

DICKINSON COUNTY BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
Monday, August 26, 2019 - 6:00 p.m.
Courthouse - Circuit Courtroom

Tape 399

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, Commissioners John Degenauer, Barb Kramer and Kevin Pirlot. (5)
Absent: None
Also, Present: County Clerk Dolly Cook, Sheriff Scott Rutter, Prosecutor Lisa Richards, Assistant Prosecutor Carl Downing, Treasurer Lorna Carey and Controller Brian Bousley
4. Motion by Commissioner Degenauer Jr. seconded by Commissioner Kramer to accept the agenda as written.
All Ayes, Motion Carried.
5. Motion by Commissioner Kramer seconded by Commissioner Pirlot to approve the following meeting minutes as written:
Regular – August 12th 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. Resolutions and Legislation – Commissioner Stevens
 1. Motion by Commissioner Stevens seconded by Commissioner Kramer to approve Resolution 2019-21 Resolution Approving Conveyance of Property to Dickinson County Healthcare System Subject to Terms of Escrow Agreement for Delivery of Deeds. Roll Call Vote: Commissioners:
Degenauer Jr., Aye
Kramer Aye
Pirlot Aye
Stevens Aye
Wender Aye Motion Carried.

**RESOLUTION APPROVING CONVEYANCE OF PROPERTY
TO DICKINSON COUNTY HEALTHCARE SYSTEM
SUBJECT TO TERMS OF ESCROW AGREEMENT
FOR DELIVERY OF DEEDS**

WHEREAS, Dickinson County Healthcare System (“DCHS”), formally known as Dickinson Memorial Hospital System, purchased the property identified and legally described on Exhibit A to the Covenant Deed (the “Deed”) that is attached hereto as Appendix 1, on February 12, 1994, for \$700,000.00 (the “Property”); and,

WHEREAS, in exchange for the County of Dickinson approving DCHS’s request to seek Revenue Bonds for construction of the current hospital located on the Property, the County of Dickinson required that the Property be deeded from DCHS to the County of Dickinson and also required DCHS to pay off the outstanding \$500,000.00 balance of the General Obligation Bond on the former hospital; and

WHEREAS, DCHS paid off the outstanding \$500,000.00 balance of the General Obligation Bond on the former hospital and conveyed the Property to the County of Dickinson by warranty deed dated October 12, 1994 for the stated consideration of \$1.00; and

WHEREAS, the warranty deed from DCHS to the County of Dickinson expressly provides that the transfer of the Property to the County of Dickinson is

subject to the condition that the County of Dickinson shall lease the Property to DCHS pursuant to a ground lease for a period of 100 years, commencing the date of the warranty deed; and,

WHEREAS, on October 12, 1994, the County of Dickinson and DCHS entered into a lease agreement for the Property, for a term of 100 years, for nominal rent of \$1.00 per year (the "Lease Agreement"), and, under Section 4.2 of the Lease Agreement, the County of Dickinson has title and ownership of all buildings and building improvements constructed on the Property even though DCHS paid all costs of the construction of all buildings and building improvements on the Property without any contribution from the County of Dickinson; and,

WHEREAS, the Lease Agreement requires DCHS consent to transfer the County of Dickinson's interest in the Property; and,

WHEREAS, Dickinson County Healthcare System ("DCHS") has requested that the Dickinson County Board of Commissioners (the "Board") adopt a resolution approving the reconveyance of the Property back to DCHS pursuant to the Deed; and,

WHEREAS, the reason for conveyance of the Property and approval of the Deed by the County of Dickinson is to facilitate the Closing of the Community Facilities Direct Loan per Federal Catalog Number 10.766 (the "USDA Loan") and the ultimate granting of a mortgage securing said USDA Loan by DCHS to the lender; and

WHEREAS, as the USDA Loan will provide DCHS with the funds necessary to: a) refinance its current term loan with Fifth Third Bank, N.A.; b) make improvements to its facilities; c) replace its Linear Accelerator used in DCHS's cancer center; d) replace its CT Unit; e) replace its SPECT CT Unit; f) replace its MRI Unit; upgrade its Information Technology systems; g) upgrade other essential equipment; and, h) pay its financing fees.

