

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING**  
**May 18, 2010**

Escanaba, Michigan

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

May 13, 2010

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 18, 2010, at 5:15 p.m. in the Circuit Courtroom of the Delta County Courthouse.

Sincerely yours,  
Nancy Kolich  
Delta County Clerk

ROLL CALL

PRESENT: Commissioners Bengry, Elegeert, Rivard, Schultz and  
Commissioner Ruohomaki by telephone.

ABSENT: None.

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

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by Commissioner Schultz and seconded by Commissioner Bengry to approve the minutes of the May 4, 2010. MOTION CARRIED.

VI. APPROVAL OF AGENDA

Moved by Commissioner Bengry and seconded by Commissioner Rivard to move item 4. to item 2. and move item 6. to item 5. and to approve the agenda as amended. MOTION CARRIED.

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

A. Received: No Communications were received.

B. Forwarded: No Communications were forwarded.

VIII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

VII. REPORTS OF SPECIAL COMMITTEES AND OTHERS.

Moved by Commissioner Rivard and seconded by Commissioner Schultz 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.

VIII. PUBLIC COMMENT ON AGENDA ITEMS

None.

X. COMMITTEE REPORTS:

1. Administrator's Report.

3. Department Head Meeting.

Moved by Commissioner Bengry and seconded by Commissioner Rivard to send a letter of congratulations to Carol Kinnart for being awarded the Frances A. Smith Prosecutor Staff Achievement Award. MOTION CARRIED.

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

X. GENERAL ORDERS OF BUSINESS

A. UNFINISHED BUSINESS

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Rivard and seconded by Commissioner Schultz to approve payment of the bills in the amount of \$3,019,431.26. MOTION CARRIED.

2. Resolution - Additional Residency Restrictions on Offenders.

Reid Roeske, Escanaba Township resident, requested that the Board to enact a Resolution that would restrict registered sex offenders from living near day care facilities. Michigan law restricts sex offenders from living near schools but not from living near licensed day care facilities. Moved by Commissioner Schultz and seconded by Commissioner to adopt a resolution in support of restricting registered sex offenders from living within 1000 feet from licensed day care facilities to include not only facilities but also licensed day care homes in Senate bill 604. A copy will be sent to the Governor, State Senators, State Representatives, and Michigan Association of Counties.

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

MOTION CARRIED.

3. Forest Service Board Composition.

Moved by Commissioner Schultz and seconded by Commissioner Rivard to adopt a Resolution to combine Delta and Chippewa counties into one Forest Service Resource Advisory Committee. MOTION CARRIED.

4. Jail Assessment Review.

Travis Hongisto, IDI Architecture Engineering Consulting, made a presentation to the Board of the Jail Assessment. Moved by Commissioner Bengry and seconded by Commissioner Ruohomaki to send to the Building and Grounds Committee to meet with the Administrator and the Maintenance Director to make a recommendation to the Board. MOTION CARRIED.

5. Ratification of Resolution.

Moved by Commissioner Bengry and seconded by Commissioner Schultz to adopt a resolution in support of the Walleye Restoration and Fish Planting in Bays de Noc as recommended by the Bay de Noc Great Lakes Sportsfishermen, Inc. MOTION CARRIED.

6. Closed Session to consider legal opinion.

Moved by Commissioner Rivard and seconded by Commissioner Bengry to move into closed session at 6:19 p.m. for the purpose of discussing written legal opinion from Counsel under OMI Section 15.268(8)(h) and FOIA Section 13.1(h).

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

MOTION CARRIED.

Moved by Commissioner Bengry and seconded by Commissioner Rivard to reconvene into regular session at 6:41 p.m. MOTION CARRIED.

No actions were taken during executive session.

Moved by Commissioner Schultz and seconded by Commissioner Rivard that Attorney Burkhart be directed to create a FOIA policy for Administrator evaluations. MOTION CARRIED.

XI. PUBLIC COMMENT

None.

XII. COMMISSIONERS CONCERN

Commissioner Bengry: Letter to Commissioners regarding unfunded mandates from the State. Encourage the public to contact their legislators regarding unfunded mandates and cuts in revenue sharing.

Commissioner Rivard: None.

Commissioner Ruohomaki: Appreciates that the Administrator set it up so that he could attend the Board meeting telephonically.

Commissioner Schultz: Building and Maintenance have done a great job in sprucing up the Courthouse and the Service Center Buildings. MOTION CARRIED.

Commissioner Elegeert: None.

XIII. MEETING SCHEDULE

May 27<sup>th</sup> 10:00 a.m. Committee of the Whole meeting.

June 1<sup>st</sup> 5:15 a.m. Board meeting.

XIV. ADJOURNMENT

Moved by Commissioner Rivard and seconded by Commissioner Ruohomaki to adjourn at 6:53 p.m.

Respectfully Submitted,

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Nancy J. Kolich, County Clerk

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Thomas Elegeert, Board Chairperson