSESSED VALUATIONS OR EQUALIZED VALUATIONS ON THIS FORM.)

Township or City name	Col. 8) Ag. Personal	Col. 9) Com. Personal	Col. 10) Ind. Personal	Col. 11) Res. Personal	Col. 12) Util. Personal	(Col. 13) Total Personal
001 BALDWIN TOWNSHIP	0	0	3,499	0	6,147,153	6,150,652
002 BARK RIVER TOWNSHIP	0	759,772	83,118	0	1,098,896	1,941,786
003 BAY DE NOC TOWNSHIP	0	0	0	4,620	463,083	467,703
004 BRAMPTON TOWNSHIP	0	74,558	0	0	667,896	742,454
005 CORNELL TOWNSHIP	0	1,850	0	0	1,225,400	1,227,250
006 ENSIGN TOWNSHIP	0	0	0	0	1,029,135	1,029,135
007 ESCANABA TOWNSHIP	0	328,629	0	0	14,183,954	14,512,583
008 FAIRBANKS TOWNSHIP	0	42,148	0	0	413,587	455,735
009 FORD RIVER TOWNSHIP	0	137,283	9,045	0	1,179,106	1,325,434
010 GARDEN TOWNSHIP	0	90,808	14,717,617	0	7,759,600	22,568,025
011 MAPLE RIDGE TOWNSHIP	0	118,813	84,356	0	1,972,512	2,175,681
012 MASONVILLE TOWNSHIP	0	276,824	2,764,523	0	10,151,727	13,193,074
013 NAHMA TOWNSHIP	0	166,003	0	0	3,260,884	3,426,887
014 WELLS TOWNSHIP	0	1,392,312	82,293,662	0	7,356,320	91,042,294
051 CITY OF ESCANABA	0	12,698,308	14,533,208	0	1,534,734	28,766,250
Totals for County	0	18,875,808	115,808,763	4,620	65,614,614	200,303,805
Print or Type Name of County Equalization Director	Signature			Date		
Print or Type Name of County Board of Commissioners Chairperson	Signature			Date		



TAXABLE VALUATIONS

STATEMENT of taxable valuations in the year 2016. File this form on or before the fourth Monday in June.

Real Property Taxable Valuations as of the Fourth Monday in May.  
(DO NOT REPORT ASSESSED VALUATIONS OR EQUALIZED VALUATIONS ON THIS FORM.)

Township or City name	(Col. 14) Real & Pers. Taxable Values	(Col. 15) PRE/Qual Forest & Ag Taxable Values	(Col. 16) Commercial Pers. Prop. Taxable Values	(Col. 17) Industrial Pers. Prop. Taxable Values	(Col. 18) ~PRE, Ag/FR PP excl C&I PP Taxable Values
001 BALDWIN TOWNSHIP	32,302,915	16,950,199	0	3,499	15,349,217
002 BARK RIVER TOWNSHIP	38,877,992	28,854,911	759,772	83,118	9,180,191
003 BAY DE NOC TOWNSHIP	28,456,964	10,175,374	0	0	18,281,590
004 BRAMPTON TOWNSHIP	26,370,725	21,050,900	74,558	0	5,245,267
005 CORNELL TOWNSHIP	21,408,453	12,741,784	1,850	0	8,664,819
006 ENSIGN TOWNSHIP	28,937,500	18,862,340	0	0	10,075,160
007 ESCANABA TOWNSHIP	109,839,315	82,124,917	328,629	0	27,385,769
008 FAIRBANKS TOWNSHIP	20,198,379	9,620,744	42,148	0	10,535,487
009 FORD RIVER TOWNSHIP	62,955,971	44,436,171	137,283	9,045	18,373,472
010 GARDEN TOWNSHIP	62,029,709	19,201,967	90,808	14,717,617	28,019,317
011 MAPLE RIDGE TOWNSHIP	26,847,879	14,907,813	118,813	84,356	11,736,897
012 MASONVILLE TOWNSHIP	64,764,503	33,754,694	276,824	2,764,523	27,968,462
013 NAHMA TOWNSHIP	33,964,123	9,518,519	166,003	0	24,279,601
014 WELLS TOWNSHIP	238,927,727	107,665,077	1,392,312	82,293,662	47,576,676
051 CITY OF ESCANABA	305,061,158	134,576,269	12,698,308	14,533,208	143,253,373
Totals for County	1,206,534,426	628,760,719	18,875,808	115,808,763	443,089,136

Print or Type Name of County Equalization Director	Signature	Date
Print or Type Name of County Board of Commissioners Chairperson	Signature	Date



## DELTA COUNTY TOP 20 TAXPAYERS FOR 2015

	<u>Taxable Value</u>	<u>Purpose</u>	<u>Location</u>
1	Escanaba Paper Company	Manufacturing	Escanaba Twp & Wells Twp
2	American Transmission Company	Utility	County-wide
3	Heritage Garden Wind Farms Inc	Utility	Garden Twp
4	EMP Inc	Manufacturing	Escanaba City
5	Upper Peninsula Power Company	Utility	County-wide
6	Great Lakes Gas Transmission Company	Utility	Baldwin, Ensign, Garden, Maple Ridge, Masonville, & Nahma Twp
7	Enbridge Energy Limited Partnership	Utility	Baldwin, Garden, Maple Ridge, Masonville, & Nahma
8	Dagenais Real Estate Inc	Housing	Escanaba City, Ford River, Gladstone, Wells
9	UP Enterprises LLC		Escanaba City, Wells Twp
10	DLP Marquette General Hospital LLC	Medical	Escanaba City & Gladstone City
11	Wal Mart	Retail	Escanaba City
12	DTE Gas Company	Utility	County-wide
13	Alger-Delta Co-op Electric Association	Utility	County-wide
14	Escanaba Delta Mall LLC	Retail	Escanaba City
15	Elmer's Country Market	Retail	Escanaba City
16	Menards	Retail	Escanaba City
17	Finesse Inc	Shipping	Wells Twp
18	Northland Centers, Inc.	Retail	Escanaba City
19	Upper Peninsula State Bank	Banking	Escanaba Twp, Nahma, Escanaba City & Gladstone
20	Shopko Properties	Retail	Escanaba City

**DELTA COUNTY  
2015 INDUSTRIAL FACILITIES TOTALS**

<b>Unit of Government</b>	<b>New</b>		<b>Rehab</b>	
	<b>Real</b>	<b>Personal</b>	<b>Real</b>	<b>Personal</b>
Masonville Township	\$ -	\$ 66,164	\$ -	\$ -
Wells Township	\$ 3,504,000	\$ 17,937,330	\$ 991,850	\$ 2,631,712
City of Escanaba	\$ 1,446,322	\$ 1,188,617	\$ -	\$ -
City of Gladstone	\$ 418,485	\$ 152,960	\$ -	\$ -
Mid Peninsula Schools 21135	\$ -	\$ 66,164	\$ -	\$ -
Escanaba Schools 21010	\$ 4,950,322	\$ 17,937,330	\$ 991,850	\$ 2,631,712
Gladstone Schools 21025	\$ 418,485	\$ 152,960	\$ -	\$ -
Delta County Totals	\$ 5,368,807	\$ 19,345,071	\$ 991,850	\$ 2,631,712

INFORMATION- 6/2/15

VI. COMMUNICATIONS

A. COMMUNICATIONS RECEIVED:

1. Letter from Thomas Dubord, Ron Niergarth, Victor Groos, Daniel Dickerson, Jim & Polly Groos
2. Letter from Heritage Garden Wind Farm
3. Letter from Federal Energy Regulatory Commission
4. Letter from MMRMA
5. Letter from City of Escanaba (2)

B. COMMUNICATIONS FORWARDED:

1. Letter to MI Quality of Life Departments
2. Letter to Dept. of Environmental Quality
3. Letter to Glen Taylor
4. Letter to Nora Viau

VII. REPORTS OF STANDING AND STATUTORY COMMITTEES

1. Pinecrest Board minutes of 3-26-15
2. CAA/HRA minutes of 4-9-15
3. Human Services Board minutes of 4-20-15
4. Concealed Weapons minutes of 4-21-15, 5-19-15
5. Solid Waste Authority minutes of 4-28-15
6. Public Health Board Updated Meeting Schedule

VIII. REPORTS OF SPECIAL COMMITTEES AND OTHERS

To Whom It May Concern: Regarding  
the DELTA COUNTY ANIMAL SHELTER.

Under Delta County ANIMAL CONTROL  
ORDINANCE SECTION 107, ANY NUISANCE  
caused by excessive BARKING, HOWLING,  
Yelping, or other noise making may be  
considered as disturbing the peace.  
This shall be investigated by an animal  
control OFFICER OR ANY LAW ENFORCEMENT  
AGENCY. Section 803 NO ANIMAL SHALL  
Be allowed to cause a nuisance. The owner  
or those responsible for the animals  
shall be held responsible for the behavior  
under this ordinance.

Since the shelter has opened, there is not  
a day that goes by that we do not hear  
the dogs barking in excess from the shelter.  
We are asking you to please look into  
a remedy for the excessive noise.

We are not against what you are trying  
to do for these poor animals. We would  
just like to be able to open our windows  
for fresh air or just sit outside in PEACE.

**Section 801** All animals shall be kept under restraint of a leash while off the property of the animal's owner.

**Section 802** Every vicious animal, as determined by the Animal Control Officer or assistant, shall be confined by its owner within a building or secure enclosure and shall be securely muzzled or cased whenever off the premises of its owner.

**Section 803** No animal shall be allowed to cause a nuisance. The owner of every animal shall be held responsible for every behavior of such animal under the provisions of this ordinance.

**Section 804** Any person in physical possession and control of any animal in a public place, or private property other than their own, shall remove excrement or other solid waste deposited by the animal in an area not designed to receive these wastes, including, but not limited to streets, sidewalks, parking lots, private yards and public parks.

**Section 805** No person shall park, transport or carry on any public highway or roadway, any animal in a vehicle, unless the animal is safely enclosed within the vehicle. If travelling in an unenclosed or partially enclosed vehicle (including, but not limited to convertibles, pick-ups, trailers and flat-bed trucks) the animal shall be confined by a container, case or other devices that will prevent the animal from falling from, or jumping from the motor vehicle.

**Section 806** No person shall leave any animal in any standing or parked vehicle in such a way as to endanger the animal's health, safety or welfare. An animal control officer or law enforcement officer, is hereby authorized to use reasonable force to remove the animal from the vehicle whenever it appears that the animal's health, safety or welfare is or will be endangered.

**Definitions:** As used in this ordinance, the following terms mean:

**Section 101 ANIMAL:** The word as used in this ordinance shall refer to dogs, cats, wild animals, domestic animals, exotic animals, birds and livestock in accordance with the "Dog Law" of MCL 1919, 287.261 of section 2A

**Section 102 OWNER:** A person having the right of property or custody of an animal, or who keeps or harbors an animal, or knowingly permits an animal to remain on or about any premises occupied by that person.

**Section 103 PERSON:** Any individual, company, corporation, partnership, organization or institution commonly recognized by law as a unit.

**Section 104 CATTERY:** Any kennel where five (5) or more cats are kept for organized shows, breeding, rodent control or enjoyment of the household

**Section 105 KENNEL:** Shall mean any establishment where five (5) or more dogs are kept.

**Section 106 ANIMAL SHELTER:** Facility designated or recognized by the jurisdiction for the purpose of impounding and caring for animals.

**Section 107 NUISANCE:** An animal shall be considered a nuisance if it: damages, soils, defiles or defecates on private property, other than the owners, or on public property, unless such waste is immediately removed and properly disposed of by the

owner; cause unsanitary, dangerous, or offensive conditions; chases vehicles; or molests, attacks, or interferes with person(s) or other animals on public property. Any nuisance caused by excessive barking, howling, yelping or other noise making may be considered as disturbing the peace and shall be investigated by an animal control officer or any law enforcement agency. The disposition of complaints will be at the discretion of the county and subject to penalty, per ordinance.

**Section 108 RESTRAINT:** An animal shall be considered under restraint if it is within the real property limits of its owner or secured by leash or lead.

