

DICKINSON COUNTY BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
Monday, May 9, 2011 - 6:30 p.m.
Courthouse - Circuit Courtroom

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, Vice Chairman Smith and Commissioners Degenauer Jr., Martin and Stevens. (5)

Absent: (0)

Also Present: County Clerk Dolly Cook, Prosecutor Stephanie Brule, Sheriff Scott Celeslo, and Controller Kay Pascoe.

4. Motion by Commissioner Martin, supported by Commissioner Smith to accept the agenda with the following additions:

7. A. Finance Committee

5. Accept the bid from UP AND RUNNING Technology Solutions in the amount of \$2,680.10 to provide the 2 computers and back-up laptop needed for the court digital recording systems. (Funds are set aside in Capital Outlay for computer replacements.) Other Bids:

Orbit Technology - \$2,990, Dell On-Line - \$3,086.25, DS Tech - \$3,473

6. Approve the request of the Probate Judge to attend the Probate Judge's Association Annual Conference on 6/26-6/29/2011 at Crystal Mountain at approximate cost of \$1,000.

7. L. Public Safety and Judiciary Committee

1. Authorize the Sheriff to fill one full time vacant Corrections Officer position.

7. T. Dickinson County Road Commission

3. Should the number of Road Commissioners be increased from 3 to 5?

4. Should Road Commissioners be elected rather than appointed?

5. Questions on the Interview Process for the Managing Director concerning an open meeting

violation.

All Ayes, Motion Carried.

5. Motion by Commissioner Degenauer Jr., supported by Commissioner Martin to approve the following meeting minutes:

Regular Meeting - 4/25/11

Committee of the Whole - 5/2/11

All Ayes, Motion Carried.

6. **COMMUNICATIONS AND LEGISLATION:**

Commissioner Martin introduced the following students from Mr. Hogberg's Iron Mountain Government Class: Robert Adams, K. D. Smith, Ginny Sullivan, Brad Blomquist and Ty Thomann.

A. Citizens' Time: (Limited to five minutes per person)

1. Chairman Wender opened the Public Hearing relative to potential changes in the size and method of selecting County Road Commissioners at 6:40 P.M.

Denny Olson, Breitung Township addressed the Board. He stated he is against 5 members on the Road Commission. He stated he has worked with this Road Commission for 30 years and hasn't always agreed with what they have done. He stated our roads in Dickinson County have played a big role in the Timber Industry. He stated they had insight and built class "A" roads so timber could be moved safely. He stated there will be more cost if there are 5. He stated he did not care if they were elected or appointed. He stated this is coming from Denny Olson, trucker, not the superintendent from Breitung Township.

Ron Milbrath, Chairman of the Road Commission Board, addressed the Board. He stated they are against a 5 member Board. He stated their 6th audit was excellent. He stated Sandy does an excellent job. He stated it would cost about \$5,000.

Mark Ellis, employee of the Road Commission, addressed the Board. He stated this Board voted these people in. Todd Flath, Business Agent for ASFME, addressed the Board. He stated there are 14 people on lay-off and the Board wants to spend more money for 2 more Board members. He asked how can the Board justify this?

Jim Harris, Road Commission Board Member, addressed the Board. He stated they have never had a problem with three members. He stated every Road Commission in the State is in trouble. He stated he spoke to every

township Board and they are against this. Commissioner Degenauer Jr, stated they are not against it. He stated putting more Board members on is irresponsible.

Commissioner Wender responded. He stated he is in favor of a 5 member Board. Wender stated they found out the Road Commission was losing \$25,000 a month in September. He stated bills were not paid from February and \$180,00 of the \$200,00 line of credit was spent and they borrowed \$450,000 more. He stated he knew costs were cut but the winter was mild and no cuts were made until April. He stated the County Board does not want to take over the Road Commission. He stated he would like to see all Townships represented. Pascoe read the letters received from 3 townships and they are on file in the County Clerk's Office and explained a phone call from Felch Township.

Commissioner Stevens is not against a 5 member Board. He asked to hold this decision to a later date. He stated five heads are better than 3.

Commissioner Degenauer Jr., stated he is in favor of a 5 member board. He also said now may not be the best time to decide.