NOW, THEREFORE, BE IT RESOLVED BY THE DICKINSON COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

1. The Dickinson County Board of Commissioners does hereby approve the conveyance of the Property and the execution and delivery of the Deed expressly subject to the following conditions:
 - a. Prior to execution of the Deed, the County of Dickinson, DCHS, and Mouw & Celeslo, P.C., as Escrow Agent, shall enter into an Escrow Agreement for Delivery of Deed and Mortgage in substantially the same form as the one attached hereto as Appendix 2 (the "Escrow Agreement"); and
 - b. Approval, execution and escrowing, pursuant to the Escrow Agreement, of a mortgage from DCHS to the lender; and
 - c. Approval by DCHS's Board of Trustees of its consent for the County of Dickinson to convey the Property to DCHS; and
 - d. Final approval of the USDA Loan documents by the DCHS Board of Trustees; and
 - e. Final approval of the USDA Loan by the appropriate federal agency; and
 - f. Closing of the USDA Loan.
2. Henry Wender, Chairman of the Board of Commissioners, is hereby authorized, empowered, and directed to execute such documents to which Dickinson County is a party for and on behalf of Dickinson County, together with changes therein as may be approved by said Chairman of the Board of Commissioners, to effectively convey the Property to DCHS contingent upon the foregoing conditions and further subject to the terms, conditions, and instructions in the Escrow Agreement.
3. The Dickinson County Controller shall deposit the Deed with the Escrow Agent and delivery of the Deed to DCHS shall be contingent upon the foregoing conditions and shall be further subject to the terms, conditions, and instructions in the Escrow Agreement.
4. All resolutions and parts of resolutions inconsistent with the foregoing are rescinded.

**Certification of the Board of Commissioners
of Dickinson County**

The undersigned being the acting Chairman of the Board of Commissioners of

Dickinson County certifies that the foregoing Resolution, including appendixes and exhibits hereto, was affirmatively passed by a majority of the Board of Commissioners sitting at a duly constituted meeting of the Board of Commissioners on August 26, 2019.

Henry Wender, Chairman

Dickinson County Board of Commissioners

Controller Bousley stated Richards and Carl have looked at the resolution and it is fine. Commissioner Stevens asked if this eliminated any liability to the county? Prosecutor Richards and Controller Bousley stated it did eliminate any liability to the County. Commissioner Stevens asked if we had to sign off on the loan and Bousley and Richards stated we did not have to sign the loan. Commissioner Pirlot asked many questions that could not be answered by the Board. It was the consensus of the Board that all transactions listed must have been satisfied to be able to prepare a new deed for escrow. Commissioner Pirlot stated he is in favor of this resolution. Commissioner Stevens stated we must do everything we can to help the hospital stay viable.

- Motion by Commissioner Steven seconded by Commissioner Kramer to approve Resolution 2019-22 Deficit Elimination Plan Resubmit for Fiscal Year 2018. All Ayes, Motion Carried.

**Resolution 2019-22
Multiyear Deficit Elimination Plan Resubmit**

WHEREAS The Airport’s Fund has a \$212,071 deficit fund balance on December 31, 2018; and

WHEREAS, 1971 PA 140 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury; and

NOW THEREFORE, IT IS RESOLVED that the Dickinson County Board of Commissioners adopts the attached as the Airport Fund Deficit Elimination Plan; and

BE IT FURTHER RESOLVED that the Dickinson County Board of Commissioners submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

