

DICKINSON COUNTY BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
Monday, January 28, 2019 - 6:00 p.m.
Courthouse - Circuit Courtroom

Tape 372

1. The meeting was called to Order by Chairman Wender at 6:00 PM.
2. Pledge of Allegiance to the Flag of the United States of America was said by all.
3. Roll Call was taken by County Clerk Dolly Cook and a quorum was present.
Present: Chairman Henry Wender, Vice Chairman Joe Stevens and Commissioners John Degenauer, Barb Kramer and Kevin Pirlot. (5)
Absent: None
Also Present: County Clerk Dolly Cook, Prosecutor Lisa Richards, Deputy Brian Polzien, Equalization Director Sid Bray, Assistant Emergency Director Pete Schlitt and Controller Brian Bousley
4. Motion by Commissioner Kramer, seconded by Commissioner Pirlot to accept the agenda as written.
All Ayes, Motion Carried.
5. Motion by Commissioner Stevens, seconded by Commissioner Degenauer Jr., to approve the following meeting minutes as written:
Regular – January 14th
Finance – January 17th All Ayes, Motion Carried.
6. **COMMUNICATIONS AND LEGISLATION:**
 - A. Citizens' Time: (Limited to five minutes per person)
Chairman Wender opened the floor to Citizens' Time and there was no participation.
 - B. Brock VanOss, VanOss Forestry Services, LLC. (He cancelled and will be at the next meeting.)
 - C. Resolutions and Legislation –Commissioner Degenauer
 1. Motion by Commissioner Degenauer Jr., seconded by Commissioner Pirlot to approve Resolution 2019-1 in Support of Retaining the 95A District Court Judicial Position.
All Ayes, Motion Carried.

RESOLUTION 2019-1
Resolution in Support of Retaining the 95A District Court Judicial Position

WHEREAS, in 2011, the SCAO Judicial Resource Recommendations report recommended eliminating numerous judicial positions throughout the State of Michigan; and

WHEREAS, the legislature passed legislation eliminating several positions upon vacancy, including the 95A District Court Judicial position in Menominee County; and

WHEREAS, The Honorable Jeffrey Barstow is expected to retire from the Menominee County District Court Judicial position in early 2019; and

WHEREAS, the elimination of the 95A District Court Judicial position will leave only one resident judge in Menominee County to serve both district court and probate court; and

WHEREAS, felony cases have increased significantly in Menominee County as a result of the serious substance abuse epidemic plaguing the entire country, resulting in a significant increase in felony cases in Menominee County between 2015 and 2017; and

WHEREAS, Menominee County is desirous of establishing a sobriety treatment court to address the substance abuse epidemic and the elimination of the 95A District Court Judicial position will likely derail that effort; and

WHEREAS, there are only two Circuit Court Judges that serve the 41st Circuit, which is comprised of Dickinson, Menominee, and Iron Counties, therefore the Dickinson County Circuit Court Judges are required to travel to all three counties in the Circuit and would have limited availability to serve on the bench in Menominee County; and

WHEREAS, eliminating the 95A District Court Judicial position will make it difficult for Menominee County residents to have quick access to the Courts and will be a tremendous burden on the sole remaining resident judge in Menominee County; and

NOW, THEREFORE BE IT RESOLVED, that the Dickinson County Board of Commissioners opposes the elimination of the 95A District Court Judicial position.

BE IT FURTHER RESOLVED, that the Dickinson County Board of Commissioners calls for amending legislation in order to retain the Judge position in 95A District Court.

BE IT FURTHER RESOLVED, that this resolution will be forwarded to Menominee County, Iron County, the Upper Peninsula Judges Association, Michigan House Representative Beau LaFave, Michigan State Senator Ed McBroom, and Michigan Governor Gretchen Whitmer to show Dickinson County's support in maintaining the Judgeship in the 95A District Court.

Henry Wender – Dickinson Co. Board Chair

Dolly Cook – Dickinson Co. Clerk

Date

Bousley stated this is the District Court Judge in Menominee County and if they do not fill this our Circuit Court Judges will have to help cover cases. He stated parties have changed in Lansing and there may be a change coming.

2. Motion by Commissioner Degenauer Jr., seconded by Commissioner Stevens to approve Resolution 2019-2 in Support of House Bill 4025. All Ayes, Motion Carried.

**RESOLUTION 2019-2
SUPPORTING HOUSE BILL 4025, A BILL TO AMEND TAX TRIBUNAL ACT OF 1973**

WHEREAS, this concerning trend is costing local municipalities not only in the legal costs to defend their assessments before the Tax Tribunal, but also in the reduced tax income as a result of the Tax Tribunal lowering the property values; and

WHEREAS, local municipalities in Dickinson County are being hurt financially by the inaccurate and arguably unfair valuation methods being utilized by the Tax Tribunal; and

WHEREAS, Representative Beau LaFave of Dickinson County has introduced legislation, House Bill 4025, which amends the Tax Tribunal Act of 1973, to require the Tax Tribunal to use several specific criteria, such as the consideration of all three methods of valuation and to weigh the use of deed restrictions during the evaluation process; and

WHEREAS, Senator Ed McBroom of Dickinson County has introduced Senate Bill 26, which excludes properties as comparable that have a substantially impaired highest and best use deed restrictions.

