

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING**  
**October 14, 2008**

Escanaba, Michigan

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

October 9, 2008

The Honorable Members of the Delta  
County Board of Commissioners

Dear Commissioners:

A Statutory Meeting of the Delta County Board of Commissioners is scheduled for Tuesday October 14, 2008, at 5:15 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 3:00 p.m. in the Conference Room of the State Office Building by Delta County Clerk Nancy J. Kolich.

VI. APPROVAL OF AGENDA

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to add item 7. Non-union and non-elected contract negotiations to the agenda and approve the agenda as amended. MOTION CARRIED unanimously.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to recess the meeting at 4:28 p.m. to reconvene at 5:15 p.m. in the Circuit Courtroom of the Delta County Courthouse. MOTION CARRIED.

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

V. APPROVAL OF BOARD MINUTES OF PREVIOUS MEETING

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to approve the minutes of the October 7, 2008 meeting with the correction to the Board meeting regular rather than Committee of the Whole and addition of "not" to Commissioner Rivard's concerns. MOTION CARRIED.

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

A. Received:

B. Forwarded:

VIII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

VIII. REPORTS OF SPECIAL COMMITTEES AND OTHERS.

IX. PUBLIC COMMENT ON AGENDA ITEMS

Joe Knauf, DS Tech, addressed the Board with his concerns regarding the phone system contract with SPS.

Dick Stichman, Solutions Telecommunications, addressed the Board with his concerns regarding the phone system contract with SPS.

X. COMMITTEE REPORTS:

1. Administrator's Report.

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

XI. GENERAL ORDERS OF BUSINESS

A. UNFINISHED BUSINESS

1. Appointments.

Moved by Commissioner Ruohomaki and seconded by Commissioner Rivard to reappoint Elaine Boyne to the Department of Human Services Board and Sharon Niebauer to the DATA Board. MOTION CARRIED.

2. Phone Issue.

SPS will not waive the contract cancellation fee of \$7,500. Moved by Commissioner Rivard and seconded by Commissioner Schultz to seek an attorney's opinion on the cancellation of the SPS contract. MOTION FAILED.

Moved by Commissioner Schultz and seconded by Commissioner Bengry to cancel the phone system contract with SPS.

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

MOTION CARRIED.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to authorize Administrator Erickson to contact Michigan Works to set bid specifications for a phone system and bring back to the Board for approval. MOTION CARRIED. Rivard opposed.

3. ORV Ordinance.

The Road Commission will hold a Public Hearing on the ORV Ordinance on Monday October 27, 2008 at 5:15 at the Road Commission.

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Schultz and seconded by Commissioner Rivard to approve payment of the bills in the amount of \$ 2,215,157.69. MOTION CARRIED.

2. County Phone Issue.

Handled under Old Business Item

3. 2008 Tax Rate and Apportionment Report.

Moved by Commissioner Schultz and seconded by Commissioner Bengry to approve Option 4 of the 2009 Projected Tax Revenue Report, as presented. MOTION CARRIED.

Moved by Commissioner Bengry and seconded by Commissioner Schultz to adopt the 2009 Apportionment Report as presented by Equalization Director Rick Lindstrom. MOTION CARRIED.

4. Planning Commission Case No. 11-08-PC.

Case 11-08-PC, Herb Iverson, Garden Township. Moved by Commissioner Schultz and seconded by Commissioner Bengry to approve the request to rezone from Resource Production to Lakeshore/River as recommended by the Planning Commission.

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

MOTION CARRIED.

5. Executive Session at 3:00 p.m. w/ Attorney Burkhart.

Moved by Commissioner Rivard and seconded by Commissioner Ruohomaki to move into executive session at 3:05 p.m. for the purpose of discussing written opinion of counsel.

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

MOTION CARRIED.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to reconvene into regular session at 3:20 p.m. MOTION CARRIED.

No actions were taken during executive session.

Moved by Commissioner Schultz and seconded by Commissioner Rivard to appoint a committee including Administrator Erickson, Prosecutor Parks, Attorney Burkhart and Commissioner Schultz for the purpose of working out an agreement on the Prosecutor's Paralegal position issue. MOTION CARRIED. Bengry opposed.

6. Hire Vets First Month.

Moved by Commissioner Schultz and seconded by Commissioner Ruohomaki to adopt the resolution proclaiming November 2008 as "Hire Vets First Month," as presented. MOTION CARRIED.

7. Non-union, non-elected Contract.

Moved by Commissioner Ruohomaki and seconded by Commissioner Bengry to accept the non-elected, non-union contract as negotiated by the negotiating committee.

ROLL CALL           BENGRY     YES  
                      RIVARD     NO  
                      RUOHOMAKI YES  
                      SCHULTZ    NO

ELEGEERT NO

MOTION FAILED.

Moved by Commissioner Ruohomaki and seconded by Commissioner Rivard to appoint Commissioners Schultz and Rivard to put together a package for the non-union, non-elected employees and bring back to the Board for approval.

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

MOTION CARRIED.

XII. GENERAL PUBLIC COMMENT

None.

XIII. COMMISSIONERS CONCERNS

Commissioners Rivard: UP Convention at Harris this past weekend to hear from legislatures.

Commissioner Ruohomaki: Pleased that the Board moved forward with allowing the bids to go back to the vendors.

Commissioner Bengry: None.

Commissioner Schultz: Convention was very informational. Hope Administration has learned to take a little more time in taking bid proposals.

Commissioner Elegeert: None.

XIV. MEETING SCHEDULE.

Tuesday November 4<sup>th</sup> Board Meeting at 5:15 p.m. Circuit Courtroom.

XV. NOTICES - 30 day notice of November appointments.

XVI. ADJOURNMENT

Moved by Commissioner Rivard and seconded by Commissioner Ruohomaki to adjourn at 6:00 p.m. MOTION CARRIED.

Respectfully Submitted,

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Nancy J. Kolich, County Clerk

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Thomas Elegeert, Board Chairperson