

# DICKINSON COUNTY BOARD OF COMMISSIONERS

Regular Meeting – September 23, 2013

Courthouse, Circuit Courtroom - 6:30 p.m.

1. The meeting was called to order by Chairman Wender at 6:30 P.M..
2. The Pledge of Allegiance to the Flag was said by all.
3. Roll Call was taken by County Clerk Dolly Cook and a quorum was present.  
Present: Chairman Wender and Commissioners Degenauer Jr., Stevens, Kramer and Martin (5)  
Absent: (0)  
Also Present: County Clerk Dolly Cook, Equalization Director Sid Bray, Sheriff Scott Celello, Controller Nicole Frost, Prosecutor Lisa Richards and Pete Schlitt, Deputy Director of Emergency Services.
4. Motion by Commissioner Stevens, supported by Commissioner Degenauer Jr., to accept the agenda with the following additions:
  7. A Finance
    3. Approve the recommendation of the Finance Committee to authorize payment of a pending invoice from Bruce Municipal for repairs to the Airport Fire Truck. (To be paid from the Airport Fund – Equipment line item.)
  - 7.L. Public Safety and Judiciary
    1. Analysis of 911 Phone System bids and recommendation of award to Solutions Telecommunications.

All Ayes, Motion Carried

5. Motion by Commissioner Martin supported by Commissioner Kramer to approve the following meeting minutes:

Regular Meeting – 9/9/13  
Committee of the Whole – 9/9/13

All Ayes, Motion Carried.

6. **COMMUNICATIONS AND LEGISLATION:**

Commissioner Martin introduced the following students from Mr. Hogberg's Iron Mountain Government Class: Jacob Cousineau, Amanda Baril, Alex Dobson, Kathryn Brown, Michael Snowden, and Corey Pepin.

- A. Citizens' Time: (Limited to five minutes per person)  
Chairman Wender opened the floor to Citizens time and there was no participation.

Chairman Wender introduced Tim McGuire and Kami Smith from the Michigan Association of Counties. McGuire thanked the Board for allowing him to address the Board. He stated the Board did an outstanding job in picking Nicole as Dickinson County Administrator.

He stated he has worked with her in the past. He stated he will be traveling all over the U.P. in the coming days. He stated the conference was very successful. He stated the County Commissioners in the State have dropped from 699 to 622 through apportionment, which is a 10% reduction. He stated Revenue Sharing and Transportation is very important to MAC. He stated they had a major victory in PLT funding. He stated the ORV legislation was a victory for each County and important for tourism.

Kami Smith explained the regional summits. She stated they met their goals on attendance. She stated she works with products and services also.

Commissioner Stevens thanked Casperson and McBroom for the wonderful job they do and that the Board appreciates them. He stated the three things this Board is concerned with are: 1) Unfunded Mandates 2) Big Box Taxes and 3) the transportation problems.

He stated he appreciates all the help that MAC does for all the Counties.

McGuire stated they are involved with the Big Box lawsuit. Commissioner Stevens asked if the schools have put in any money? McGuire stated he did not know.

Frost thanked them for coming and they thanked the Board for allowing them to address the Board.

- B. Resolutions and Legislation – Commissioner Martin  
*Consider/Approve/Deny:*

1. Motion by Commissioner Martin, supported by Commissioner Kramer, to approve Resolution 2013-9 relative to the Assessment of "Big Box Stores." All Ayes, Motion Carried

**DICKINSON COUNTY BOARD OF COMMISSIONERS  
RESOLUTION 2013-9  
ASSESSMENT OF "BIG BOX STORES"  
9/23/13**

WHEREAS, property owners wanting to appeal the assessed values of their property can do so throughout the State of Michigan Tax Tribunal, who has the authority under the Tax Tribunal Act to review and reevaluate the assessments and valuation of property under the General Property tax Act (PA 206 of 1893); and

WHEREAS, recent decisions by the Tax Tribunal appear to set a trend for reversing and significantly lowering the property assessments set by local municipalities for larger retail property owners or “Big Box Stores”, by using a valuation comparison of “dark stores” which are closed and abandoned; and

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, Senator Casperson and State Representative Kievela have presented a bill which amends the General Property Tax Act (specifically MCL § 211.27), and defines “existing use” in determining true cash value of property as being based on use at the time of assessment, and current value received from property. It further deems the “existing use” to be the highest and best use where the use is financially feasible and more profitable than modification or redevelopment; and

WHEREAS, with the more specific definitions to the General Property Tax Act, which the Tax Tribunal follows, the detrimental trend of reduced property valuations should cease.