**Section 109 VICIOUS ANIMAL:** Any animal that constitutes a physical threat to humans, or other animal.

**Section 110 CRUELTY:** Any act, omission, or neglect whereby unjustifiable pain and suffering is caused or permitted. Animals will be provided with basic essentials including, but not limited to, adequate food, water, and shelter from sun, wind, rain, sleet, snow, cold.

**CRUELTY TO ANIMALS:** No person shall cruelly treat or abuse any animal.

**POISONING ANIMALS:** No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or bird. This provision will in no way restrict the approved operating procedures in effect at the Delta County Landfill Authority site, or any operation duly licensed by the Michigan Department of Environmental Quality to dispose of health hazards, as well as

Thomas Dubois

5456 18<sup>th</sup> RD

ESCANABA MICH 49829

Ron Hingworth

5446 18<sup>th</sup> RD

ESCANABA, Mi.

Nick's Grove

5478 18<sup>th</sup> Rd

Esc.

Daniel Dickerson

5430 18<sup>th</sup> Road

ESCANABA MI 49829

Jim + Pally Groat

5422 18th Rd

Escanaba mi 49829

**Delta County Sheriff -- (906) 786-3633**  
**111 North Third Street, Escanaba MI 49829**

Incident No: **15-000549**

Status: **Closed**

Date Reported: **Tue 04/28/2015 13:20:00** Occurred Between: **Tue 04/28/2015 13:20:00**

Dispatch Time: **13:22:00** Arrival Time: **13:22:00** Clear Time: **13:32:00**

CFS Number: **2015076208**

Officers: **LEWIS, THOMAS**

Detective:

Classification: **ANIMAL VIOLATION -- (5500-61)**

Location: **5456 18TH RD, WELLS TOWNSHIP**

Section / Nbh: /

Location: **6975 COUNTY ROAD 426 M.5, ESCANABA (DELTA COUNTY ANIMAL SHELTER)**

Section / Nbh: /

Description: **BARKING DOGS AT ANIMAL SHELTER**

Entered: **CADIMPORT**

Complainant: **(5500-61 ANIMAL VIOLATION)**

**DUBORD, THOMAS, LOUIS**

DOB: **12/05/1953** Age: **61**

**5456 18TH ROAD**

Phone: **(906)399-7760**

**ESCANABA, MI 49829**

Race: **White** Sex: **Male**

**INITIAL INCIDENT**

**Reporting Officer: LEWIS, THOMAS**

**INFORMATION:**

I was dispatched to 5456 18th Road for a noise complaint. I was advised the caller wanted to make a complaint about the barking dogs at the Delta County Animal Shelter. I made contact with Thomas Dubord who is the complainant. He said the dogs at the shelter are barking when they are let outside. I advised him to go to the township supervisor with this complaint. He advised that he already did and said they wanted a police report.

Sgt. Lewis/ 146

SENT TO

DELTA COUNTY SHERIFF DEPT  
111 N 3ST  
ESCANABA MICH. 49829

DELTA COUNTY ZONING & BUILDING  
310 LUDINGTON ST  
ESCANABA MICH - 49829

DELTA COUNTY COMMISSIONERS  
310 LUDINGTON ST  
ESCANABA MICH 49829

WELLS TOWNSHIP  
6436 N 8TH  
P.O. BOX 188  
WELLS MICH 49894

ED MCBROOM  
51487 HOUSE OFFICE BUILDING  
LANSING MICH. 48933

TOM CASPERSON  
P.O. BOX 30036  
LANSING MICH 48909-7536

DELTA COUNTY ANIMAL SHELTER

6975 CORD 426 M.S RD

ESCANABA MICH 49829

Heritage Garden Wind Farm, I, LLC  
121 E. Front Street, Suite 200, Traverse City, Michigan 49684  
Office: 231.935.4500, Fax: 231.929.0242

# MEMO

TO: Garden Township Residents Friday, May 1<sup>st</sup>, 2015  
FROM: Heritage Sustainable Energy, LLC  
RE: Garden Township "Nuisance Noise Abatement Ordinance"

Dear Garden Township Residents: As a follow up to the April 14<sup>th</sup>, 2015 Garden Township Board meeting, enclosed please find copies of the following letters:

1. The March 27<sup>th</sup>, 2015 letter that was sent to royalty owners within the Garden Wind Farm.
2. The March 30<sup>th</sup>, 2015 letter John M. DeVries, Heritage's attorney, sent to the Garden Township Board.
3. The April 13<sup>th</sup>, 2015 letter Martin G. Lagina, President and CEO of Heritage, wrote to the Garden Township Board.

The "Nuisance Noise Abatement Ordinance" effects EVERYONE in Garden Township. You are encouraged to continue to talk to your neighbors about what Heritage believes is an unreasonable and undesirable Ordinance. If you agree with Heritage, then please write the Garden Township Board to tell them that you do not like it and want it repealed. (Address: Garden Township Board, PO Box 224, Garden, MI 49835)

Additionally, Heritage will have a "INFORMATIONAL MEETING" on Tuesday, May 12<sup>th</sup> from 4:00 pm to 6:00 pm at the Garden Township Hall to present to you information concerning: A) the Nuisance Noise Ordinance, B) property tax issues, and; C) Heritage's community initiatives. Heritage will be presenting factual data on the Nuisance Noise Ordinance and other important issues we think you should be aware of in Garden Township. Please plan to attend this "INFORMATIONAL MEETING" and then the "GARDEN TOWNSHIP MEETING" at 7:00 pm. NOTE: Heritage will provide pizza/soft drinks between these two meetings.

Please contact our office if you have any questions and/or comments.



March 27, 2015

Dear Wind Royalty Owner:

Please be aware that your income is being threatened. The recent "Nuisance Noise Abatement Ordinance" (attached) passed by the Board of Garden Township (scheduled to become effective June 1, 2015) could cut your royalty substantially. The "noise ordinance" is unfair, unwise, and a very bad law for the following reasons:

**I. ITS INTENT**

It seems that the intent of the ordinance is to cause the entire Garden Wind Farm to be shut down for 8 hours every day. This would cut your royalty by a full 33% and cut Heritage's net revenue much more—because Heritage's expenses of operation would remain fixed.

**II. IT UTILIZES AN UNREALISTICALLY LOW STANDARD**

The standards of 35 Db(A) and 50 Db(C) \* (See *NOTE below*) are so ridiculously low that virtually everyone who lives in, passes through, or visits Garden Township during the hours of 10:00 p.m. until 6:00 a.m. will violate them. For reference, 35 Db(A) is about the sound level in a very quiet bedroom. However, the noise ordinance makes this the standard outside at the property line. Here are some examples of activities which will probably violate this ordinance.

- A. Walking along your property line.
- B. Pulling into your driveway with a car.
- C. The exhaust noise of your furnace.
- D. The condenser unit of an air conditioner.
- E. Exiting your driveway with a car.
- F. Any car driving through the township, including US-2 and/or M-183.
- G. Operating a 4 wheeler or snowmobile on your property.
- H. A mercury vapor light in your driveway.
- I. A flag in the breeze.
- J. Laundry on a clothes line.
- K. Opening a beer can on your deck.

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\* **NOTE:** The alternate standard of "ambient plus 5 Db(A)" is complicated to use in practice and subject to argument and interpretation

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In other words, basically, for a normal sized property, almost anything done outside on your premises will violate this ordinance.

### III. COMPARISON TO OTHER STANDARDS

- A. The US Environmental Protection Agency's standard at a residence is 55 Db(A) (dn). This corresponds on average to a daytime level of 55 Db(A) outside a residence and a nighttime level of 45 Db(A) outside of a residence.

Note: According to EPA documents, there is a Db(A) reduction of approximately 17 Db(A) from outside to inside a home—even with the windows partially open for ventilation—and much greater reduction in the winter with the windows closed. Therefore, a 45 Db(A) standard outside of a residence equates to between 18 and 28 Db(A) inside. This is extremely quiet – much more quiet than the 35 Db(A) found in a quiet bedroom. **Heritage's Garden Wind Farm is designed to meet the EPA standard.**

- B. Delta County already has a noise ordinance applicable to wind turbines. It is 55 Db(A) at the property line and 45 Db(A) at a residence. **Heritage's Garden Wind Farm is designed to meet the Delta County standard.**
- C. In 2007, the Department of Labor and Economic Growth published The Michigan Siting Guidelines for Wind Energy Systems, which set a standard of 55 Db(A) at a property line. **Heritage's Garden Wind Farm is designed to meet the Michigan Siting Guidelines standard.**

### IV. THE PROPOSED "NUISANCE NOISE ABATEMENT ORDINANCE" IS:

Unfair because it makes virtually everyone a criminal. Each violation is a misdemeanor with penalties of 90 days in jail and/or \$500 fines.

Unfair because it makes the "accused" spend a lot of time and money proving they didn't violate it. Make no mistake, the law is clearly aimed at Heritage, but there is nothing to stop a vindictive neighbor or township official making you prove you are not guilty, at your cost, or pay a \$500 fine (and spend 90 days in jail) for potentially running your furnace or driving your car!

Unfair because it seeks to impose a new standard retroactively on all of us (but targeting Heritage, of course.) Heritage complied and is complying with all current zoning and other rules and regulations. Like most businesses, Heritage has payroll and other expenses and bank loans to pay. Changing the rules after the fact and impairing our ability to meet our obligations is un-American and punitively unfair.

Unfair because the Town Board, pursuant to the ordinance, gets to “deem” completely arbitrarily which noise complaints to follow up on and which to ignore.

Unwise because it has the very real potential to drastically cut your royalty income and the tax base of Garden Township.

Unwise because it could easily pit neighbor against neighbor for trivial “violations”.

Unwise because in our opinion it is an illegal attempt to impose zoning by a body without zoning authority. Heritage will be forced to litigate to defend itself (and to defend your royalty). This is a waste of time and money for both the Township and Heritage—time and money that could be utilized proactively to benefit the community or to improve on sources of complaints.

In summary, the people of Heritage Sustainable Energy are doing their very best to be good neighbors and to have a positive impact on the Garden Peninsula. We know there are some issues, and we are attempting to deal with them. The constant unfair attack we find ourselves under is simply hurting us, and you, and the community.

**PLEASE CONTACT YOUR TOWNSHIP BOARD AND URGE THEM TO REPEAL THIS “NUISANCE NOISE ABATEMENT ORDINANCE” OR, BETTER YET, ATTEND EITHER OR BOTH OF THE APRIL 14<sup>TH</sup> AND/OR MAY 12<sup>TH</sup> TOWN BOARD MEETINGS TO TELL THE BOARD IN PERSON: “THIS IS A VERY BAD ORDINANCE—REPEAL IT”.**

Enclosure

# Mika Meyers Beckett & Jones P.C.

900 Monroe Avenue NW Grand Rapids, MI 49503 Tel 616-632-8000 Fax 616-632-8002 Web mmbjlaw.com

## Attorneys at Law

James R. Brown	Douglas A. Donnell <sup>1</sup>	Ross A. Leisman	Nikole L. Canute <sup>4</sup>	David N. Keyser	Also Admitted In
John M. DeVries <sup>5</sup>	Daniel R. Kubiak	Neil P. Jansen	Amy L. VanDyke	Larry J. Gardner	<sup>1</sup> Colorado
Michael C. Haines <sup>6</sup>	Scott E. Dwyer	Andrea D. Crumback	Daniel J. Broxup	Leonard M. Hoffius <sup>7</sup>	<sup>2</sup> Delaware
John T. Sperla	William A. Horn <sup>8</sup>	Daniel J. Parmeter, Jr.	Joshua D. Beard	Claude L. Vander Ploeg	<sup>3</sup> Illinois
David R. Fernstrum	Mark A. Van Allsburg	Mark E. Nettleton <sup>9</sup>	Scott A. Hughes	Ronald J. Clark	<sup>4</sup> New York
James K. White	Neil L. Kimball	Nathaniel R. Wolf		Bruce C. Gockerman	<sup>5</sup> Ohio
Timothy J. Tornega <sup>1</sup>	George V. Saylor, III	Jennifer A. Ptoplava	Of Counsel	Stephen J. Mulder	<sup>6</sup> Pennsylvania
Mark A. Kehoe	Elizabeth K. Bransdorfer	Benjamin A. Zainea	Daniel D. Hesslin	Scott S. Brinkmeyer	<sup>7</sup> Texas
Fredric N. Goldberg	Eric S. Richards	Ronald M. Redick	Steven L. Dykema	Scott D. Broekstra <sup>8</sup>	<sup>8</sup> Wisconsin
John H. Gretzinger	John C. Arndts	Kimberly M. Large <sup>2</sup>	Daniel J. Kozera, Jr.		
Richard M. Wilson, Jr.	James F. Scales	Matthew E. Fink <sup>3</sup>	Philip M. Idema		

March 30, 2015

Township Board  
Garden Township  
P.O. Box 224  
6316 State Street  
Garden, MI 49835

Re: Conflict of Interest  
Ordinances 2014-1 and 2015-2

Dear Members of the Township Board:

We represent Heritage Sustainable Energy, LLC ("Heritage"), operator of the Heritage Garden Wind Farm located in Garden Township and referenced in Ordinance 2014-1.