Henry Wender – Board Chairman

Date

Dolly Cook – County Clerk

Date

Dickinson County Deficit Elimination Plan for Fiscal Year 2018

DEPARTMENT	AIRPORT
DEFICIT FUND BALANCE	\$212,071.00
5 YEAR DEFICIT ELIMINATION AMOUNT	\$42,414.20

GL NUMBER	DESCRIPTION	1 2019	2 2020	3 2021	4 2022	5 2023
ESTIMATED REVENUES						
295-000-569.253	STATE AID					
295-000-651.270	LANDING FEES	40,000	42,000	44,100	45,202	46,333
295-000-667.253	T HANGAR RENT	15,330	15,330	15,330	15,330	15,330
295-000-667.270	RENTS/LEASE PYMTS	195,000	199,875	204,872	209,994	215,244
295-000-669.010	AIRCRAFT PARKING FEE	5,500	5,775	6,063	6,215	6,371
295-000-669.020	UTIL REIMB/TENANTS	27,500	28,875	30,319	31,076	31,854
295-000-670.270	CAR RENTALS	5,000	5,250	5,512	5,650	5,792
295-000-676.253	COUNTY APPROPRIATION	272,154	296,674	304,235	309,928	316,400
295-000-681.270	STATE REIMBURSEMENTS	15,000	0			
295-000-686.270	VENDING MACHINES	500	500	500	500	500
295-000-687.253	REFUNDS/REIMBURSEMENTS	4,300	500	500	500	500
295-000-687.270	REFUNDS					
295-000-688.253	DIESEL FUEL SALES					
295-000-688.270	AVIATION FUEL COMMISSION	30,000	31,500	33,075	33,902	34,750
295-000-689.253	REFUNDS-INSURANCE REIMBURSEMENT					
TOTAL ESTIMATED REVENUES		610,284	626,279	644,506	658,297	673,074

Dept 536 - FORD AIRPORT

ESTIMATED EXPENSES

295-536-701.000	LONGEVITY	1,400	1,400	1,500	1,600	1,600
295-536-703.000	SUPERVISOR	57,325	58,472	59,641	60,834	62,050
295-536-704.000	FULL TIME EMPLOYEES	139,059	141,840	144,677	147,571	150,522
295-536-705.000	PART TIME EMPLOYEES	39,325	40,112	40,914	41,732	42,567
295-536-707.000	OVER TIME	13,000	13,260	13,525	13,796	14,072
295-536-708.000	HOLIDAY	5,500	5,610	5,722	5,837	5,953
295-536-709.000	SICK LEAVE INCENTIVE	950	974	998	1,023	1,049
295-536-710.000	ON CALL	1,800	1,845	1,891	1,938	1,987
295-536-714.000	FRINGES- FICA	18,500	18,963	19,437	19,922	20,421
295-536-714.002	FRINGES- HEALTH INSURANCE	65,634	70,557	75,848	81,537	87,652
295-536-714.006	FRINGES- LIFE INSURANCE	127	127	127	127	127
295-536-725.000	TELEVISION	1,500	1,500	1,500	1,500	1,500
295-536-727.000	OFFICE SUPPLIES	500	500	500	500	500
295-536-728.000	POSTAGE	200	200	200	200	200
295-536-740.000	GAS & OIL	25,000	25,625	26,266	26,922	27,595
295-536-755.000	OTHER SUPPLIES	4,500	4,500	4,500	4,500	4,500
295-536-775.000	JANITORIAL SUPPLIES	3,500	3,500	3,600	3,700	3,800
295-536-787.000	GARBAGE PICK-UP	2,500	2,500	2,500	2,500	2,500
295-536-829.000	PROFESSIONAL SERVICES	10,000	10,000	10,000	10,000	10,000
295-536-830.000	DUES & PUBLICATIONS	700	700	700	700	700
295-536-850.000	TELEPHONE/INTERNET	4,500	4,500	4,500	4,500	4,500
295-536-860.000	TRAVEL	600	600	600	600	600
295-536-880.000	LIABILITY INSURANCE	6,500	6,500	6,500	6,500	6,988
295-536-881.000	MARKETING GRANT	10,000	10,000	10,000	10,000	10,000
295-536-881.100	GRANT EXPENDITURES	7,000	7,000	7,000	7,000	7,000
295-536-901.000	ADVERTISING	11,000	11,000	11,000	11,000	11,000
295-536-910.201	SERVICES FOR LINE OF CREDIT-CO.ROAD					
295-536-920.000	ELECTRICITY	52,000	53,300	54,633	55,998	57,398
295-536-920.100	WATER	1,250	1,281	1,313	1,346	1,380
295-536-920.200	GAS	28,000	28,000	28,000	28,000	28,000
295-536-932.000	EQUIP. & VEHICLE REPAIRS	25,000	25,000	25,000	25,000	25,000
295-536-932.100	RUNWAY SAND		3,500	3,500	3,500	3,500
295-536-933.000	BLDG. & GROUND MAINTENANCE	20,000	20,000	20,000	20,000	20,000
295-536-933.100	JANITORIAL SERVICE					
295-536-940.000	EQUIPMENTAL RENTAL	2,000	2,000	2,000	2,000	2,000
295-536-945.000	CAPITAL PROJECTS					
295-536-945.200	INSURANCE CLAIMS/MMRMA/CAP PROJECTS					
295-536-959.000	TRAINING	4,000	4,000	4,000	4,000	4,000
295-536-990.000	MISCELLANEOUS					
295-536-991.000	DEBT SERVICE EXPENSE	5,000	5,000	10,000	10,000	10,000
295-536-995.000	INTEREST EXPENSE					
295-536-998.000	TRANSFERS OUT					
TOTAL ESTIMATED EXPENCES		567,870	583,864	602,092	615,883	630,660