NOW, THEREFORE BE IT RESOLVED that the Dickinson County Board of Commissioners supports Senator Casperson’s and Representative Kievela’s bill to amend MCL § 211.27, which will better define terms used to assess property values in the State of Michigan.

#### DICKINSON COUNTY BOARD OF COMMISSIONERS

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Henry Wender, Chairman

I, Dolly Cook, the duly appointed, qualified and Acting Clerk of the County of Dickinson, Michigan, do hereby certify that the above extract from the minutes of a Regular meeting of the County Board of Commissioners of Dickinson County, Michigan held on September 23, 2013 is a true and correct excerpt of original minutes related to the matters set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of the County of Dickinson, Michigan, September 23, 2013.

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Dolly Cook, Clerk

2. Motion by Commissioner Martin supported by Commissioner Degenauer Jr., to approve resolution 2013-10 approving an amendment to the agreement between Dickinson County and the Michigan Natural Resources Trust Fund, relative to Hanbury Park.  
All Ayes, Motion Carried

### **DICKINSON COUNTY BOARD OF COMMISSIONERS RESOLUTION 2013-10 MI NATURAL RESOURCES TRUST FUND AMENDMENT 9/23/13**

WHEREAS, Amendment No. 2 to Michigan Natural Resources Trust Fund Project No. MLTF (TF) #718, entered into between the Michigan Department of Natural Resources (“Department”) and the County of Dickinson (“Grantee”) and the City of Norway in the county of Dickinson (“Receiving Public Entity”) is to authorize a transfer of ownership of a grant-assisted site to the Receiving Public Entity, at the Project Location in the City of Norway; and

WHEREAS, the Department, the Grantee, and the Receiving Public Entity mutually agree to amend the agreement as follows:

The Transfer Area is described in Appendix A of Amendment No. 2 referenced above. This amendment transfers grant obligations, as stipulated in the original Agreement, over the 28 acre Transfer Area from the Grantee to the Receiving Public Entity. The Receiving Public Entity agrees to assume all grant obligations, as stipulated in the original Agreement for the 28 acre Transfer Area. All other provisions of the original Agreement, provided in Appendix B, shall continue in full force and effect.

NOW, THEREFORE BE IT RESOLVED that the Dickinson County Board of Commissioners, by this Resolution, approves Michigan Natural Resources Trust Fund Amendment No. 2, which modifies the original Agreement between the DNR and Dickinson County.

DICKINSON COUNTY BOARD OF COMMISSIONERS

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Dolly Cook, Clerk

Frost explained the DNR never received the final documents when Hanbury Lake was transferred to the City of Norway. She stated there were two grants involved and that is why there are two resolutions.

3. Motion by Commissioner Martin supported by Commissioner Kramer to approve resolution 2013-11 approving an amendment to the agreement between Dickinson County and the Michigan Land & Water Conservation Fund, relative to Hanbury Park.  
All Ayes, Motion Carried

**DICKINSON COUNTY BOARD OF COMMISSIONERS  
RESOLUTION 2013-11  
MICHIGAN LAND AND WATER CONSERVATION FUND  
AMENDMENT  
9/23/13**

WHEREAS, Amendment No. 2 to Michigan Land and Water Conservation Fund Project No. 26-01471, entered into between the Michigan Department of Natural Resources (“Department”) and the County of Dickinson (“Grantee”) and the City of Norway in the county of Dickinson (“Receiving Public Entity”) is to authorize a transfer of ownership of a grant-assisted site to the Receiving Public Entity, at the Project Location in the City of Norway; and

WHEREAS, the Department, the Grantee, and the Receiving Public Entity mutually agree to amend the agreement as follows:

The Transfer Area is described in Appendix A of Amendment No. 2 referenced above. This amendment transfers grant obligations, as stipulated in the original Agreement, over the 28 acre Transfer Area from the Grantee to the Receiving Public Entity. The Receiving Public Entity agrees to assume all grant obligations, as stipulated in the original Agreement for the 28 acre Transfer Area. All other provisions of the original Agreement, provided in Appendix B, shall continue in full force and effect.

NOW, THEREFORE BE IT RESOLVED that the Dickinson County Board of Commissioners, by this Resolution, approves Michigan Land and Water Conservation Fund Amendment No. 2, which modifies the original Agreement between the DNR and Dickinson County.