It is our understanding that Trustee Margaret Richard participated in the discussion of Ordinances 2014-1 and 2015-2 at Township Board meetings and voted in favor of Ordinance 2015-2.

It is also our understanding that Township Supervisor Ray Young participated in the drafting of Ordinances 2014-1 and 2015-2, participated in the discussion of those ordinances at Township Board meetings and voted in favor of both ordinances.

We believe that these actions violated applicable common law principles regarding conflict of interest of public officials; therefore, the ordinances are void.

Trustee Margaret Richard is a plaintiff in a federal lawsuit, *Garden Peninsula Foundation, . . . Margaret Richard . . . and Nicole Young v Heritage Sustainable Energy, LLC, et al*, 2:15-cv-008, against Heritage filed on January 16, 2015 in which plaintiffs Margaret Richard and Nicole Young seek money damages from Heritage for nuisance, relying in part on Ordinance 2014-1. Trustee Richard should not have participated in the discussion of Ordinance 2014-1 or in the discussion and vote on Ordinance 2015-2 because of her conflict of interest.

Township Supervisor Ray Young is the father of plaintiff Nicole Young and should not have participated in the discussions and votes on ordinances 2014-1 and 2015-2 because of his conflict of interest.

The Attorney General of Michigan has opined that common law principles regarding conflict of interest of public officials must be applied. *See* 1981-82 OAG No. 5916.

In 1977-78 OAG No 5404, the Attorney General cited *People v Township Board of Overysse*, 11 Mich 222, 225 (1863), for the following description of the applicable common law rule:

[All] public officials are agents, and their official powers are fiduciary. They are trusted with public functions for the good of the public; to protect, advance and promote its interest, and not their own. And, the greater necessity exists than in private life for removing from them every inducement to abuse the trust reposed in them . . .

\* \* \*

[Fidelity] in the agent is what is aimed at, and as a means of securing it, the law will not permit the agent to place himself in a situation in which he may be tempted by his own private interest to disregard that of his principal.

To a similar accord, in 1980 OAG No. 5681, the Attorney General opined that “a conflict of interest arises when the personal interest of a public official places him in a position where he cannot execute his public duties without affecting his private interest, thus denying the public the fair, impartial and objective judgment to which it is entitled.”

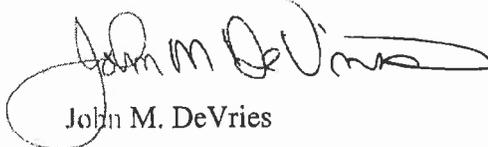
More recently, in 1981-82 OAG No. 5916, the Attorney General was asked to consider whether three township board members, each of whom was either a member or stockholder in an agricultural cooperative, could vote upon the transfer of an industrial facilities tax exemption certificate to the cooperative. Relying on common law conflict of interest principles, the Attorney General opined that the three board members should not vote on the matter because they may benefit financially, either directly or indirectly, from the proposed transfer.

Trustee Richard had and has a clear financial interest in Ordinances 2014-1 and 2015-2 and any other nuisance, noise or other ordinance that affects her lawsuit against Heritage. Supervisor Young, because of his father-daughter relationship with plaintiff Nicole Young, had and has a conflict of interest because he was and is “in a situation in which he may be tempted by his own private interest to disregard that of his principal” and “in a position where he cannot execute his public duties without affecting his private interest, thus denying the public the fair, impartial and objective judgment to which it is entitled.”

Garden Township  
March 30, 2015  
Page 3

Heritage therefore requests that the Township Board acknowledge that Ordinances 2014-1 and 2015-2 are void and of no legal effect and require that Supervisor Young and Trustee Richard recuse themselves from all further discussion, vote or involvement in ordinances or other Township actions affecting operation of Heritage's Garden Wind Farm.

Very truly yours,



John M. DeVries

Direct Dial & Fax: (616) 632-8012  
E-Mail: [jdevries@mmbjlaw.com](mailto:jdevries@mmbjlaw.com)

bjb

cc: Michael Homier



April 13, 2015

Township Board  
Garden Township  
P.O. Box 224  
6316 State Street  
Garden, MI 49835

Re: Ordinances 2014-1 and 2015-2

Dear Members of the Township Board:

Heritage Sustainable Energy, LLC and Heritage Garden Wind Farm I LLC are the operator and owner, respectively, of the Heritage Garden Wind Farm. We request that the Garden Township Board repeal Ordinances 2014-1 and 2015-2 for several reasons.

These Ordinances were introduced and passed without notice on the agenda and without the opportunity for informed input from the public. Three board members with conflicts of interest participated in the discussion and votes on these Ordinances. Trustee Richard is a plaintiff and Trustee Feenstra-Daasch is a director of a plaintiff in a federal lawsuit (2:15-cv-008) against Heritage, and Supervisor Young is the father of another plaintiff in that lawsuit. The lawsuit requests injunctive relief and money damages for nuisance noise. We also suspect that there may have been Open Meetings Act violations with respect to these Ordinances.

It is clear both from the text of Ordinance 2014-1 and to those who attended the Township Board meetings that the intent of the Ordinances is to prohibit or restrict the operation of Heritage's wind turbines between the hours of 10:00 p.m. and 6:00 a.m. and to exclude any new wind energy systems from Garden Township. This is an attempted land use restriction that is preempted by the Delta County Zoning Ordinance. 35dB(A) is 1/100th and 1/10th, respectively, of the sound pressure level of the 55 dB(A) and 45 dB(A) sound limits for wind turbines provided in the Delta County Zoning Ordinance.

The 35dB(A) and 50dB(C) sound pressure level limits in Ordinances 2014-1 and 2015-2 are draconian. All manner of acceptable human activity that occurs between 10:00 p.m. and 6:00 a.m. will potentially violate these Ordinances if they are not repealed: operating a car, truck, motorcycle or snowmobile, closing a car door, garage door opener, barking dog, outdoor conversation, air conditioners, generators, or opening a beer or pop can outdoors. The Ordinances purport to give the Township Board the authority – without any standard – to “deem” which of the very many citizens who will violate these

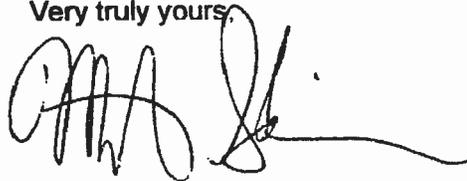
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121 East Front Street, Suite 200, Traverse City, Michigan 49684  
Telephone: 231-935-4500 Facsimile: 231-929-0242  
[www.heritagewindenergy.com](http://www.heritagewindenergy.com)

Ordinances be branded as criminals and forced to post a surety bond, and also "deem" who gets to not be charged! Any notion that the Board has to only enforce these Ordinances against Heritage would violate its obligation to enforce its ordinances uniformly and without discrimination.

The 35dB(A) and 50dB(C) sound pressure level limits are unreasonably low and are not reasonably related to the public health, safety and welfare. They are arbitrary, capricious and have no legitimate governmental purpose. Ordinances 2014-1 and 2015-2 should be repealed entirely. Any future proposed ordinances relating to or affecting the operation of Heritage's wind farm should be placed on the agenda with adequate prior notice so that Heritage and other interested citizens can participate.

Very truly yours,

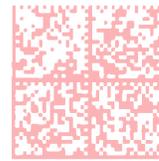
A handwritten signature in black ink, appearing to read 'M. Lagina', with a long horizontal flourish extending to the right.

Martin G. Lagina

President and CEO

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON D.C. 20426

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE \$300



U.S. POSTAGE PITNEY BOWES



ZIP 20001 \$ 000.48<sup>0</sup>  
02 14  
0001371363 MAY 15 2015

Docket No.: P-2506

DELTA, COUNTY OF  
310 Ludington St  
Escanaba, MI 49829-4057

49829-4057 0001



151 FERC ¶ 62,106  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Upper Peninsula Power Company

Project No. 2506-237

Project No. 2506-237

- 2 -

The Director orders:

(A) The revised as-built Exhibit A, filed on September 17, 2014, conforms to the Commission's rules and regulations, is approved and made part of the license. The previous Exhibit A is eliminated from the license.

(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 8251 (2012), and the Commission's regulations at 18 C.F.R. § 385.713 (2014). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

ORDER APPROVING AS-BUILT EXHIBIT A

(Issued May 14, 2015)

1. On September 17, 2014, Upper Peninsula Power Company (UPPCO), licensee for the Escanaba Hydroelectric Project No. 2506 filed a revised Exhibit A for approval due to construction changes at Dam No. 4 (Boney Falls) Development in 2013. UPPCO made the filing in compliance with Article 301 of the license.<sup>1</sup> The project is located on the Escanaba River in Delta and Marquette counties, Michigan and does not occupy federal lands. The project consists of the Dam No. 4, Dam No. 3, and Dam No. 1 developments.

Background

2. Article 301 of the license requires, within 90 days of completion of construction of the facilities authorized by the license, UPPCO must file for approval, revised Exhibits A, F, and G, to show those project facilities as built. In an Order Approving Exhibit F Drawings issued July 3, 2014,<sup>2</sup> the Commission approved the as-built Exhibit F drawings.

Review

3. In the September 17, 2014 filing, UPPCO stated that the project did not result in any project boundary modification; therefore, no revisions to the Exhibit G drawings were necessary. We reviewed the revised Exhibit A filed on September 17, 2014, which reflects modifications to the west embankment dam at the Boney Falls Development as well as minor modifications at the Dam No. 3 and Dam No. 1 developments. The revised Exhibit A conforms to the Commission's rules and regulations. Therefore, the revised Exhibit A should be approved, and should supersede any previously accepted Exhibit A.

<sup>1</sup> *Mead Corporation, Publishing Paper Division*, 72 FERC ¶ 61,027 (1995).

<sup>2</sup> *Upper Peninsula Power Company*, 148 FERC ¶ 62,020 (2014).

Kelly Houff  
Chief, Engineering Resources Branch  
Division of Hydropower Administration  
and Compliance



MICHIGAN MUNICIPAL  
RISK MANAGEMENT  
A U T H O R I T Y

**MEMORANDUM**

To: Individual Member Representatives

From: Michael L. Rhyner, Executive Director

Date: May 11, 2015

Re: Notice of Board Vacancy  
Call for Letter of Interest for Appointment

There is currently a vacancy on the MMRMA Board of Directors due to the retirement of Board member Richard Reaume, Charter Township of Plymouth. The MMRMA Joint Powers Agreement provides that the Board of Directors, by majority vote, shall appoint qualified individuals to fill vacancies on the Board for any unfulfilled term. The eligibility criteria for the vacant seat are as follows:

**Individual Member At-Large Seat (term expires December 31, 2018)** – To qualify for this seat, persons must be an officer of any Individual Member entity. An officer is defined as:

- a. An elected official; or
- b. An appointed official of at least the department head rank; or
- c. An individual who is certified by the governing body of an Individual Member municipal corporation as serving or acting as an officer of that corporation and who has significant experience and expertise in risk management, finance, or the insurance industry.

Eligible persons interested in being considered for Board appointment should provide a letter of interest along with a short resume highlighting qualifications. Letters of interest and supporting material should be sent by **June 8, 2015** to the address below or e-mailed to Mike Rhyner at [mrhyner@mmrma.org](mailto:mrhyner@mmrma.org).