BEGINNING FUND BALANCE	(212,071)	(169,657)	(127,242)	(84,828)	(42,414)
FUND BALANCE ADJUSTMENTS	42,414	42,415	42,414	42,414	42,414
ENDING FUND BALANCE	(169,657)	(127,242)	(84,828)	(42,414)	(0)

T-Hanger rent will be applied as a revenue, as this has not been a captured revenue in previous budgets. The rent will bring in annually: 15,330

An additional appropriation for deficit elimination will be provided annually in the amount of: 27,084

Annual Total	42,414
5-year Total	212,071

Bousley explained why he had to resubmit the plan and that we (Board) will have to visit this every year.

7. **REPORTS OF STANDING COMMITTEES:**

- A. **Finance Committee** – Finance Chairperson Kramer-None
- B. **A-95 Review** – Commissioner Kramer-None
- C. **Six County Employment Alliance** – Commissioner Stevens-None
- D. **Planning and Zoning Committee** – Commissioner Kramer-None
- E. **DHHS / DICSA** – Commissioner Kramer
 - 1. DICSA meeting minutes of July 11th.
- F. **Dickinson-Iron Health Department** – Commissioner Stevens-None
- G. **Northpointe** – Commissioner Pirlot-None
- H. **Pinecrest** – Commissioner Degenaer-None
- I. **Equalization Committee** – Commissioner Degenaer-None
- J. **Building & Supply/Real Estate-Remodeling** – Commissioner Degenaer-None

K. **Public Safety and Judiciary** – Commissioner Wender-None

L. **Parks Committee** – Commissioner Stevens

1. Motion by Commissioner Stevens seconded by Commissioner Kramer to approve the Professional Engineering Services agreement between Dickinson County and Coleman Engineering Company for the Lake Antione Park boat launch renovation project. Services will be completed for a not to exceed fee of \$8,000 for scope of the work set forth in the agreement/contract. Roll Call Vote: Commissioners:

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

Controller Bousley stated Coleman will do all the engineering and bidding and the design should hold up to the ice in the winter.

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

N. **Fair Board** – Commissioner Degenaer

1. Fair Board meeting minutes of July 2nd.
Commissioner Degenaer Jr., stated the electrical inspector did his final inspection and the Fair Board will receive a certificate from the State that they are the first in the state to comply.

O. **Library Board** – Commissioner Pirlot

1. Library Board meeting minutes of July 9th.

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

Q. **Dickinson County Hospital Committee** – Commissioner Stevens-None

R. **Dickinson County Road Commission** – Commissioner Wender

1. Road Commission meeting minutes of July 9th.

S. **Construction Code Commission** – Commissioner Degenaer-None

T. **Bay West Advisory Committee** - Commissioner Degenaer-None

U. **Veterans' Affairs Committee** – Commissioner Stevens-None

Commissioner Stevens asked for a thank you letter to be sent to James Brown for all the wonderful work he has done for the County and the Veterans.

8. **UNFINISHED BUSINESS & OLD BUSINESS:** Commissioner Stevens

- A. Motion by Commissioner Stevens seconded by Commissioner Kramer to approve a Legal Service retainer in the amount of five hundred dollars per month for Carl Downing starting September 1, 2019. Roll Call Vote: Commissioners:

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

Controller Bousley explained how this came about. He stated Carl is needed and we are actually paying him less than Menominee and Delta counties. Commissioner Stevens stated this is a win, win situation for Lisa and the County.