DICKINSON COUNTY BOARD OF COMMISSIONERS

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Henry Wender, Chairman

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Dolly Cook, Clerk

7. **REPORTS OF STANDING COMMITTEES:**

**A. Finance Committee - Finance Chairman Degenauer**  
*Consider/Approve/Deny:*

1. Motion by Commissioner Degenauer Jr., supported by Commissioner Stevens to approve Integrys proposal to be the County's natural gas supplier. Roll Call Vote: Commissioners:

Degenauer Jr., Aye

Kramer Aye

Martin Aye

Stevens Aye

Wender Aye Motion Carried.

Julie Cowling addressed the Board. She stated Integrys gives \$25.00 to a charity each year. She stated the markets are changing and the company will give the County all the information they need. She stated they will also give savings analysis every 6 months. She stated we saved \$2,200 already and the savings for DTE will be \$16,000.

2. Motion by Commissioner Degenauer Jr., supported by Commissioner Stevens to approve the 2013/2014 Child Care Budget and authorize the Chairman to sign the necessary documents for submission to the State. All Ayes, Motion Carried.

3. Motion by Commissioner Degenauer Jr., supported by Commissioner Kramer to approve the recommendation of the Finance Committee to authorize payment of a pending invoice from Bruce Municipal for repairs to the Airport Fire Truck of \$10,244.74. (To be paid from the Airport Fund – Equipment Repair line item.) Roll Call Vote: Commissioners:

Martin Aye

Stevens Aye

Wender Aye

Degenauer Jr. Aye

Kramer Aye Motion Carried.

**B. A-95 Review - Commissioner Kramer-No report**

**C. Crystal Lake Center/YMCA - Commissioner Kramer**

1. Motion by Commissioner Kramer supported by Commissioner Degenauer Jr., to approve the recommendation of the Committee of the Whole to leave the status quo of the current lease (with the YMCA) to not include the Senior Center, and with the intention to discuss the parking lot boundary. All Ayes, Motion Carried.

Commissioner Stevens stated we should set up a meeting with the YMCA Board soon.

**D. Six County Employment Alliance - Commissioner Stevens-No report**

**E. Planning and Zoning Committee - Commissioner Kramer**

1. Conservation District Board meeting minutes of 8/20/13.

**F. DHS/Community Services Agencies - Commissioner Kramer-No report**

**G. Dickinson-Iron Health Department – Commissioner Kramer-No report**

**H. Northpointe - Commissioner Martin.**

1. Northpointe Board meeting minutes of 8/29/13.

**I. Pinecrest - Commissioner Degenauer.-No report**

**J. Equalization Committee - Commissioner Degenauer.**

1. Letter from MI Dept. of Treasury relative to State Tax Commission's newly adopted certification level requirements for Counties. Equalization Director Sid Bray explained the letter from the state. He stated we can receive a waiver because of Verso. Larry Swartout can do any level 4 Assessor work we need.

**K. Building & Supply/Real Estate-Remodeling** – Commissioner Degenauer-No report

**L. Public Safety and Judiciary** - Commissioner Wender-No report

1. Motion by Commissioner Stevens, supported by Commissioner Kramer to receive the analysis of 911 Phone System bids and recommendation of award to Solutions Telecommunications of \$32,354.35. Roll Call Vote: Commissioners:

Stevens	Aye	
Wender	Aye	
Degenauer Jr.,	Aye	
Kramer	Aye	
Martin	Aye	Motion Carried.

Pete Schlitt, Deputy Director of Emergency Services stated they had three bids. He stated the CCI bid of \$14,296.60 and \$1,237.49 per month for 3 years, for a total bid of \$44,549.64, and was hosted at their headquarters which could be problematic. He stated the other bid was from Wyant and was \$58,688.82 and it did not quote a PRI module and that was in the specs. He stated the Solutions bid was \$32,354.35 and they are based in Escanaba and they are a highly rated system.

**M. Parks Committee** - Commissioner Stevens

1. Fumee Lake Commission meeting minutes of 8/8/13.

**N. Airport Committee** - Commissioner Wender

*Consider/Approve/Deny:*

1. Motion by Commissioner Degenauer Jr., supported by Commissioner Kramer to approve the recommendation of the Airport Committee to authorize the Chairman to execute, upon receipt, the Grant Offer from the FAA in the amount of \$113,850 for the Airport's FY 2013 capital improvement projects, as well as execute the associated Grant Terms and Conditions. Roll Call Vote: Commissioners:

Wender	Aye	
Stevens	Aye	
Martin	Aye	
Kramer	Aye	
Degenauer Jr.,	Aye	Motion Carried.