MMRMA Board of Directors  
c/o Michael Rhyner, Executive Director  
14001 Merriman  
Livonia, Michigan 48154

If you have any questions concerning the appointment process, please feel free to contact me at 734-245-7730 or [mrhyner@mmrma.org](mailto:mrhyner@mmrma.org).

May 22, 2015

ESCANABA PLANNING COMMISSION  
ESCANABA MICHIGAN 49829

Dear Property Owner/Occupant:

A scheduled meeting of the Escanaba Planning Commission has been scheduled for June 11, 2015, at 6:00 p.m. at the City Hall/Library Complex, Room C101 Council Chambers, 410 Ludington Street, Escanaba, MI 49829. The following item will be on the agenda:

**Site Plan Review – Bay de Noc Community College – 2001 North Lincoln Road**

Bay de Noc Community College is proposing a 6,413 s.f. addition to the welding classroom office and shop area.

You are cordially invited to attend this meeting should you have any comments concerning this project. If you have comments, but are unable to attend this meeting, please submit your written comments to the City of Escanaba Planning Commission prior to June 11, 2015. All written and signed comments will be read into the public record.

The City of Escanaba will provide all necessary, reasonable aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting/hearing upon five (5) days notice to the City of Escanaba. Individuals with disabilities requiring auxiliary aids or services should contact the City of Escanaba by writing or calling the City of Escanaba at (906) 786-9402. A copy of the proposed site plan for the referenced project can be viewed at City Hall, Second Floor, 410 Ludington Street, Escanaba, MI, Monday through Friday, 7:30 a.m. to 4:00 p.m.

Sincerely,

Patrick Connor, Chairperson  
Escanaba Planning Commission

**PROOF OF SERVICE -- MAILING**  
This document was enclosed in sealed envelope, first class postage fully prepaid, and deposited in the U.S. Government Mail.

Addressee (s): property

owner/occupant

Chairman of project

Mailing Date: 5/22/15

Attested To By: KP

**Mission Statement:**



Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.  
*The City of Escanaba is an equal opportunity employer and provider.*





May 22, 2015

Delta County  
Board of Commissioners  
310 Ludington Street  
Escanaba, MI 49829

Re: Industrial Facilities Exemption Request

Dear Commissioners:

In accordance with Act 198, Public Acts 1974 Section 207.555, the City of Escanaba hereby notifies you that the City Council will hold a public hearing at **7:00 p.m. on Thursday, June 4, 2015**, in the Council Chambers of City Hall, 410 Ludington Street, to consider approval of an application for an Industrial Facilities Exemption Certificate for real and personal property located at 3525 Airport Road.

All interested parties will be given an opportunity to be heard.

Sincerely,

A handwritten signature in blue ink that reads "Robert S. Richards".

Robert S. Richards, CMC  
City Clerk

---

**Mission Statement:**



Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.

*The City of Escanaba is an equal opportunity employer and provider.*

# DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE  
310 LUDINGTON STREET  
ESCANABA, MICHIGAN 49829  
PHONE: 906-789-5100  
FAX: 906-789-5197



April 14, 2014

Michigan Quality of Life Departments  
Director Jamie Clover-Adams, MDARD  
Director Keith Creagh, MDNR  
Director Dan Wyatt, MDEQ  
P.O. Box 30017  
Lansing, Michigan 48909

## **RE: Delta County Board of Commissioners Support for the Central U.P. Aquaculture Net Pen Pilot Project**

Dear Quality of Life Department Directors:

The Delta County Board of Commissioners strongly supports the Central U.P. Aquaculture Net Pen Pilot Project and urges a seamless and easy permitting process.

The Central U.P. Aquaculture group, a public and private partnership, was formed to further Aquaculture in our region in an environmentally respectful manner. The group defines Aquaculture as raising fish for food. The collaborative partnership is proposing a pilot project to understand the environmental and economic impact a rainbow trout net pen operation would have on Lake Michigan and is requesting a 5 year pilot permit from the State of Michigan.

Raising fish for food not only provides a local protein supply for our residents but helps offset the global seafood trade imbalance. It brings new and meaningful jobs to our rural area. It builds upon our long and proud history of agriculture.

We fully support the Central U.P. Aquaculture Project and are committed to participating in this initiative. We encourage the State of Michigan regulatory agencies to approve this pilot permit. We believe the resulting efforts of this will improve the economic climate in Delta County and beyond.

Sincerely yours,

A handwritten signature in black ink that reads "Mary K. Harrington".

Mary Harrington, Chairperson  
Delta County Board of Commissioners

# DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE  
310 LUDINGTON STREET  
ESCANABA, MICHIGAN 49829  
PHONE: 906-789-5100  
FAX: 906-789-5197



May 5, 2015

Ms. Christina Miller  
Sustainable Materials Management Unit  
Solid Waste Section  
Office of Waste Management and Radiological Protection  
Department of Environmental Quality  
PO Box 30241  
Lansing, MI 48909-7741

Dear Ms. Miller:

As a follow-up to your letter dated April 14, 2015 clarifying some approval issues and the intent of the Delta County Solid Waste Management Plan Amendment submitted November 19, 2014 to your office, the Delta County Board of Commissioners met in regular session on May 5, 2015 to review your comments. The Board of Commissioners concurred with your recommendations as follows, with some minor editorial changes as indicated:

- On page II-8, Facility Description, Escanaba Paper Company, the acreage for "Total area of facility property" should be changed from 2,060 acres to 1,960. The acreage for "Total area sited for use" should be changed from 132.4 acres to 1,960 acres.
- On page III-10, Facility Description, Escanaba Paper Company, the acreage for "Total area of facility property" should be changed from 2,060 acres to 1,960. The acreage for "Total area sited for use" should be changed from 132.4 acres to 1,960 acres.
- The County Board recognizes that while the facility is designed to accept any non-hazardous industrial waste generated at the industrial facility, the acceptance of asbestos waste for disposal requires the landfill operator to comply with the requirements of the federal asbestos regulations, found in 40 C.F.R. parts 61 to 62, July 1, 1997 edition. The County Board recognizes the facility will remain permitted as a "Type III- Industrial ~~Waste Facility~~ Landfill" as Type III- Low Hazard Industrial Waste or Construction & Demolition (C&D) Waste landfills cannot accept asbestos-containing waste material. The County Board recognizes that a C&D permit is not needed to accept C&D materials so long as it is generated at the facility.
- Page III-34, Siting Review Procedures, Siting and Process, first bulleted item will be revised to identify the change to the Plan as part of the Plan Amendment that was approved by the MDEQ

on January 16, 2007 to allow expansion of the Delta Landfill in Section 21 and the South half of Section 15. The revised bullet item will read as follows:

- “Expansion of the Delta Landfill facility located in Section 22, Section 21 and the South half of Section 15, Township 39 North, Range 23 West, Delta County, is permitted.”
- Page III-34 Siting Review Procedures, Siting Criteria and Process, second bulleted item will be revised to clarify the term “non-Type II wastes”, clarify the County intends to allow the Escanaba Paper Company to obtain a permit for a change or an additional waste disposal area type only for waste types that are generated on the Escanaba Paper Company facility property, including waste generated from any business that is located on the Escanaba Paper Company facility property, and to clarify that the total area sited for use is 1,960 acres as identified on the facility description page. The revised bulleted sentence will read as follows:
  - “Expansions of and/or changes in disposal area types shall only include other industrial waste types and/or construction and demolition waste generated ~~at~~ within the 1,960 acre facility property, ~~up to 1,960 acres~~ identified on the facility description page under the “Total area sited for use”, at the Escanaba Paper Company landfill facility located in Sections 25 and 36, Township 40 North, Range 23 West are permitted.”

The Delta County Board of Commissioners requests the MDEQ to approve the Plan Amendment with these modifications.

In addition, it is noted the current disposal rate at the Delta Landfill is up to \$57.00 per ton. We request the last sentence on page II-11 be modified to reflect the current tipping fee. The revised sentence should read:

- “The Delta County Landfill allows individuals to haul and dispose of waste at the current rate of \$57.00 per ton. The minimum disposal fee is \$10.00 for up to 350 pounds of waste.”

Should you require additional information, please do not hesitate to contact Peter Van Steen at the CUPPAD Regional Commission, 906.786.9234.

Sincerely,



Mary Ann Harrington, Chairperson  
Delta County Board of Commissioners

cc: Delta County Solid Waste Planning Committee  
Gary Daniels, Golder Associates  
Ken Diehn, Escanaba Paper Company  
Todd Schmidt, Escanaba Paper Company

# DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE  
310 LUDINGTON STREET  
ESCANABA, MICHIGAN 49829  
PHONE: 906-789-5100  
FAX: 906-789-5197



May 20, 2015

Mr. Glen Taylor  
2201 12<sup>th</sup> Ave S  
Escanaba, MI 49829

RE: Jury Commission

Dear Mr. Taylor:

Congratulations on your recent re-appointment to the Jury Commission.

Enclosed is an Oath of Office. Please sign this document in front of a Notary Public and return it to the County Clerk's Office, at the Delta County Courthouse, as soon as possible. For your convenience, a Notary Public is located in the Clerk's office during the hours of 8:00 a.m. to 4:00 p.m., Monday thru Friday.

The Delta County Board of Commissioners looks forward to working with you in the upcoming years.

Sincerely,

A handwritten signature in black ink, reading "Mary K. Harrington". The signature is written in a cursive style.

Mary Harrington, Chairperson  
Delta County Board of Commissioners

Enclosure

# DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE  
310 LUDINGTON STREET  
ESCANABA, MICHIGAN 49829  
PHONE: 906-789-5100  
FAX: 906-789-5197



May 19, 2015

Nora Viau  
6645 G Rd  
Escanaba, MI 49829

Dear Ms. Viau:

On behalf of the Delta County Board of Commissioners, I extend my sincere congratulations to you on your upcoming retirement. The Board wishes to thank you for your dedicated and loyal service while you were an employee of Delta County.

We wish you many happy, fruitful, and healthy retirement years.

Sincerely,

A handwritten signature in black ink, reading "Mary K. Harrington", written in a cursive style.

Mary Harrington, Chairperson  
Delta County Board of Commissioners



MINUTES OF THE MEETING OF  
THE PINECREST BOARD OF TRUSTEES

Date: Thursday, March 26, 2015	Place: Board
Presiding: Barbara Oliver, Chairperson	Time: 2:00 p.m. CST
Recording Secretary: Lois Ball, Executive Secretary	

Call to Order: The meeting was called to order by Chairperson Oliver at 2:00 p.m. CST

Roll Call:

Trustees Present: Gerald Smith, Elaine Boyne, Mary Harrington, Barbara Oliver, Catherine Driscoll, Randall VanGasse, John Degenauer, Jr., Jeff Naser, Jan Hafeman, and Darlene Smith, Administrator  
 Trustees Absent: Debbi Springinsguth, Gary Eichhorn, David Prestin  
 Also Present: Leadership Team Members: Candace Meintz, CFO, Susan Williamson, Director of Nursing and Sharline Corrigan, Billing.  
 Guests: Ombudsman Connie Grahovac, Steve Hruska, Joellen Zahn and Matthew Blavat.

TOPIC	DISCUSSION	OUTCOME
Approval of the March 2015 Agenda	There were no additions or deletions to this agenda.	A motion was made by Trustee Hafeman, supported by Trustee Smith to approve the Agenda. Motion carried.
Board Action on the Minutes of the February 26, 2015 meeting	The minutes had been sent to Board Members for review prior to this meeting.	A motion was made by Trustee Hafeman, supported by Trustee Smith, to approve

		the minutes as presented. Motion carried.
Approval of Financial Statements	See Financial Statement overview on last page of minutes.	Trustee VanGasse stated that he had reviewed the financial statement and made a motion to approve them. Support was given by Trustee Smith. Motion carried.
Manifest of Invoices	The Manifest of Invoices had been sent to the Board Members for their review prior to this meeting.	Trustee VanGasse stated that he had reviewed the Manifest of Invoices and made a motion to approve them as presented. Support was given by Trustee Smith. Motion carried.
Whispering Pines/Powers Activity Center Committee Report	Trustee Driscoll reported on the Committee Meeting held prior to this Board Meeting. She reported on the activity at the homes, the policies reviewed, quarterly outcomes and stated that the facilities are doing really well.	A motion was made by Trustee Degenaer, supported by Trustee Boyne, to approve the report as presented. Motion carried.
Request for approval of meals and lodging for Activities Director to attend MAAP Conference	Administrator Smith requested \$268.00 for meals and lodging for Cheryl Rochon, Activities Director, to attend the conference.	A motion was made by Trustee Driscoll, supported by Trustee Harrington, to approve the request of \$268.00 for Ms. Rochon to attend the meeting. Motion carried.
Request for approval of meals and lodging for 3 staff members to attend Emergency Preparedness Conference.	Administrator Smith explained that the original request had been for \$1075.00 but 2 of the staff will not be staying for the entire conference so the total requested will be \$500.00. This meeting is to inform us on how to conduct fire drills, elopement drills, severe weather	A motion was made by Trustee Driscoll, supported by Trustee Smith, to approve the amount of \$500.00 for 3 staff members to attend the Emergency Preparedness Conference in Brimley. Motion carried.