THEREFORE, BE IT HEREBY RESOLVED that the Dickinson County Board of Commissioners supports House Bill 4025 sponsored by Representative LaFave to amend the Tax Tribunal Act of 1973, which will add valuation requirements for the Michigan Tax Tribunal and give local units of government a fair assessment of properties.

RESOLVED, That the Dickinson County Clerk is hereby directed to transmit duly authenticated copies of this resolution to Governor Whitmer, Representative LaFave, Senator McBroom, and to the Michigan Association of Counties.

Chairman: Henry Wender

County Clerk: Dolly Cook

Date

Commissioner Stevens stated this should be sent to all counties. He stated he is disappointed in the Chamber of Commerce.

3. Motion by Commissioner Degenauer Jr., seconded by Commissioner Kramer to approve Resolution 2019-3, Dickinson County Board of Commissioners Resolution Regarding Potential Conflicts of Interest. Roll Call Vote: Commissioners:
- | | |
|----------------|-----|
| Degenauer Jr., | Aye |
| Kramer | Aye |
| Pirlot | Aye |
| Stevens | Aye |

Wender Aye Motion Carried.

Resolution 2019-3
Dickinson County Board of Commissioners
Resolution Regarding Potential Conflicts of Interest

WHEREAS, the Dickinson County Board of Commissioners is comprised of qualified citizens elected by Dickinson County residents;

WHEREAS, the Dickinson County Board of Commissioners recognizes that many of its Commissioners are engaged in business activities in Dickinson County and its surrounding communities and those business activities may from time to time present actual or perceived conflicts of interest between the Commissioners' respective business activities and their fiduciary duties owed to Dickinson County;

WHEREAS, the Dickinson County Board of Commissioners recognize that possible purchases of goods and services from businesses which a Commissioner has an interest may, from time to time, be considered to be consistent with the best interest of Dickinson County despite the existence of an individual Commissioner's conflict of interest;

BE IT RESOLVED: Dickinson County recognizes that Commissioner Pirlot is owner of Flowerland Greenhouse, Inc. of Iron Mountain and Dickinson County may purchase goods or services from said business.

Henry Wender – Dickinson Co. Board Chair

Dolly Cook – Dickinson Co. Clerk

Date

7. **REPORTS OF STANDING COMMITTEES:**

A. **Finance Committee** – Finance Chairperson Kramer

1. Motion by Commissioner Kramer seconded by Commissioner Degenauer Jr., to approve the lease of three law enforcement fully equipped Dodge Durango's in the amount of \$14,991.96 each annually with the end of lease option to purchase the units for \$1 each. Payments to be made from account 101-234-978.000 Capital Outlay, Vehicles and Accessories with a line item budget in the amount of \$45,000.00. Roll Call Vote:

Commissioners:

Kramer Aye
Pirlot Aye
Stevens Aye
Wender Aye
Degenauer Jr., Aye

Motion Carried.

2. Motion by Commissioner Kramer, seconded by Commissioner Pirlot to approve the monthly bills for December in the amount of \$1,655,125.73. Roll Call Vote:

Commissioners:

Pirlot Aye
Stevens Aye
Wender Aye
Degenauer Jr., Aye
Kramer Aye

Motion Carried.

B. **A-95 Review** – Commissioner Kramer-None

C. **Six County Employment Alliance** – Commissioner Stevens-None

D. **Planning and Zoning Committee** – Commissioner Kramer

1. Dickinson County Planning Commission meeting agenda of January 24th.

E. **DHHS / DICS**A – Commissioner Kramer

1. DICS A meeting minutes of December 13th.

2. Motion by Commissioner Kramer, seconded by Commissioner Pirlot to approve the payment request schedule of the Dickinson County Senior Millage for 2019, first payment of \$64,264.00 to be dispersed on February 1, 2019. Roll Call Vote:

Commissioners:

Wender Aye
Stevens Aye
Pirlot Aye
Kramer Aye
Degenaer Jr., Aye

Motion Carried.

F. **Dickinson-Iron Health Department** – Commissioner Stevens-None

G. **Northpointe** – Commissioner Pirlot

1. Northpointe meeting minutes of December 13th.

H. **Pinecrest** – Commissioner Degenaer-None

I. **Equalization Committee** – Commissioner Degenaer-None

Equalization Director Sid Bray, discussed the results of the recent AMAR (Audit of Minimum Assessing Requirements) from the October 29, 2018 review of our ten units of government by the STC (State Tax Commission). Results showed three units with a perfect score and the balance of the units with either one or two corrections to make out of a list of eleven compliance checks. One unit had more than two corrections to make however at the time of the audit they had no assessor on staff therefore other office personnel assisted with the audit but were unable to locate some information which caused the extra compliance corrections needed. Units with corrections to make have until Feb. 22nd to respond to the STC with a corrective action plan and time table.

