

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING**  
**May 1, 2007**

Escanaba, Michigan

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

April 26, 2007

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 1, 2007, at 5:15 p.m. in the Circuit Courtroom of the Delta County Courthouse.

Sincerely yours,  
Nancy J. Kolich  
Delta County Clerk

ROLL CALL

PRESENT: Commissioners Bengry, Elegeert, Rivard, Ruohomaki and Schultz.

ABSENT: None.

The meeting was called to order at 5:15 p.m. in the Circuit Courtroom of the Delta County Courthouse by County Clerk Kolich.

V. APPROVAL OF BOARD MINUTES OF PREVIOUS MEETING

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to approve the minutes of the April 17, 2007 meeting. MOTION CARRIED.

VI. APPROVAL OF AGENDA

Moved by Commissioner Bengry and seconded by Commissioner Rivard to add New Business item 9. Grandfather Duane Buckland's MERS Retirement. MOTION CARRIED.

Moved by Commissioner Rivard and seconded by Commissioner Schultz to approve the agenda. MOTION CARRIED.

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

A. Received:

1. Letter from Wells Township re: Zoning

B. Forwarded:

1. Copy of letter to Wells Township re: Zoning

VIII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

1. Department of Human Services minutes of 2-26-07
2. Solid Waste Management Authority minutes of 2-27-07
3. Airport Advisory Board minutes of 2-27-07 & 4-11-07
4. Parks Commission minutes of 2-28-07 & 3-28-07
5. Road Commission minutes of 3-12-07 & 3-26-07

VIII. REPORTS OF SPECIAL COMMITTEES AND OTHERS.

Moved by Commissioner Schultz and seconded by Commissioner Rivard that the Communications and Reports of Standing and Statutory Committees and the Reports of Special Committees and Others be received and placed on file. MOTION CARRIED.

IX. PUBLIC COMMENT ON AGENDA ITEMS

Duane Buckland addressed the Board thanking the Board upon his retirement.

Bob Berbohm, Wells Township resident, addressed the Board with his frustrations regarding the inability of Wells Township residents to get building permits.

X. COMMITTEE REPORTS:

1. Administrator's Report.
2. Property Purchase Offer.

Moved by Commissioner Ruohomaki and seconded by Commissioner Schultz to sell 7 acres of County property south of the DATA bus garage.

ROLL CALL	BENGRY	YES
	ELEGEERT	YES
	RIVARD	YES
	RUOHOMAKI	YES
	SCHULTZ	YES

MOTION CARRIED.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to give permission to the Administrator to have the property surveyed and work with our attorney to finalize a sale agreement for the Board's consideration.

ROLL CALL           BENGRY     YES  
                          ELEGEERT   YES  
                          RIVARD     YES  
                          RUOHOMAKI YES  
                          SCHULTZ    YES

MOTION CARRIED.

Moved by Commissioner Rivard and seconded by Commissioner Schultz to receive the Administrator's report and place on file. MOTION CARRIED.

## XI. GENERAL ORDERS OF BUSINESS

### A. UNFINISHED BUSINESS

#### 1. Recommendations from Committee of the Whole meeting.

##### A. Finance

#### 1. Airport PFC Fund, end of year disposition.

Moved by Commissioner Bengry and seconded by Commissioner Ruohomaki that a committee made up of Administrator Erickson, Airport Manager Ness and Treasurer Buckland to bring back a recommendation to the Board. MOTION CARRIED.

#### 2. Parks Due to funds.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to put the \$14,181 due the County from the Parks would be put into a Park's Capitol Improvement fund which would collect interest to the fund as non-precedent setting. MOTION CARRIED.

##### B. Personnel

#### 2. Maintenance Director.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki that Administrator Erickson interview the 6 applicants recommended by the Personnel Committee for the Maintenance Director position and choose a candidate to present to the Board.

ROLL CALL           BENGRY     NO  
                          ELEGEERT   YES  
                          RIVARD     YES  
                          RUOHOMAKI YES  
                          SCHULTZ    YES

MOTION CARRIED.

2. Airport Manager's Contract.

Moved by Commissioner Schultz and seconded by Commissioner Rivard to approve the contract between the County and the Airport Manager with the amendment to page 5 vacation schedule. MOTION CARRIED

3. Appointment to Pathways Board.

Moved by Commissioner Schultz and seconded by Commissioner Rivard to re-appoint Jimmy Bruce to the Pathways Board. MOTION CARRIED.

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Rivard and seconded by Commissioner Schultz to approve payment of the bills of April 17<sup>th</sup> in the amount of \$ 174,333.77. MOTION CARRIED.

2. Road Commission Resolution.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to adopt a Bond Authorizing Resolution - Michigan Transportation Fund Refunding Bonds Series 2007 for the Road Commission bonds, as presented, the Road Commission adopted a resolution recommending and approving issuance of County of Delta Michigan Transportation Fund Refunding Bonds. MOTION CARRIED.