Commissioner Smith stated he was alarmed last fall with the financial condition and that no action was taken. He stated he felt the Road Commission was not aware of the bad financial condition. He is in favor of a five member Board and they should be appointed, not elected.

Commissioner Martin realized how important roads are. She stated she has concerns too. She stated it would be a benefit to increase to five.

Commissioner Stevens stated we should be looking for the best candidate, not where their from. He stated some of the troubles of the Road Commission are not the Boards problems.

Commissioner Wender stated we need changes in the laws as far as how the Road Commission gets its revenues.

Commissioner Smith stated the Road commission was lax on getting the situation under control, but the deficit situation was not totally the Boards fault.

Commissioner Wender closed the Public Hearing at 7:10 P.M.

Ron Milbrath addressed the Board. He stated they do not get money from the Board and they cannot charge the townships. He asked how can we lay off workers when they have to plow snow?

Jim Harris addressed the Board. He stated out of town meetings and mileage increases the costs for two new board members. He stated the treasury tells them how to do things.

Mark Ellis addressed the Board. He stated they might not get five members from all the areas.

Barb Kramer, Iron Mountain, addressed the Board. She stated there is a real problem with the trucks not going around Lake Antoine and going through downtown. She stated they should be appointed, not elected.

Todd Flath stated you have people on lay-off and you want to spend more money and that doesn't make sense.

2. Citizens Time: (Limited to five minutes per person)

Chairman Wender opened the floor to Citizens' Time. Shelley Taff, Iron Mountain, addressed the Board.

She read from various board meeting minutes. She asked the Board to reconsider the full time person for the Clerk's Office. She asked the Board to think of the taxpayers. She thanked the Board.

B. Resolutions and Legislation - Commissioner Stevens - No Report

7. REPORTS OF STANDING COMMITTEES:

A. Finance Committee - Finance Chairman John Degenauer, Jr.

1. Motion by Commissioner Degenauer Jr., supported by Commissioner Martin to accept the Treasurer's Trial Balance and Budget Status Reports for the period ending 4/30/11. All Ayes, Motion Carried.

2. Motion by Commissioner Degenauer Jr., supported by Commissioner Smith to release the May, 2011 payment of the senior millage to the Dickinson Iron Community Services Agency in the amount of \$71,675 and approve the release of the next three quarters for a total of \$286,700. Roll Call Vote:

Commissioners:

Degenauer Jr.	Aye	
Martin	Aye	
Smith	Aye	
Stevens	Aye	
Wender	Aye	Motion Carried.

3. Motion by Commissioner Degenauer Jr., supported by Commissioner Stevens to accept the bid of VarTec, LLC for Digital Court Recording Equipment for the Circuit and District Courtrooms in the amount of \$18,794 of which \$9,062 will come from the Alcohol Assessment Fund and the balance, \$9,732 will come from the General Fund. (General Fund budgeted amount is \$7,953.) Roll Call Vote: Commissioners:

Martin	Aye	
Smith		Nay
Stevens	Aye	

Wender Aye
Degenauer Jr. Aye Motion Carried.

Commissioner Stevens asked if this includes travel? Pascoe stated it is the total cost.

Commissioner Smith asked what about West Law? He stated he cannot go along with this unless he knows what this is going to do.

Pascoe stated the software and hardware are very complicated.

4. Motion by Commissioner Degenauer Jr., supported by Commissioner Martin to accept the bid of VarTech, LLC for a Circuit Court PA System in the amount of \$5,500. Roll Call Vote: Commissioners:

Smith Nay
Stevens Aye
Wender Aye
Degenauer Jr. Aye
Martin Aye Motion Carried.

5. Motion by Commissioner Degenauer Jr., supported by Commissioner Stevens to accept the bid from UP AND RUNNING Technology Solutions in the amount of \$2,680.10 to provide the 2 computers and back-up laptop needed for the court digital recording systems. Roll Call Vote: Commissioners:

Stevens Aye
Wender Aye
Degenauer Jr. Aye
Martin Aye
Smith Nay Motion Carried

6. Motion by Commissioner Degenauer Jr., supported by Commissioner Stevens to approve the request of the probate Judge to attend the Probate Judge's Association Annual Conference on 6/26/-6/29/2011 at Crystal Mountain at an approximate cost of \$1,000.00.