	<p>drills, etc. and to give them information to bring back to train our staff.</p>	
<p>Request for write off</p>	<p>The Board was asked to approve the write off request of \$14,247.08. Trustee Degenauer stated that he will be meeting with Representative McBroom next week and this issue of not having tools or means to collect these monies is on his agenda. Sharline stated that the information from the hospital reported that the resident had certain types of payment sources but we later found out that she also had an Advantage Plan so Medicare denied payment. The resident didn't even know that she had the plan, most people to not understand it and don't know their coverage. Trustee Smith asked if there was some sort of reporting from the insurance –some coding. Sharline stated that there is, but it is not fool proof.</p>	<p>A motion was made by Trustee Naser, supported by Trustee Hafeman, to approve the write off request of \$14,247.08. Motion carried.</p>
<p>Quality Assurance and Resident Council Meetings</p>	<p>Susan Williamson, Director of Nursing reported on the Quality Assurance Program and Resident Council Meetings held during March.</p>	<p>A motion was made by Trustee Boyne, supported by Trustee Hafeman, to approve the reports as presented. Motion carried.</p>
<p>Report of Timber Harvest</p>	<p>Rory Mattson spoke to the Board regarding the Timber Harvest. He handed out copies of a map showing the wooded areas and explained the cuttings that he felt should occur, cutting all merchantable wood on the piece of</p>	<p>A motion was made by Trustee Naser, supported by Trustee Smith, to go by Rory Mattson's recommendations. Motion carried.</p>

	<p>property across the highway and cuttings needed as shown on the darker areas of the map. He stated that he will put the bids up this April. They will have until June 15<sup>th</sup> to bid. After that we will set up an opening date. He also discussed the work being done on the right-of-way. He wanted to make sure that they were using a tracked machine so not to tear up the property. He stated that he will put in the bid specs that there should not be tops on the snowmobile trail that runs on our property. With Board permission he will go ahead with making up contracts for bids.</p>	
<p>Safety Committee Meeting</p>	<p>Lois Ball, Safety Committee Secretary reported on the Safety Committee for March.</p>	<p>A motion was made by Trustee Driscoll, supported by Trustee Degenaer, to approve the report as presented. Motion carried.</p>
<p>Administrator's Report</p>	<p>Administrator Smith reported that she had sat in on a phone conference with MI Health Link. She noted that it is very complicated. We have had only about a half dozen residents who have opted into the program.  On Monday March 23<sup>rd</sup> and Tuesday March 24<sup>th</sup> she and DON Susan Williamson attended the Joint Provider Meeting along with State Surveyors. They received information regarding our</p>	<p>A motion was made by Trustee Smith, supported by Trustee Boyne, to approve the Administrator's report. Motion carried.</p>

	<p>admission process as well as restraints and falls.</p> <p>She attended the OSF Advisory Committee Meeting and on the 19<sup>th</sup> we negotiated with Union Local 854.</p> <p>She also noted that the colored sheet in the packet was a description of our wood boiler system that Davey presented.</p> <p>There is also a copy of the By-Laws for each Board Member at your place, as amended after last month's meeting.</p>	
<p>Comments from the Public</p>	<p>Connie Grahovac, Ombudsman, spoke to the Board regarding complaints that she has been receiving. Ms. Grahovac was asked to report to the Administrator's office when she comes into the building and to discuss any issues that are brought to her attention with the Administrator.</p> <p>Steve Hruska addressed Administrator Smith regarding an issue between his wife (an employee) and a resident.</p> <p>Joellen Zahn, a resident's family member addressed the Board regarding an issue with the resident. DON Susan Williamson stated that she had talked with the resident today and this was already taken care of.</p>	

Adjournment	The meeting adjourned at 2:51 p.m. CST	A motion was made by Trustee Smith, supported by Trustee Hafeman, to adjourn the meeting. Motion carried.
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Elaine Boyne, Secretary

Elaine Boyne

Darlene Smith, Administrator

Darlene Smith

Attachment 1 – Financial Statement for February 2015 overview

**Pinecrest Medical Care Facility  
Actual vs Budget Statement of Operations  
For the Month Ended February 28, 2015**

	<u>Actual</u>	<u>Budget</u>	<u>YTD Actual</u>	<u>YTD Budget</u>
Total Income	\$885,670.37	\$861,595.00	\$1,826,353.00	\$1,811,199.00
Total Expenses	(862,761.11)	(853,766.00)	(1,731,706.89)	(1,788,834.00)
Net Operating Income	22,909.26	7,829.00	94,646.11	22,365.00
Nonoperating Income	(13,072.59)	16,328.00	35,859.02	33,108.00
Nonoperating Expense	(10,366.70)	(10,364.00)	(21,839.52)	(21,838.00)
Net Nonoperating Loss	(23,439.29)	5,964.00	14,019.50	11,270.00
Net Income (Loss)	(\$530.03)	\$13,793.00	\$108,665.61	\$33,635.00

*Menominee-Delta-Schoolcraft  
Community Action Agency*

**GOVERNING BOARD MEETING**

*Thursday, April 9, 2015  
511 First Avenue North, Escanaba MI  
12:30 p.m. (EST)*

**MINUTES**

The meeting was called to order at 12:30 p.m. by Chair Karen Wigand. A quorum was noted with the following in attendance:

**MEMBERS PRESENT**

Karen Wigand, Delta  
Omer Doran, Schoolcraft  
Dan LaFoille, Schoolcraft  
Susan Kleikamp, Menominee  
Clyde Thoune, Menominee  
Lee Robbert, Schoolcraft  
Susan Phillips, Schoolcraft  
Julie Moberg, Delta  
Ken Penokie, Delta  
Geri Nelson, Delta  
Bernie Lang, Menominee

**OTHERS PRESENT**

Bill Dubord, Executive Director  
Myra Heslip, Acting ECP Director  
Theresa Nelson, RSVP Director  
Sally Kidd, Senior Services Director  
Joe Dehlin, Weatherization Director  
Kris Thibeault, Finance Director

**MEMBERS ABSENT**

Mari Negro, excused  
Kristi Wood  
Cathy Mercier  
Dave Moyle  
Tom Lippens  
Myra Croasdell  
Dave Anthony

**APPROVAL OF MARCH 12, 2015 GOVERNING BOARD MINUTES**

Members received a draft of the March 12, 2015 Governing Board minutes for their review. A correction was noted that Myra Heslip is technically *Acting Director* of the ECP until final approval from the regional office. They were **APPROVED WITH THE CORRECTION THAT MYRA HESLIP IS CURRENTLY ACTING DIRECTOR OF THE EARLY CHILDHOOD PROGRAM BY A MOTION FROM MR. LAFOILLE, SECONDED BY MR. ROBBERT; MOTION CARRIED.**

**FINANCE COMMITTEE REPORT**

The Chair called on Treasurer Dan LaFoille who reported that the Finance Committee met on 4/09/2015 and reviewed the February and March Accounts Payable Schedules and recommends their approval – **THIS WAS DONE WITH A MOTION FROM JULIE MOBERG, SUPPORTED BY GERI NELSON; MOTION CARRIED.** Mr. LaFoille also reported that the Finance Committee completed their annual review of the Financial Procedures Manual, making some minor revisions. Copies of the revised Financial Procedures Manual are available to board members upon request. **THE FINANCE COMMITTEE REPORT WAS ACCEPTED WITH A MOTION FROM DAN LAFOILLE, SUPPORTED BY OMER DORAN; MOTION CARRIED.**

**NOMINATING COMMITTEE REPORT**

Bill Dubord reviewed the board vacancies needing to be filled—two private sector in Schoolcraft County and one consumer seat in Menominee County. Board members were asked to let him know if they have any suggestions. **SUSAN KLEIKAMP MOVED TO ACCEPT THE NOMINATING COMMITTEE REPORT; SECONDED BY DAN LAFOILLE; MOTION CARRIED.**

**PERSONNEL COMMITTEE REPORT**

Ms. Wigand called on Susan Kleikamp who reported that the process to replace Mr. Dubord is moving forward. The position has been posted, with resumes due by April 17. Mr. Dubord reported that to date eight resumes have been received. Target date for a replacement to be on board is July 6, 2015. It was also noted that interviews will be held in an open meeting. Ms. Kleikamp noted that the committee continues to work on revising the Personnel Policies. **MS. PHILLIPS MOVED TO ACCEPT THE PERSONNEL COMMITTEE REPORT, SECONDED BY MR. DORAN; MOTION CARRIED.**

**APPROVAL OF 1/28/2015 HEAD START/ECP POLICY COUNCIL MINUTES**

Members were given a copy of the 1/28/15 Head Start/ECP Policy Council minutes for their review. There were no questions or comments **AND THEY WERE APPROVED UPON A MOTION FROM LEE ROBBERT, SUPPORTED BY OMER DORAN; MOTION CARRIED.**

**ACCEPTANCE OF ECP MONTHLY REPORT DATED 3/17/15**

Members were given a copy of the ECP report dated 3/17/15 for their review. There were no questions or comments **AND THEY WERE ACCEPTED WITH A MOTION FROM SUSAN KLEIKAMP, SUPPORTED BY OMER DORAN; MOTION CARRIED.**

**APPROVAL OF WHISTLEBLOWER/COMPLAINT RESOLUTION POLICY**

Members were sent the draft Whistleblower/Complaint Resolution Policy for their review. **KEN PENOKIE MOVED TO ACCEPT THE POLICY AS PRESENTED; SECONDED BY DAN LAFOILLE; MOTION CARRIED.**

**UPDATE ON ORGANIZATIONAL STANDARDS**

The agency submitted to the State the agency checklist. Other updates due by October 1, 2015 are ongoing, including a strategic plan, which Bill wants to wait until the new director is hired so he/she can be involved with the planning.

**EXECUTIVE DIRECTOR'S REPORT**

Karen Wigand called on the Executive Director who reported that ECP is back in session after spring break. He stated he is very pleased how things are going with Myra. **LEE ROBBERT MOVED TO ACCEPT THE EXECUTIVE DIRECTOR'S REPORT, SUPPORTED BY OMER DORAN; MOTION CARRIED.**

**PUBLIC COMMENT/OTHER BUSINESS**

The board secretary position is currently vacant. Bill indicated that an election by the board must be held to fill the vacancy. **Mr. LaFoilie nominated Susan Kleikamp to fill the secretary position, with support from Mr. Penokie. Chair Wigand called for any other nominations 3 times. There were no further nominations. MR. LAFOILLE MOVED TO CLOSE NOMINATIONS AND ACCEPT SUSAN KLEIKAMP TO FILL THE SECRETARY POSITION; SECONDED BY KEN PENOKIE. MOTION CARRIED**

New board member Clyde Thoun asked for clarification between private sector and consumer sector board vacancies. Bill Dubord explained to his satisfaction.

**ADJOURNMENT**

The meeting adjourned at 1 p.m. **WITH A MOTION FROM DAN LAFOILLE, SECONDED BY SUSAN KLEIKAMP; MOTION CARRIED.**

**THE NEXT MEETING IS MAY 14, 2015 AT 12:30 P.M. (EDT)**

**FINANCE COMMITTEE MEETING**

**Thursday, April 9, 2015**

**11:15 a.m.**

**MINUTES**

The meeting was called to order at 11:15 a.m. and the following were present: Dan LaFoilie, Omer Doran, Susan Kleikamp, Julie Moberg, Karen Wigand, Bill Dubord, Kris Thibeault and Sally Kidd.

