

Approved 6-19-18

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING**  
**June 5, 2018**

Escanaba, Michigan

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

May 31, 2018

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 5, 2018, at 5:15 p.m. in the Boardroom of the Delta County Service Center.

Sincerely yours,  
Nancy J. Kolich  
Delta County Clerk

ROLL CALL

PRESENT: Commissioners Tatrow, Johnson, Nelson, Moyle, and Rivard.

ABSENT: 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.

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by Commissioner Moyle and seconded by Commissioner Tatrow to approve the minutes of the May 15, 2018 meeting. MOTION CARRIED.

V. APPROVAL OF AGENDA

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

VI. PRESENTATION OF WRITTEN COMMUNICATIONS

A. Received: 1. Resolution from Menominee County.

B. Forwarded: No Communications were forwarded.

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VII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

1. Airport Advisory Board minutes of 1-8-18 & 3-12-18.
2. CAA/HRA minutes of 1-17-18, 3-8-18 & 4-12-18.
3. Pinecrest Board minutes of 3-22-18 & 4-26-18.
4. Human Resources Board minutes of 4-16-18.
5. Public Health minutes of 4-19-18.
6. Solid Waste Authority minutes of 4-24-18.
7. Central Dispatch minutes of 5-9-18.

VIII. REPORTS OF SPECIAL COMMITTEES AND OTHERS.

1. Township Association minute of 3-22-18 & 4-26-18
2. Superior Trade Zone minutes 10-17-17, 12-15-17 & 3-6-18

Moved by Commissioner Johnson and seconded by Commissioner Moyle 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.

IX. COMMITTEE REPORTS:

1. Administrator's Report.

Meetings with community leaders and stakeholders:

Paul Putnam - MSU extension: 5/17

Jim Krol - TRANE - 5/18

Upper Peninsula Economic Development Alliance - 5/21

MACAO - County Administrators - 5/22-5/25

Recent meetings and conferences have been more issue focused on county government administration. The Michigan Association of County Administrator conference was a great experience and allowed me to network with many other administrators throughout Michigan. The Keynote speaker was Dennis Archer former mayor of Detroit. Other key topics included: Employee assistance plans; legislative update; Affordable Care Act; New Tax Act; and Organizational management strategies.

**MMRMA** - I met with the Michigan Risk Management Authority (Gov Insurance) representatives (Chris Katona). Premiums are lower this year and have been generally flat over the last 10 years. We also have a healthy fund balance that provides protection for future claims. Risk avoidance (RAP) grants are available and are being discussed. We will receive \$133,893 in reimbursement which will be distributed as follows: \$64,934 to general fund; \$40,959 to road patrol fund; \$28,000 to retention fund.

**Jail Project** - Fire Marshall Inspection went well on May 16, 2018 and report has been received. The project remains on

schedule and on budget. Construction progress meeting June 5, 2018. The work on the courthouse holding cell area is progressing and the soil is suitable for the planned construction (this is good news).

**House Bill 5908** - The House passed HB 5908 that addresses personal property tax reimbursement after 100% reimbursement. HB 5908 voted out of Senate Appropriation Committee with no changes. Floor action expected early June. For Delta County:

Current\$	Gov prop.	year 1	year 2	year 3	year 4	year 5
\$875,780	\$160,134	\$832,541	\$758,205	\$683,868	\$609,532	\$535,196
Difference	-715,646	-43,239	-117,575	-191,912	-266,248	-340,584

**Legislative Advocacy** - Statewide septic code changes removing local control - Resolution of opposition. Assessing reform proposal - amendment to "general property tax act." Will attend June 6 forum if possible In Escanaba for additional discussion on these issues and others.

**Pinecrest** - A workgroup met to discuss the current status of Pinecrest after a private asset firm contacted government officials requesting information. All three administrators were in attendance together with the Pinecrest administration and several Pinecrest Board members. The group determined that ongoing conversations would be important to monitor the status and fiscal health of the facility. However, at this time there is no need to consider alternatives such as private sale or bonding. The leadership transition and industry experts expect census numbers to increase and the facility is optimistic that they can continue to be a self sustaining organization.

**Drug Court Graduation** - Three of the initial participants in our Drug Court graduated on Tuesday, May 29, 2018. Eleven additional participants making progress towards graduation. Great work by Judge Parks, the Drug Court team, District Court Staff, and most importantly the participants and graduates who are committed to changing their lives for the better.

**Opioid Litigation Update** - Confidential Update received from litigation firm on May 22, 2018. To date, there are approximately 700 related cases filed and transferred to Judge Polster in US Fed Court, Northern District of OH. In addition, there is a 41 state attorney general group investigating the defendants and engaging in joint legal discussions, and 17 states have filed suit against some or all of the defendants who we have named as defendants in our case. Nine noteworthy litigation events since January including court hearings and on-going negotiations. Case is still in infancy of litigation process.

**Master Plan** - Looking into updating the County's Master Plan with CUPPAD.

**Windmill Litigation** - recommends hiring an attorney to take over the windmill litigation with Planning Commission funds set aside for planning commission lawsuits. Moved by Commissioner

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Moyle and seconded by Commissioner Tatrow to hire an attorney for the Wind Turbine Litigation. MOTION CARRIED.

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

2. Personnel Committee Minutes 5-16-18.

1. Victim Witness Coordinator - Job Description.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to approve the updated Victim Witness Coordinator job description, as presented. MOTION CARRIED.