3. Appointment to Road Commission.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to proceed by each board member choosing their top 3 candidates until a concensus for the top 2 candidates is reached, as recommended by Administrator Erickson.

ROLL CALL	BENGRY	NO
	ELEGEERT	YES
	RIVARD	YES
	RUOHOMAKI	YES
	SCHULTZ	YES

MOTION CARRIED.

Rory Mattson and Albert Keskimaki were the two candidates who were chosen by concensus of the Board.

4. Discussion of ORV Ordinance.

Moved by Commissioner Rivard and seconded by Commissioner Ruohomaki to send a letter Mr. LaBeau stating comments made at meeting and that the Sheriff's Department will make a continued effort to patrol that area. MOTION CARRIED.

5. Request from Hughes and Havinga Ins. Re: Health Insurance Issue.

Moved by Commissioner Ruohomaki and seconded by Commissioner Schultz to refer to next Committee of the Whole meeting to for discussion of insurance concerns. MOTION CARRIED 3 to 2.

6. Policy for Per diem and mileage payments for County Board Members.

Moved by Commissioner Ruohomaki and seconded by Commissioner Rivard to authorize Board Secretary Nora Viau and Administrator Erickson to prepare a document a standard guideline for the Board's review. MOTION CARRIED.

7. Executive Session: Litigation.

Moved by Commissioner Ruohomaki and seconded by Commissioner Schultz to move into executive session at 7:21 p.m. with attorney Terry Burkhardt for the purpose of discussing pending litigation and settlement.

ROLL CALL	BENGRY	YES
	RIVARD	YES
	RUOHOMAKI	YES
	SCHULTZ	YES
	ELEGEERT	YES

MOTION CARRIED.

Moved by Commissioner Ruohomaki and seconded by Commissioner Schultz to reconvene at 7:51 p.m. MOTION CARRIED.

No actions were taken during executive session.

8. Intergovernmental Compact Regarding Temporary Zoning Administration.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to approve a concurrent resolution Intergovernmental Compact Regarding Temporary Zoning Administration immediately effective upon Wells Township approval.

ROLL CALL	BENGRY	YES
	RIVARD	YES

RUOHOMAKI YES  
SCHULTZ YES  
ELEGEERT YES

MOTION CARRIED.

9. Motion to grandfather Duane Buckland's MERS Retirement.

Moved by Commissioner Bengry and seconded by Commissioner Ruohomaki to grandfather Duane Buckland in with past retirees as his application was received prior to April 10, 2007 Board action and to correct the reported wages to MERS in the same manner as past retirees before May 7<sup>th</sup> deadline.

ROLL CALL           BENGRY     YES  
                      RIVARD     NO  
                      RUOHOMAKI YES  
                      SCHULTZ    NO  
                      ELEGEERT   NO

MOTION FAILED.

Moved by Commissioner Rivard and seconded by Commissioner Schultz to grandfather Duane Buckland in with past retirees as his application was received prior to April 10, 2007 Board action and to correct the reported wages to MERS in the same manner as past retirees before May 7<sup>th</sup> deadline as non-precedent and case by case.

ROLL CALL           BENGRY     YES  
                      RIVARD     YES  
                      RUOHOMAKI YES  
                      SCHULTZ    YES  
                      ELEGEERT   YES

MOTION CARRIED.

Moved by Commissioner Ruohomaki and seconded by Commissioner Bengry that the other employees affected by this administrative error would also be covered by having their contributions counted in their retirement system as they have been all these years.

ROLL CALL           BENGRY     YES  
                      RIVARD     NO  
                      RUOHOMAKI YES  
                      SCHULTZ    NO  
                      ELEGEERT   NO

MOTION FAILED.

XII. GENERAL PUBLIC COMMENT

Mark Nelson addressed the Board with his concerns regarding the County not issuing building permits in Wells Township.

Peter Mark addressed the Board's attorney with his questions regarding Delta County zoning.

Bob Berbohm addressed the Board's attorney with his questions regarding Wells Township zoning.

#### XIII. COMMISSIONERS CONCERNS

Commissioners Rivard: None.

Commissioner Ruohomaki: Congratulated the two new Road Commissioners and wished them the very best in their new positions.

Commissioner Bengry: Read letter from Congressman Bart Stupak regarding Walter Reed Army hospital treatment of veterans. Salutes Bart Stupak for what he has done to help our wounded veterans.

Commissioner Schultz: The Court of Appeals made it very clear that the responsibility lies with Wells Township for Wells Township Zoning.

Commissioner Elegeert: None.

#### XIV. MEETING SCHEDULE.

XV. NOTICES - None.

#### XVI. ADJOURNMENT

Moved by Commissioner Rivard and seconded by Commissioner Ruohomaki to adjourn at 8:17 p.m. MOTION CARRIED.

Respectfully Submitted,

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Nancy J. Kolich, County Clerk

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Thomas Elegeert, Board Chairperson