The committee reviewed the CAA February credit card charges.

The committee reviewed the CAA February Accounts Payable Schedule and **it was approved with a motion from Susan Kleikamp, seconded by Julie Moberg; motion carried.**

The committee reviewed the CAA March Accounts Payable Schedule and **it was approved with a motion from Omer Doran, supported by Julie Moberg; motion carried.**

Karen Wigand mentioned rebates available for on-line ordering. Kris will look into it.

The committee reviewed the HRA March credit card charges (February done at last meeting).

The committee reviewed the HRA February Accounts Payable Schedules and **they were approved with a motion from Ms. Kleikamp, supported by Mr. Doran; motion carried.**

The committee also reviewed the HRA March Accounts Payable Schedules and **they were approved with a motion from Omer Doran, seconded by Ms. Moberg; motion carried.**

The committee reviewed the Financial Procedures Manual draft revision. Kris reviewed the highlighted changes. Karen questioned the word "periodic" for reviewing the front desk register, as too undefined. Suggested it be changed to at least monthly. Kris will take care of that change.

**The Financial Procedures Manual changes were approved with a motion from Ms. Kleikamp seconded by Ms. Moberg; motion carried.** The full board will be made aware that the Financial Procedures Manual is available upon request.

Other business: Kris explained the Budget vs. Actual Expenditures reports dated 2/28/2015. She indicated that there is new funding for Weatherization of \$117,400. She also informed the committee that our cash balances remain healthy.

The meeting adjourned at 12:10 p.m. **with a motion from Susan Kleikamp, seconded by Omer Doran; motion carried.**

THE FINANCE COMMITTEE HAS REVIEWED THE FEBRUARY 2015 ACCOUNTS PAYABLE SCHEDULES FOR MDS COMMUNITY ACTION AGENCY. WE HAVE DETERMINED THAT EXPENDITURES ARE REASONABLE AND PROPERLY CHARGED WITHIN BUDGETARY RESTRICTIONS AS FOLLOWS:

HEAD START	\$	218,901
EARLY HEAD START		59,014
EARLY-ON CHILDHOOD		41
GSRP		30,798
ASSET & LIABILITY ACCOUNTS		31,228
TOTAL	\$	<u>339,983</u>

SIGNED

  
(TREASURER)

DATE

4-9-15

Attachment "A"

THE FINANCE COMMITTEE HAS REVIEWED THE FEBRUARY 2015 ACCOUNTS PAYABLE SCHEDULES FOR HUMAN RESOURCES AUTHORITY. WE HAVE DETERMINED THAT EXPENDITURES ARE REASONABLE AND PROPERLY CHARGED WITHIN BUDGETARY RESTRICTIONS AS FOLLOWS:

SENIOR CITIZENS	\$	124,632
VOLUNTEER PROGRAMS		41,236
NUTRITION		96,732
STATE & LOCAL PROGRAMS		118,856
ENERGY AND HOUSING		48,674
ASSET & LIABILITY ACCOUNTS		44,791
TOTAL	\$	<u>474,921</u>

SIGNED

  
(TREASURER)

DATE

4-9-15

Attachment "A"

THE FINANCE COMMITTEE HAS REVIEWED THE MARCH 2015 ACCOUNTS PAYABLE SCHEDULES FOR MDS COMMUNITY ACTION AGENCY. WE HAVE DETERMINED THAT EXPENDITURES ARE REASONABLE AND PROPERLY CHARGED WITHIN BUDGETARY RESTRICTIONS AS FOLLOWS:

HEAD START	\$	234,010
EARLY HEAD START		65,287
EARLY-ON CHILDHOOD		672
GSRP		26,775
ASSET & LIABILITY ACCOUNTS		26,037
<b>TOTAL</b>	<b>\$</b>	<b>352,780</b>

SIGNED   
(TREASURER)

DATE 4-9-15

Attachment "A"

THE FINANCE COMMITTEE HAS REVIEWED THE MARCH 2015 ACCOUNTS PAYABLE SCHEDULES FOR HUMAN RESOURCES AUTHORITY. WE HAVE DETERMINED THAT EXPENDITURES ARE REASONABLE AND PROPERLY CHARGED WITHIN BUDGETARY RESTRICTIONS AS FOLLOWS:

SENIOR CITIZENS	\$	117,916
VOLUNTEER PROGRAMS		40,741
NUTRITION		94,196
STATE & LOCAL PROGRAMS		76,262
ENERGY AND HOUSING		8,277
ASSET & LIABILITY ACCOUNTS		67,203
TOTAL	\$	404,596

SIGNED   
(TREASURER)

DATE 4-9-15

**NOMINATING COMMITTEE MEETING**  
**Thursday, April 9, 2015**  
**12:15 p.m.**

**MINUTES**

The Nominating Committee met at 12:15 and the following were present: Dan LaFoilie, Omer Doran, and Bill Dubord. Also attending were Karen Wigand and Sally Kidd.

Bill reminded the members that we still have two vacancies in the Schoolcraft County Private Sector. He reported that Susan Phillips asked Rosemary Sablack but she declined. Options include Schoolcraft County Transit, the Commission on Aging and service clubs. Susan and Dan will continue to work on this.

Bill noted that there is also a vacancy in the Menominee County Consumer Sector. We continue to search to fill this vacancy.

The meeting adjourned at 12:25 p.m.

## PERSONNEL COMMITTEE MEETING

Thursday, April 2, 2015

11:00 a.m.

## MINUTES

The meeting was called to order at 11:07 a.m. and the following were present: Susan Kleikamp, Karen Wigand, Geri Nelson, Susan Phillips, Myra Croasdell, Bill Dubord and Cathy Pearson. Ken Penokie, excused

Bill updated the committee on the progress of hiring a new Executive Director. His position has been posted with a deadline of April 17<sup>th</sup>. He noted that he was happy that the board agreed to have only one candidate brought before them for approval. The resumes of applicants who meet the qualifications will be mailed to the Personnel Committee on April 20<sup>th</sup> (Geri will pick her packet up). Members were given a list of potential interview questions for them to review and let Bill know if they have any recommendations.

The committee continued the review and revision of the Personnel Policies. Previously the committee had asked about Section XII., D. 4 on paid leave for the Early Childhood Program f-time staff. Bill informed them that this is their vacation leave that usually follows the school vacation days.

The following recommendations to the original marked up copy were made.

- Make all bullet points and arrows consistent throughout the document.
- Page 15, Section XII., G. # 6 last sentence should change outline to **"outlined" an H. to letter F.**
- Page 16, " " , H, #12 remove (**medical tests, i.e. elective surgery**)
- Page 16, " " , I, Heading should include the word **Act** after Leave.
- Page 18, " " , J, #2 after status add **"and will be granted on a scheduled work day."**
- Page 18, " " , K. #1 should be changed to **U.S. Armed Forces, Armed Forces Reserve Corps or National Guard"**
- Page 18 " " ,L. Add new number 3 that reads **"Documentation for jury duty must be provided."**
- Page 19." " L. Eliminate #3.
- Page 19," " O., #2 add after the word eligible **"but not required"**
- Page 19," " O, #3 eliminate **"between 1-5%"**
- Page 19 " " O, #3 2<sup>nd</sup> bullet point change the word "even" to **"whole"**
- Page 19," " O, #3, eliminate letter a and change letter b to a bullet point that reads **"The orientation period is included in the one year of employment eligibility."** Make former letter c a bullet point
- Page 19, Section XIII., A. eliminate **"paid in advance or"**
- Page 20, Section XIV. Letter A. – the first paragraph under this section should be made # 1.
- Page 20 " " - the 2<sup>nd</sup> paragraph under this section should be made #2 and add **"camera"** before the word phone.
- Page 20 " " 2<sup>nd</sup> bullet point under new #2 – remove **"client information"**
- Page 20 " " Make new third bullet point that reads: **Disseminating any client information, including photos or other confidential information (including any that fall under HIPPA laws).**
- Page 21, Section XIV., B. – remove the word **"occurring"** from the 2<sup>nd</sup> sentence. Also remove the 5<sup>th</sup> sentence **"If an employee mentions CAA by name in any blog or social media site, the employee MUST disclose that they are a CAA employee and post a disclaimer stating that the opinions expressed are the employee's own and do not represent CAA's position".**

The committee completed the review up through Section XVI. Dress.

The committee was given information on tobacco use, medical marijuana and weapons to discuss at the next meeting. Staff will look into getting language relating to HIPPA that we may want to adopt.

**The next meeting will be April 30<sup>th</sup> at 11:00 a.m.** The meeting adjourned at 12:55 p.m.

**Menominee-Delta-Schoolcraft  
Human Resources Authority**

**GOVERNING BOARD MEETING**

**Thursday, April 9, 2015  
511 First Avenue North, Escanaba, MI  
12:45 p.m. (EST)**

**MINUTES**

The meeting was called to order at 1:22 p.m. by Chair Karen Wigand. A quorum was noted with the following in attendance:

**MEMBERS PRESENT**

Karen Wigand, Delta  
Omer Doran, Schoolcraft  
Dan LaFoilie, Schoolcraft  
Susan Kleikamp, Menominee  
Clyde Thoune, Menominee  
Bernie Lang, Menominee  
Susan Phillips, Schoolcraft  
Lee Robert, Schoolcraft  
Ken Penokie, Delta  
Julie Moberg, Delta  
Geri Nelson, Delta

**OTHERS PRESENT**

Bill Dubord, Executive Director  
Myra Heslip, ECP Acting Director  
Theresa Nelson, RSVP Director  
Sally Kidd, Senior Services Director  
Mary Bunnin, FGP Director  
Joe Dehlin, Weatherization Director  
Mark Bomberg, UPCAP/AAA

**MEMBERS ABSENT**

Mari Negro, excused  
Kristi Wood,  
Myra Croasdell  
Dave Moyle  
Cathy Mercier  
Dave Anthony  
Tom Lippens

**APPROVAL OF MARCH 12, 2015 GOVERNING BOARD MINUTES**

Members received a draft of the March 12, 2015 Governing Board minutes for their review and they were **APPROVED WITH A MOTION FROM LEE ROBBERT, SECONDED BY OMER DORAN; MOTION CARRIED.**

**FINANCE COMMITTEE REPORT**

The Chair called on Treasurer Dan LaFoilie who reported that the Finance Committee met on 4/9/15 and reviewed the February and March Accounts Payable Schedules and recommends their approval. **THIS WAS DONE WITH A MOTION FROM MS. MOBERG, SUPPORTED BY MS. KLEIKAMP; MOTION CARRIED.** Mr. LaFoilie also reported that the Finance Committee completed their annual review of the Financial Procedures Manual, making some minor revisions. Copies of the revised Financial Procedures Manual are available to board members upon request. **THE FINANCE COMMITTEE REPORT WAS ACCEPTED WITH A MOTION FROM DAN LAFOILLE, SUPPORTED BY OMER DORAN; MOTION CARRIED. (see attachment "A")**

### NOMINATING COMMITTEE REPORT

Bill Dubord reviewed the board vacancies needing to be filled—two private sector in Schoolcraft County and one consumer seat in Menominee County. Board members were asked to let him know if they have any suggestions. **CLYDE THOUNE MOVED TO ACCEPT THE NOMINATING COMMITTEE REPORT; SECONDED BY SUSAN KLEIKAMP; MOTION CARRIED. (see attachment "B")**

### PERSONNEL COMMITTEE REPORT

Ms. Wigand called on Susan Kleikamp who reported that the process to replace Mr. Dubord is moving forward. The position has been posted, with resumes due by April 17. Mr. Dubord reported that to date eight resumes have been received. Target date for a replacement to be on board is July 6, 2015. It was also noted that interviews will be held in an open meeting. The committee also continued work on revising the Personnel Policies. **MS. PHILLIPS MOVED TO ACCEPT THE PERSONNEL COMMITTEE REPORT, SECONDED BY MS. NELSON; MOTION CARRIED. (see attachment "C")**

### APPROVAL OF POLICY ADVISORY COMMITTEE MINUTES

Members received copies of the following Policy Advisory Committee minutes for their review:

- 2/13 (Schoolcraft) & 2/28/2015 (Mid County) Foster Grandparent Program PAC minutes
- 3/4 (Schoolcraft) & 3/17/15 (Delta) Senior Companion Program PAC minutes
- 2/12/15 (Delta) Retired & Senior Volunteer Program PAC minutes
- 2/23/15 Mid County Senior Center PAC minutes

**THEY WERE APPROVED WITH A MOTION FROM MR. ROBBERT, SUPPORTED BY GERI NELSON; MOTION CARRIED.**

### ACCEPTANCE OF PROGRAM MONTHLY REPORTS

Members received copies of the Senior Citizen Program first quarter report as well as the February/March Weatherization Program report for their review and **THEY WERE ACCEPTED WITH A MOTION FROM DAN LAFOILLE; SUPPORTED BY OMER DORAN; MOTION CARRIED.**

### APPROVAL OF WEATHERIZATION LANDLORD/CONTRIBUTION POLICY

Chair Wigand called on Joe Dehlin, Weatherization Director, to report on the Weatherization Landlord/Contribution Policy, which members were sent. Joe reported that recent Michigan Legislative action regarding LIHEAP Weatherization funds require a 25% landlord contribution. He indicated our requested policy include 25% landlord contribution for all Weatherization funds for consistency purposes. Mr. Penokie asked if the 25% is collected up front, and it is. **MR. PENOKIE MOVED TO ACCEPT THE POLICY AS PRESENTED, SECONDED BY MR. DORAN; MOTION CARRIED.**

### UPDATE ON ORGANIZATIONAL STANDARDS

The agency submitted to the State the agency checklist. Other updates due by October 1, are ongoing, including a strategic plan, which Bill wants to wait until the new director is hired so he/she can be involved with the planning.