2. On Call Pay - District Court.

Moved by Commissioner Tatrow and seconded by Commissioner Johnson to authorize issuing Magistrate LaCarte her 4% increase effective for the June 10, 2018 pay period to compensate for the extra hours she is working to cover the District Court Administrator's maternity leave and as Drug Court Administrator. MOTION CARRIED.

3. Road Patrol Memo for Training Issues.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to approve the Memorandum of Understanding for Road Patrol Training Issues, as presented, and authorize the Board Chair to sign. Will be paid for with funds from the Road Patrol Budget. MOTION CARRIED.

4. Temporary Airport Office Position.

Moved by Commissioner Moyle and seconded by Commissioner Tatrow to approve hiring a part-time (up to 29 hours per week) temporary office assistant from August 6 to December 14, 2018 to cover the Assistant Airport Manager's maternity leave. MOTION CARRIED.

Moved by Commissioner Moyle and seconded by Commissioner Johnson to receive the Personnel Committee minutes of 5-16-18 and place on file. MOTION CARRIED.

X. GENERAL ORDERS OF BUSINESS

A. UNFINISHED BUSINESS

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Moyle and seconded by Commissioner Tatrow to pay bills in the amount of \$ 899,880.65 and Commissioners expenses of \$ 1,158.23.

ROLL CALL	TATROW	YES
	JOHNSON	YES
	NELSON	YES
	MOYLE	YES
	RIVARD	YES

MOTION CARRIED.

2. Electric Service Upgrade Bid Opening.

Moved by Commissioner Johnson and seconded by Commissioner Tatrow to open the bids for the Electric Service Upgrade and have the Building and Grounds Committee review the bids and make a recommendation consistent with the procurement policy for the next meeting. MOTION CARRIED. The bids were: Master Electric \$27,773, Kobas Electric \$22,262 and Billy Electric \$44,600.

3. Utility Easement - Pioneer Trail Park.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to approve a Utility Easement with UPPCO at Pioneer Trail Park and authorize the Chair to sign the easement, with the stipulation that the personal property not belonging to Delta County be removed not at the county's expense. MOTION CARRIED.

4. Cornell Property - Naming Options.

Moved by Commissioner Tatrow and seconded by Commissioner Johnson to name the 1,400 acre Cornell property the Delta County Forest. MOTION CARRIED.

5. Assessor Reform.

Moved by Commissioner Rivard and seconded by Commissioner Johnson to send a letter opposing Assessor Reform because the County's will be unable to comply due to lack of assessors. MOTION CARRIED.

6. Pinecrest Millage Ballot Request Rescinded.

Moved by Commissioner Tatrow and seconded by Commissioner Johnson to rescind the Pinecrest Millage ballot request as Dickinson County did not approve placing it on the August 2018 ballot. MOTION CARRIED.

7. Request for Lump Sum Payout - Hamlin.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to approve a lump sum payout to Luke Hamlin, as requested. MOTION CARRIED.

8. Resolution Opposing Changes to Statewide Septic Code (HB5742 & HB 5753).

Moved by Commissioner Tatrow and seconded by Commissioner Moyle to adopt the Resolution Opposing Changes to the Statewide Septic Code, as presented. MOTION CARRIED.

9. 2018 Taxable Value Reports.

Juli Kolbe, Equalization Director, presented the 2018 Taxable Value Reports. Moved by Commissioner Johnson and seconded by Commissioner Nelson to accept the 2018 Taxable Value Report, as presented. MOTION CARRIED.

10. 2018 Summer Tax Rate.

Moved by Commissioner Johnson and seconded by Commissioner Tatrow to authorize the 2018 Summer Tax Rate of 5.0317 mils, as presented. MOTION CARRIED.

11. Escanaba Solar Farm Building Permit.

Moved by Commissioner Tatrow and seconded by Commissioner Moyle to waive the Building Permit fee for the Escanaba City Solar Farm, consistent with past practice. MOTION CARRIED.

XII. PUBLIC COMMENT

Mary LeVesque, Escanaba, addressed the Board with her concerns regarding the clear cutting at the Airport.

Rory Mattson, Delta County Conservation District Director, addressed the Board with information regarding the Conservation District Annual Meeting August 8 at 6:00 pm and the August 14<sup>th</sup> Ribbon Cutting Ceremony for the Delta County Forest. Rory convinced Weyerhaeuser to put up the gravel and the culverts for the main road. The Road Commission will grate the road. On August 15 will be the Trust Fund meeting.

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XIII. COMMISSIONERS CONCERNS

Commissioner Tatrow: None.

Commissioner Johnson: None.

Commissioner Nelson: Will be watching the Pinecrest situation. Attended the Drug Court graduation, very impressed with the county staff - can't say enough.

Commissioner Moyle: Echoed Commissioner Nelson's comments.

Commissioner Rivard: Enjoy the amount of work and dedication done by the Park staff.

XIV. MEETING SCHEDULE

June 19 <sup>th</sup>	5:15 p.m.	Board meeting.
July 10 <sup>th</sup>	5:15 p.m.	Board meeting.
July 17 <sup>th</sup>	5:15 p.m.	Board meeting.

XV. NOTICES

30 day notice of appointments.

XVI. ADJOURNMENT

Moved by Commissioner Moyle and seconded by Commissioner Johnson to adjourn at 6:22 p.m.

Respectfully Submitted,

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Nancy J. Kolich, County Clerk

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David Rivard, Board Chair