J. **Building & Supply/Real Estate-Remodeling** – Commissioner Degenaer-None

K. **Public Safety and Judiciary** – Commissioner Wender

1. Pete Schlitt, Emergency Services Manager

Schlitt explained the plane crash at the big Fumee Lake. He stated the pilot had minor injuries and the FAA was contacted. He stated the site was released and the plane was removed without contamination to the lake or trails. He stated it took 3 ½ hours to remove the plane. He stated the plane will be investigated in Oshkosh, Wisconsin. He stated the Fumee Lake Commission was present when the plane was removed. He stated it went very well.

Commissioner Stevens thanked Pete for a quick removal. Commissioner Wender asked how they got in? Schlitt explained they have a key to the gate at the Sheriff's Department. Commissioner Wender thanked Pete for a job well done.

L. **Parks Committee** – Commissioner Stevens-None

M. **Airport Committee** – Commissioner Wender-None

N. **Fair Board** – Commissioner Degenaer

1. Fair Board meeting minutes of December 4th.

Commissioner Degenaer Jr., stated the Fair Board is working on policies and procedures.

O. **Library Board** – Commissioner Pirlot-None

P. **Employee Relations** - Commissioner Degenaer-None

Q. **Dickinson County Hospital Committee** – Commissioner Stevens

1. Motion by Commissioner Stevens, seconded by Commissioner Kramer to approve the appointment of Dr. To to the Dickinson County Health Care System Board of Trustees for a one-year term to expire 12-31-2019. Commissioner Kramer rescinded support and no one supported the motion and it died for lack of support.

Motion by Commissioner Degenaer Jr., supported by Commissioner Kramer to table the nomination until Dr. To appears before the County Board, Roll Call Vote: Commissioners:

Degenaer Jr., Aye
Kramer Aye
Pirlot Aye
Stevens Nay
Wender Aye

Motion Carried.

- R. **Dickinson County Road Commission** – Commissioner Wender
 - 1. Road Commission meeting minutes of December 11th.
 - S. **Construction Code Commission** – Commissioner Degenauer-None
 - T. **Bay West Advisory Committee** - Commissioner Degenauer-None
 - U. **Veterans’ Affairs Committee** – Commissioner Stevens-None
8. **UNFINISHED BUSINESS & OLD BUSINESS:** Commissioner Degenauer-None
9. **PETITIONS AND NEW BUSINESS:** -Commissioner Degenauer
- A. Motion by Commissioner Degenauer Jr., seconded by Commissioner Kramer to approve the appropriation request made by Almost Home Animal Shelter in the amount of \$5,000.00. Roll Call Vote: Commissioners:

Pirlot	Aye	
Stevens	Aye	
Wender	Aye	
Degenauer Jr.	Aye	
Kramer	Aye	Motion Carried.
10. Motion by Commissioner Kramer seconded by Commissioner Degenauer Jr., to accept the Committee Reports and Correspondence and place on file. All Ayes, Motion Carried.
11. Controller’s Report.
 Controller Bousley stated the ad for the auditors for a three-year contract is in the paper. He stated the proposals for the roof are also in the paper and he is requiring any one that bids to come see the roof in order to qualify for the bid. He stated the work van is running again. He stated he has run the ad for the concession stand at Lake Antoine. He stated the ad is in for the maintenance man position and the deadline is February 7th. He stated he is hoping the park reservation system will be up and running by March 1st. He stated we received a \$10,000 grant to go towards Denise’s salary at the Dickinson County Veterans Affairs Office and we received another \$50,000 and that will be used to increase the VSO” S hours by 8 hours a week and help with outreach visits. He stated there is also \$9,243 for reimbursable items.
 Commissioner Pirlot asked about the sewer problem at the Iron Mountain Senior Center. Bousley explained what has happened and what the time line will be to get it fixed. Commissioner Pirlot explained that DICSA has be inconvenienced to do all home delivered meals at the Breen Center.
12. Citizens’ Time: (Limited to five minutes per person)
 Chairman Wender opened the floor to Citizens Time and there was no participation.
13. Commissioners’ Personal Privilege.
 Commissioner Pirlot thanked the Board for moving Citizens’ Time at the last meeting. Motion by Commissioner Stevens, supported by Commissioner Degenauer Jr., to do a resolution honoring Aaron Harper. All Ayes, Motion Carried.
 Commissioner Stevens stated Aaron has always been there for everybody and we should also do a tribute to him. It was also suggested to give his name to Channel 6 for the upside person. Commissioner Kramer stated the new HHS Director is Matt Hohe and the State Director is Robert Gordon.
14. Motion by Commissioner Pirlot, seconded by Commissioner Kramer to adjourn, Subject to Call of the Chairman at 6:33 PM. All Ayes, Motion Carried.

Henry Wender, Chairman

Dolly L. Cook, County Clerk