**EXECUTIVE DIRECTOR'S REPORT**

Chair Wigand called on Bill Dubord to give his report. Mr. Dubord reported that Theresa Nelson, RSVP Director is now working part-time (70%) on a test basis. Mary Bunnin, FGP Director has submitted her retirement letter, effective June 1, 2015.

The Bishop Noa Home is moving forward with the Memory Care facility. BNH staff will present to the board later this-year.

**SUSAN KLEIKAMP MOVED TO ACCEPT BILL'S REPORT AS PRESENTED, SECONDED BY SUSAN PHILLIPS; MOTION CARRIED.**

**PUBLIC COMMENT/OTHER BUSINESS**

Mark Bomberg from UPCAP/AAA was on hand to explain a change in our Waiver contract with UPCAP. UPCAP is participating in a pilot project that serves clients who receive both Medicare and Medicaid. Because Medicare dollars will be in play, federal rules will apply to all agencies involved with this project. One of the rules is that all employees AND board members are subject to a Medicare Exclusion background check. Bill did not want to sign this contract without bringing this to the board for discussion.

If the contract is signed, all board members names will be entered into two data bases. If their name matches any in the OIG or SAM data bases, then we will be required to investigate and rule out that it is our board member, which is done by running their social security number. Names of employees and board members must be run every month in order to be compliant, which will be time consuming for staff.

Mark explained that some reasons to be on the Medicare Exclusion list are fraudulently billing Medicare, not signing up for the draft, defaulting on student loans.

Bill stated that our contract should have been signed by April 1, 2015, and that we do run the risk of having our reimbursement taken away for not being in compliance. We are currently serving approximately 15 people under the waiver program.

**CLYDE THOUNE MOVED TO TABLE SIGNING THE CONTRACT UNTIL FURTHER INVESTIGATION, SECONDED BY KEN PENOKIE; MOTION CARRIED.**

**ADJOURNMENT**

The meeting adjourned at 2:00 p.m. **WITH A MOTION FROM SUSAN KLEIKAMP, SECONDED BY JULIE MOBERG; MOTION CARRIED.**

**THE NEXT MEETING IS MAY 14, 2015 AT 12:45 P.M (EDT)**

**Delta County  
Department of Human Services Board  
305 Ludington Street  
Escanaba, MI 49829**

**BOARD MEMBERS**

**GERALD SMITH, CHAIR  
ELAINE BOYNE  
DEBBI SPRINGINSGUTH**

**DIRECTOR**

**RUSSELL K. SEXTON  
906-789-7217**

**Meeting #974**

**Date: April 20, 2015**

A regular meeting of the Delta County Department of Human Services Board was called to order by Russell Sexton, Board Secretary, at 10:00 a.m. Eastern Time. The meeting was held in the Delta County Board Room on the second floor of the State Office Building located at 305 Ludington Street, Escanaba.

Present: Gerald Smith, Board Chair; Elaine Boyne, Board Member; and Russell Sexton, Board Secretary.

Absent: Debbi Springinsguth, Board Member, Planned/Approved

**APPROVAL OF AGENDA:**

A motion to approve the agenda was made by Mr. Smith and supported by Ms. Boyne. Motion passed without opposition.

**APPROVAL OF MARCH 16, 2015 MINUTES:**

Minutes of the March 16, 2015, Board Meeting were reviewed and discussed. A motion to accept the minutes was made by Mr. Smith and supported by Ms. Boyne. Motion passed without opposition.

**FINANCIAL REPORT:**

The financial report for March 2015 was reviewed. There was \$11.20 in expenditures for DHS Board Meeting attendance; leaving a balance of \$177.45.

There were no expenditures from the Child Care Fund with the balance remaining \$3,098.73.

A motion to approve the financial report was made by Mr. Smith and supported by Ms. Boyne. Motion passed without opposition.

**DIRECTOR'S REPORT:**

**Staffing Information:** Delta County: There are 5 full time management staff, including 1 tri-county director and four first line supervisors consisting of 1 children's protective

services supervisor, 1 foster care supervisor, 1 assistance payments supervisor and 1 general program supervisor who covers some assistance payments staff in Delta County and an Indian outreach worker in Menominee County. There is 1 tri-county community resource coordinator. There are 5 administrative support staff, 4 general and 1 fiscal. There are 5 children's protective services specialists, 5 foster care and foster home licensing specialists, with one position currently vacant, 1 educational planner who serves the entire Upper Peninsula, 1 peer coach the covers the Triad and 1 Michigan Youth Opportunity Initiative worker. There are 13 assistance payments specialists (two are on a long term military leave); one limited term assistance payments specialist (to alleviate some of the extra work due to the military leaves).

We have 2 Business Service Center 1 staff stationed in our office, which includes 1 contract specialist and 1 child welfare funding specialist.

We have two Business Services Center 6 Adult Services Specialists stationed in our office.

We have 4 central office personnel stationed in our office, which includes 1 Bureau of Child Welfare licensing analyst, 1 maltreatment-in-care specialist and 2 Michigan Rehabilitation Services analysts – 1 full time and 1 part time.

**Statewide Director's Meeting Information:** No meeting occurred this month.

**Collaborative Issues:** No new information was provided.

**Business Plan Update:**

Operational Funds:

- FY 2015 Operating Funds Expenditure Report: Allocation: \$68,742.00. Year-to-date expenditures: \$14,190.43, which constitutes 20.6% of the allocation expended with 50% of the year elapsed.
- FY 2015 Travel Funds Expenditure Report: Allocation: \$52,332.00. Year-to-date expenditures: \$14,582.63, which constitutes 31.1% of the allocation expended with 50% of the year elapsed.
- Assistance Payments Standard of Promptness: Current data for Delta County is 98%. Business Services Center 1 average is 94% and State average is 91%.
- Family Independence Program Work Participation Rate: Current data is 50% Statewide Goal is 50%.

**Miscellaneous:**

Total cases, recipients and payments for FIP, FAP, SDA, CDC and SER benefits for January 2015:

- Family Independence Program: 39 cases; 76 recipients; \$10,965.00 in benefits provided.

- Food Assistance Program: 3,007 cases; 5,485 recipients; \$623,375.00 in benefits provided.
- State Disability Assistance: 23 cases; 23 recipients; \$5,502.00 in benefits provided.
- Child Development and Care: 68 cases; 93 recipients; \$20,972.00 in benefits provided.
- State Emergency Relief: 43 cases; \$13,360.00 in benefits provided.
- Unduplicated total: 3,051 cases; 5,552 recipients; \$674,174.00 in benefits provided.

Total Eligible Medicaid Cases and Recipients:

- Family Medicaid: 1054 cases; 2,108 recipients
- Other Children < Age 21: 255 cases; 286 recipients
- Pregnant Women & Children Under 19: 1,170 cases; 1,868 recipients
- Non-SSI Aged, Blind & Disabled: 1,077 cases; 1,112 recipients
- SSI Aged, Blind & Disabled: 1,071 cases; 1,071 recipients
- Medicaid Eligible Total: 4,276 cases; 6,432 recipients

Healthy Michigan Plan County Enrollment: 1792

Child Welfare Statistics:

- CPS ISP – 98%
- CPS ISP Supervisor Approval – 100%
- CPS USP – 100%
- SPC USP Supervisor Approval – 100%
- CPS Commencement of Investigation – 100%
- CPS Investigation Face-to-Face Contact – 88%
- FC Initial Medical – N/A
- FC Initial Dental – N/A
- FC Periodic Medical – 100%
- FC Periodic Dental – N/A

Assistance Payments caseloads and financial information can be obtained by anyone at any time by logging onto the DHS public website at [www.michigan.gov/dhs](http://www.michigan.gov/dhs), go to Forms and Publications and search the key word: Green Book. There you can look at past years and specific month data.

DHS policy for all programs, as well as a variety of other information one might want to know about DHS can be found at the [www.michigan.gov/dhs](http://www.michigan.gov/dhs) site.

**Board Member Input/Suggestions:** None.

A motion to accept the Director's Report was made by Mr. Smith and supported by Ms. Boyne. Motion passed without opposition.

**UNIT REPORT:** Mark Kwarciany, Family Independence Manager, provided the Board with a comprehensive report on the Assistance Payments unit. Mr. Kwarciany provided the following information:

1. Delta county SOP for the month of March with total registrations of 970
  - Total SOP 97.52%
  - FIP - 96.55%
  - SDA - 93.75%
  - MA- 97.23%
  - CDC – 100%
  - FAP – 97.55
  - EFAP – 97.56
  - SER – 99.07%
  - Note: Delta County was 5th in the Region 1 offices but all the counties in the 1-4 spots had significantly less total registrations. Two counties had less than 450 and the other two had 244 and 136. The next closes county to Delta County in total registrations was Marquette.
  
2. Caseload statistics: as of 4-16-15 - February stats Per Green Book
  - Total FIP cases 39 with 76 recipients costing \$10964.76
  - Total SDA cases 23 with 23 recipients costing \$5502.00
  - Total FAP cases 3007 with 5485 recipients costing \$623,375. FAP demographics: Adults 3586; Children 1899
  - Total SER cases 43 costing \$13359.85 of which one was state funded for \$542.86
  - Total CDC cases 87 for 122 children costing \$20971.99
  
3. Average caseload size per worker:
  - Non-FIS – 580
  - LTC worker – 423
  - FIS worker – 257

We are down two workers and have a new worker who is on a limited caseload size. Policy news: Fugitive Felon policy on hold, several hearings as a result of the Federal Farm Bill from last April reducing FAP for those who did not apply for HHC.

**BOARD BUSINESS:**

1. **Approval of Vouchers:**  
Vouchers were reviewed and a motion to approve all vouchers was made by Mr. Smith and supported by Ms. Springinsguth. Motion passed without opposition.
2. **MCSSA:** The next District One meeting will be held on July 15, 2015 at the Landmark Inn, Marquette.

**NEW BUSINESS:** Board was asked to accomplish an evaluation of the local DHHS Director, Russell Sexton, for CY 2014, to be sent in to DHHS Business Service Center One. Board members present will do so after the conclusion of the meeting.

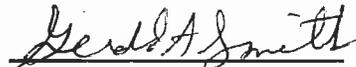
**PUBLIC COMMENT:** There were no public comments.