9. **PETITIONS AND NEW BUSINESS:** - Commissioner Stevens

- A. Motion by Commissioner Stevens to nominate the following applicants:

1. DICKINSON COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY –
One one- year term to expire 7/31/2020

Applicants: Lorna Carey
Kevin Pirlot

Roll Call Vote: Commissioners:

Degenaer Jr., Pirlot
Kramer Carey
Pirlot Pirlot

Stevens Carey
Wender Carey

Lorna Carey was appointed to the Brownfield Redevelopment Authority for a one-year term to expire 7/31/2020.

2. DICKINSON COUNTY LAND BANK AUTHORITY –
Two two- year terms to expire 8/31/2021

Applicants: Barbara Kramer
Nancy Pellegrini

Motion by Commissioner Stevens, seconded by commissioner Wender to appoint Barbara Kramer and Nancy Pellegrini to the Land Bank Authority for two two-year terms to expire 8/31/2021.

Motion by Commissioner Wender to nominate the following applicants to the Dickinson County Land Bank Authority:

3. DICKINSON COUNTY LAND BANK AUTHORITY –
Two one- year terms to expire 8/31/2020

Applicants: Joe Stevens
Lois Ellis
Dennis Baldinelli
Kevin Pirlot

Roll Call Vote: Commissioners

Degenauer Jr.,	Stevens,	Pirlot
Kramer	Stevens	Ellis
Pirlot	Baldinelli	Pirlot
Stevens	Stevens	Ellis
Wender	Stevens	Elis

Joe Stevens and Lois Ellis were appointed to the Land Bank Authority for 2 one-year terms to expire 8/31/20.

Commissioner Pirlot thought because the Land Bank Authority is new it should have been advertised in the newspaper and the web site. Commissioner Stevens stated it has been in the newspaper and on the radio many times.

Motion by Commissioner Stevens seconded by Commissioner Kramer to appoint Winnie Fornetti to the Department of Health and Human Services for a partial term to expire 10/31/2021. All Ayes, Motion Carried.

4. DEPARTMENT OF HEALTH AND HUMAN SERVICES –
One partial term to expire 10/31/2021

Applicants: Winnie Fornetti

10. Motion by Commissioner Stevens seconded by Commissioner Pirlot to accept the Committee Reports and Correspondence and place on file. All Ayes, Motion Carried.
11. Controller's Report.
Controller Bousley stated the hangar is still being constructed. He stated we need to have an airport meeting to discuss parking and paving. He stated the engineering firm must be bid out. He stated he submitted the Veteran's grant. He stated James resigned and he will be advertising for the position in the paper and the web site. He stated Markell called and will be starting the rubber roof first. He stated he has to notify the State about MERS and the retirement and tell them what our percentages are. He stated we will need a waiver.
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 Degenauer Jr., thanked Flower Land and Danielson's for the beautiful flowers they donated to the fair.
Commissioner Kramer stated Saturday will be the last movie and it will be SHREK and the 2nd Crafty Flea Market will be held September 7th.
Commissioner Stevens stated we need to have a park meeting after the park closes. He stated MAC made two amendments to their platform and they are as follows:
ENERGY AND RELIABILITY AND SAFETY
"MAC supports the construction of a tunnel to house a new line 5 pipeline across the Straits of Mackinac to allow for the safe transport of the fuels necessary to heat our homes and fuel our vehicles, so long as the monitoring and maintenance of the tunnel is adequate to protect our natural resources and waterways."
HEALTH AND HUMAN SERVICES

“MAC supports our public Mental Health system, which together with adequate State funding, gives local control and oversight to our counties to ensure quality and accessible services for all residents.”

He stated these are extremely important to all of us.

Commissioner Pirlot is supportive of line 5 tunnel.

He stated the fairgrounds look neat and clean with all the wires gone. He stated we need Northpointe under community control He stated he has many suggestions for the park and the park meeting.

14. Motion by Commissioner Pirlot seconded by Commissioner Degenauer Jr. to adjourn, Subject to the Call of the Chairman at 6:40 PM.

Henry Wender, Chairman

Dolly L. Cook, County Clerk