Commissioner Stevens thanked the Airport Manager, Tim Howen for the work he did on the grant.

**O. Fair Board** - Commissioner Degenauer-No report

**P. Library Board** - Commissioner Ann Martin

*Consider/Approve/Deny:*

1. Motion by Commissioner Martin supported by Commissioner Kramer to approve the Library Board's request to levy .9 mills for 2014. Roll Call Vote: Commissioners:

Degenauer Jr.,	Aye	
Kramer	Aye	
Martin	Aye	
Stevens	Aye	
Wender	Aye	Motion Carried.

Commissioner Wender asked if they were working on lowering their liability for retirement benefits? Commissioner Martin stated they are. Commissioner Martin stated they have spent a great deal of money on improvements at both libraries and this money does not come from taxpayers dollars.

**Q. Dickinson Partnership/Economic Dev.** - Commissioner Stevens-No report

**R. Employee Relations Committee** - Commissioner Degenauer-No report

**S. Dickinson County Hospital Committee** - Commissioner Stevens-No report

**T. Dickinson County Road Commission** - Commissioner Wender –No report

**U. Construction Code Commission** - Commissioner Degenauer-No report

**V. Bay West Advisory Committee** - Commissioner Martin-No report

8. Citizens' Time: (Limited to five minutes per person):  
Chairman Wender opened the floor to Citizens' Time. Kay Carlson, Iron Mountain addressed the Board. She thanked Ann for explaining how the Library has done the improvements and how they are paid for. She stated the millage of .9 mills was previously authorized by the voters. She thanked the Board.

9. **UNFINISHED BUSINESS & OLD BUSINESS:** Commissioner Martin – None

10. **PETITIONS AND NEW BUSINESS:** Commissioner Martin

1. The Township Association meeting minutes of 7/15/13.
2. Motion by Commissioner Martin, supported by Commissioner Stevens to authorize the Clerk to advertise for applicants for the following:

Library Board- 1 five-year term to expire 12/31/18  
Planning Commission- 2 terms to expire 2/28/16  
Solid Waste Management - 1 terms (Solid Waste Mgmt Industry) - to expire 6/1/16  
Brownfield Redevelopment Authority- 6 three-year terms, various expiration dates  
Department of Human Services- 1 three year term to expire 11/01/16  
Fumee Lake Commission- 1 three year term to expire 7/14/16  
Western UP Substance Abuse-1 term to expire 03/01/2015  
All Ayes, Motion Carried

3. Motion by Commissioner Martin supported by Commissioner Degenauer Jr., to accept the Mine Inspector's 2013 Report . All Ayes, Motion Carried

11. Motion by Commissioner Martin supported by Commissioner Kramer to accept the Committee Reports and Correspondence and place on file. All Ayes, Motion Carried.

12. Controller's Report.

Frost explained that the deficit elimination plan was approved and certified by the State. She stated she is working on our dashboard requirements and the financials that go on the web site. She stated this year they are requiring a debt service report. She stated the supplemental information of the DNR Grant for the playground equipment has been sent and she thanked Barb Kramer for her help. She stated she has posted the part-time MSU position and it will go in the paper this week-end. She stated Sherry Thayler has been hired in the Equalization Department to replace Diane Kenny who retired. She has been working with the DNR and the easement issue. She stated the DNR has given her an audit of all grant properties they want her to complete.

- 13 Commissioners' Personal Privilege.

Commissioner Kramer stated they met with the representatives from the Governors' Office today. She stated it went well. She stated they want to roll out his trail next month. The Hannahville Tribe is also endorsing her Southern Route.

Commissioner Stevens thanked Barb Kramer for the hard work she has done on this bike path. He stated he is proud of her and the County for pushing this issue.

Commissioner Martin stated it is an unfunded mandate by the DNR for all the time it will take Nicole to, complete the audit of all grant properties acquired since the 1960's. She thanked Nicole for a job well done.

14. Motion by Commissioner Stevens, supported by Commissioner Degenauer Jr., to adjourn, Subject to Call of Chairman at 7:17 P.M.

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Henry Wender, Chairman

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Dolly L Cook, County Clerk