**NEXT MEETING:** May 11, 2015 at 10:00 a.m. in the Delta County DHS Board Room.

**ADJOURNMENT:** Motion to adjourn made by Mr. Smith and supported by Ms. Boyne. Meeting adjourned at 10:30 a.m.



**Russell K. Sexton**  
**Board Secretary**



**Gerald Smith**  
**Chairperson**

Pc: DHS Board Members;  
Delta County BOC;  
Delta County DHS Office File

# **A G E N D A**

## **DELTA COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD MEETING**

**305 Ludington Street, Second Floor Conference Room**

**June 15, 2015, 10:00 A.M. Eastern Time**

- A. Approval of agenda**
- B. Approval of May 11, 2015 minutes**
- C. Financial report**
  - 1. Review of vouchers**
- D. Director's Report**
  - 1. Staffing Information**
  - 2. Statewide Directors Meeting/Information**
  - 3. Collaborative Issues/Information**
  - 4. Director's Portfolio Update**
  - 5. Miscellaneous**
  - 6. Board Member Input/Suggestions**
- E. Unit Reports:**
- F. Board business**
  - 1. Approval of vouchers**
  - 2. MCSSA**
- G. New business**
- H. Public comment (5 minute limit per speaker)**
- I. Next meeting – July 20, 2015 – 10:00 AM**
- J. Adjournment**

**“What do we believe? Who do we serve? What do we do?”**

**Mission:**

**Improving the quality of life in Michigan by providing services to vulnerable children and adults that will strengthen the community and enable families and individuals to move toward independence.**

**Vision:**

**Compassion. Protection. Independence.**

# COUNTY OF DELTA

NANCY J. KOLICH  
COUNTY CLERK AND REGISTER OF DEEDS  
310 LUDINGTON ST.  
ESCANABA, MICHIGAN 49829



HOPE I. RUDDEN  
CHIEF DEPUTY CLERK

SUSANNE DUBORD  
DEPUTY CLERK

PHONE: (906) 789-5105  
FAX: (906) 789-5196

WEBSITE:  
[www.deltacountymi.org](http://www.deltacountymi.org)  
[dclerk@charterinternet.com](mailto:dclerk@charterinternet.com)

## MINUTES OF THE DELTA COUNTY CONCEALED PISTOL LICENSE BOARD

Date: April 21, 2015

Time: 1:30 p.m.

Place: Circuit Courtroom

VOTING MEMBERS PRESENT: Philip Strom, Prosecuting Attorney  
Sheriff Ed Oswald  
Trooper Dale Hongisto, MSP

The meeting was called to order at 1:30 p.m. by Mr. Strom.

Moved by Sheriff Oswald and seconded by Trooper Hongisto to approve the minutes of the March 17, 2015 meeting. Motion carried.

Moved by Sheriff Oswald and seconded by Trooper Hongisto to approve a total of 71 applicants as presented. Motion carried.

33 new licenses were issued with expiration dates 4 years from their next birthday, 1 with Pistol Free Exemption. List attached.

38 renewal licenses were issued, 2 with Pistol Free Exemption. List attached.

Moved by Sheriff Oswald and seconded by Trooper Hongisto to suspend Mr. Aos' CPL for 6 months due to a plea of guilty to failure to disclose CCW. Motion carried.

Moved by Sheriff Oswald and seconded by Trooper Hongisto to adjourn at 2:31 p.m. Motion carried.

Respectfully Submitted,

A handwritten signature in black ink that reads "Nancy J. Kolich".

Nancy J. Kolich  
Delta County Clerk

# COUNTY OF DELTA

NANCY J. KOLICH  
COUNTY CLERK AND REGISTER OF DEEDS  
310 LUDINGTON ST.  
ESCANABA, MICHIGAN 49829



HOPE I. RUDDEN  
CHIEF DEPUTY CLERK

SUSANNE DUBORD  
DEPUTY CLERK

PHONE: (906) 789-5105  
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WEBSITE:  
[www.deltacountymi.org](http://www.deltacountymi.org)  
[dclerk@charterinternet.com](mailto:dclerk@charterinternet.com)

## MINUTES OF THE DELTA COUNTY CONCEALED PISTOL LICENSE BOARD

Date: May 19, 2015

Time: 1:30 p.m.

Place: Delta County Service Center

VOTING MEMBERS PRESENT: Sheriff Ed Oswald  
1<sup>st</sup> Lt. Greg Cunningham, MSP

The meeting was called to order at 1:30 p.m. by Sheriff Oswald.

Moved by Lt. Cunningham and seconded Sheriff Oswald by to approve the minutes of the April 21, 2015 meeting. Motion carried.

Moved Lt. Cunningham and seconded by Sheriff Oswald to approve a total of 47 applicants as presented. Motion carried.

23 new licenses were issued with expiration dates 4 years from their next birthday. List attached.

24 renewal licenses were issued, 1 with Pistol Free Exemption. List attached.

Moved by Lt. Cunningham and seconded by Sheriff Oswald to table Mr. Davenport's application until September for more information. Motion carried.

Moved by Lt. Cunningham and seconded by Sheriff Oswald to table Mr. Gustafson's application until June for more information. Motion carried.

Moved by Lt. Cunningham and seconded by Sheriff Oswald to adjourn at 2:02 p.m. Motion carried.

Respectfully Submitted,

Nancy J. Kolich  
Delta County Clerk

**DELTA SOLID WASTE MANAGEMENT AUTHORITY  
MONTHLY MEETING  
APRIL 28, 2015, AT 7:00 P.M., DELTA COUNTY SERVICE CENTER, 2920 COLLEGE AVENUE**

**MEMBERS PRESENT:** Randy Gorecki, Hugo Mattonen, Ralph Blasier, Gary Boudreau, Eric Buckman and Patrick Johnson

**MEMBER ABSENT:** Steve Rose

**OTHERS PRESENT:** Don Pyle, Kim Peterson and Matt Peltin

Meeting was called to order at 7:00 p.m. by Chairman Randy Gorecki.

**Public Comment** – None.

**Secretary's Report – Minutes of March 24, 2015**

**A motion was made by Gary Boudreau, seconded by Patrick Johnson, to approve the March 24, 2015, meeting minutes. Motion was approved unanimously.**

**Treasurer's Report**

The Authority in March had operating revenue of \$116,919 and operating expenses of \$80,836 for revenue of \$36,083. Year to date operating revenue is \$309,126 and operating expense is \$318,475 for a loss of \$9,349.

**A motion was made by Gary Boudreau, seconded by Hugo Mattonen, to accept the Treasurer's Report. Motion was approved unanimously.**

**Payment of Bills**

**A motion was made by Gary Boudreau, seconded by Patrick Johnson, to approve payment of bills in the amount of \$102,873.32. Motion was approved unanimously.**

**Additions to Agenda** – 4.5 Bomag will be added to the meeting agenda per Don Pyle.

**Change December Meeting Place to Gladstone City Hall**

**Motion was made by Hugo Mattonen, seconded by Gary Boudreau, to have the December 15, 2015, meeting location changed to the Gladstone City Hall. Motion was approved unanimously.**

**Discussion on Tiered Rate for Volume**

Reviewed tiered MSW rates by tonnage as prepared by Don Pyle. The seven MSW customers were reviewed to include 2014 tonnage, last year rate at \$51.75, revenue from last year, this year rate at \$52.00 and revenue for this year along with a revenue increase.

**A motion was made by Ralph Blasier, seconded by Gary Boudreau, to approve the tiered rate for volume as prepared by Don Pyle with a \$.25 increase. Motion was approved unanimously.**

### **Continued Discussion on Revenue Rates**

Reviewed the rate changes for 2015 and projected revenues as prepared by Don Pyle. The rate increases would generate approximately \$210,648.50. Rates increased for the contaminated soil for 30 tons or less and 30 to 250 tons, tires, mattresses, tv's/crt's, freon appliances, MSW \$.25 rate increase with tiered discounts, cash customers, all other general refuse and c/d customers, increase minimum scale fee from \$5.00 to \$10.00 and Delta Disposal extra waste. This would be a yearly projection and would be less for an effective date of May 1<sup>st</sup> which could be an estimated revenue for the remaining year of \$140,000. Last year there was a \$135,000 shortfall.

### **Bond Payment May 1, 2015**

Don Pyle stated the bank will transfer \$115,069.86 on May 1<sup>st</sup> for the two bond interest payments. The checking account will have a remaining balance of approximately \$50,000.

### **Bomag Discussion**

Don Pyle stated a quote of not to exceed \$71,198 was received to rebuild the motor of the Bomag with a 3 year warranty – motor would take 60 days and come from Germany. The Bomag has been repaired three times in the last six months and there is an issue with the block. There is a core charge of \$13,600 and the engine is currently running so there is no core damage and the money should be refunded for such. It was the census of the board to take pictures and video of the Bomag running for documentation. Another option is there is a 3-4 year old Bomag for sale from LaCrosse, Wisconsin, with 8,700 hours on it for \$65,000 with 90% on the wheels. This Bomag is 7 years older than what is currently at the landfill and is only a 30 day guarantee. Don Pyle stated the current Bomag would be sold for \$10,000 and is already considered in the price.

Discussion took place on the wheels. Discussed the possibility of leasing options and could be looked at when a new one is purchased a couple of years from now. Discussed the pricing and scenarios of the two different pieces of equipment. A new Bomag costs approximately \$500,000 and the one purchased in 2007 was \$430,000.

**A motion was made by Hugo Mattonen, seconded by Ralph Blasier, to purchase the new engine from Miller-Bradford and Risberg, Inc. in an amount not to exceed \$71,198 as recommended by Don Pyle. Motion was approved unanimously.**

### **Manager Report**

Don Pyle stated they started seeing some high temperatures on their transmission on the 380 machine. This machine has 14,400 hours on it. If the Bomag is not replaced in 2017, this machine would be the next to be replaced as it is the oldest machine. Would probably be looking at transmission work in the approximate cost of \$30,000 this summer.

Don Pyle stated Bittner Engineering received some liner samples and cost estimates for installing a liner on the north end of Cell 5 to collect stormwater rather than treating it as leachate when the cell is used.

There is approximately 5 acres that could be covered on the north end and would cost approximately \$67,500. Some earthwork would also have to be done to construct a low berm across the cell floor and an anchor trench would have to be constructed. He will bring more information to the board next month, but believes this is something that needs to be considered to move forward. He further believes this will pay for itself within six months. Discussed reusing the liner for a temporary, short-term cap in the future.

Don Pyle stated he is requesting to implement P.A. 69. He believes this would not take place until the winter 2017 as communications need to go out to various entities and/or municipalities. This would add \$1.50 per month to a resident's winter tax bill with a maximum annual cost of \$25. P.A. 69 is for a five year timeframe and would have to be voted upon again after that time with a renewal thereafter of every ten years. Don Pyle will work on a talking point sheet to hand out to townships and discuss in further detail at upcoming meetings. The board will review the draft talking point sheet and get back to Don Pyle over the next few days. The process of booking dates before the Township Authority and townships will start.

### **Board Comments**

**A motion was made by Gary Boudreau, seconded by Ralph Blasier, to adjourn the meeting with the time being 8:35 p.m. Motion was approved unanimously.**

## REGULAR MEETING

### DELTA SOLID WASTE MANAGEMENT AUTHORITY

May 26, 2015

The regular meeting of the Delta Solid Waste Management Authority will be held on Tuesday, May 26, 2015 at 7:00 p.m. in the County Building at 2950 College Avenue in Escanaba.

Pledge of Allegiance  
Public comment  
Secretary report  
Treasurer report  
Payment of bills  
Additions to agenda

#### **AGENDA:**

1. Rick Aho on Composting
2. Ash, beneficial re-use from Marquette
3. Manager Report
4. Board Comments

Randy Gorecki  
Chairman



# Public Health Delta & Menominee Counties



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## BOARD OF HEALTH

### Meeting Schedule - 2015

Except as indicated, meetings will be held  
at Pinecrest Medical Care Facility, Powers, MI

4:30 p.m. CST

5:30 p.m. EST

January 21, 2015

2:00 p.m. CST/3:00 p.m. EST

February 18, 2015

March 18, 2015

April 15, 2015

May 20, 2015- CANCELLED

May 27, 2015 - NEW

June 17, 2015 - CANCELLED

July 15, 2015 (Delta County office)

August 19, 2015 (Menominee County office)

September 16, 2015

November 4, 2015

December 16, 2015