Roll Call Vote: Commissioners:

Wender Aye
Stevens Aye
Smith Nay
Martin Aye
Degenauer Jr. Aye Motion Carried.

B. A-95 Review - Commissioner Joe Stevens - No Report

C. Crystal Lake Center/YMCA - Commissioner Frank Smith - No Report

D. Six County Employment Alliance - Commissioner Frank Smith
Commissioner Smith stated their budget will be cut by 10%.

E. Planning and Zoning Committee - Commissioner Joe Stevens

1. Planning Commission meeting minutes of 3/24/11.

2. Motion by Commissioner Stevens, supported by Commissioner Smith to authorize the Dickinson Conservation District to install Emerald Ash Borer traps in County Parks. All Ayes, Motion Carried.

F. DHS/Community Services Agencies - Commissioner Smith

2. DHS Board meeting minutes of 3/28/11.

G. Dickinson-Iron Health Department - Commissioner Smith - No Report

H. Northpointe - Commissioner Ann Martin

3. Northpointe Board meeting minutes of 4/21/11.

I. Pinecrest - Commissioner John Degenauer, Jr.

4. Pinecrest Board meeting minutes of 3/24/11.

J. Equalization Committee - Commissioner John Degenauer, Jr. - No Report

K. Building & Supply/Real Estate-Remodeling- Commissioner Smith

1. Motion by Commissioner Smith, supported by Commissioner Degenauer Jr., to authorize the Controller to seek quotes for the repair of the exterior cracks in the Courthouse. All Ayes, Motion Carried.

L. Public Safety and Judiciary - Commissioner Henry Wender

1. Motion by Commissioner Smith, supported by Commissioner Stevens to authorize the Sheriff to fill one full time vacant Corrections Officer position. All Ayes, Motion Carried.

M. Parks Committee - Commissioner Joe Stevens

5. Fumee Lake Commission meeting minutes of 4/14/11.

N. Airport Committee - Commissioner Henry Wender

6. Discuss Airport roof.

Commissioner Wender stated there are two flat roofs at the airport and they are both leaking very badly. He stated Tim Howell could get specs done from two different people on a rubber roof and a metal roof. Motion by Commissioner Stevens, supported by Commission Smith to draw specs and advertise for bids on both metal and rubber roofs. All Ayes, Motion Carried. Commissioner Smith stated that we must let them know we are concerned about the structural integrity of the roof also.

2. Delta Enplanements Reports

Pascoe stated enplanements for the year were 3,252 compared to 1,765 last year. She stated at this rate we will reach our goal of 10,000.

O. Fair Board - Commissioner John Degenauer, Jr. - No Report

P. Library Board - Commissioner Ann Martin

7. Library Board meeting minutes of 4/12/11.

Q. Dickinson Partnership/Economic Dev. - Commissioner Joe Stevens - No Report

R. Employee Relations Committee - Commissioner Frank Smith - No Report

S. Dickinson County Hospital Committee - Commissioner Joe Stevens

Commissioner Stevens reported they are doing better than last year.

T. Dickinson County Road Commission - Commissioner Henry Wender

8. Road Commission meeting minutes of 4/13/11.

9. Road Commission special meeting minutes of 4/20/11.

10. The consensus of the Board was to wait two weeks before voting on going from 3 to 5 Board Members.

4. Motion by Commissioner Degenauer Jr., supported by Commissioner Smith to appoint board members rather than elect them. All Ayes, Motion Carried.

5. Motion by Commissioner Martin, supported by Commissioner Stevens to review this and see if this was a violation of the Open Meetings Act and to be referred and reviewed by the Prosecuting Attorney.

All Ayes, Motion Carried.

Commissioner Martin stated she felt this was a violation of the Open's Meeting Act because #6 reason for an executive or closed session, you must interview in an open meeting not a closed session.

U. Construction Code Commission - Commissioner John Degenauer, Jr.

11. Construction Code Commission meeting minutes of 2/16/11.

V. Bay West Advisory Committee - Ann Martin - No Report

8. Citizens' Time: (Limited to five minutes per person):

Chairman Wender opened the floor to Citizens' Time. David Taff addressed the Board. He asked if the PA system doesn't work can't you take it back? He also asked if there was a warranty on the rubber roof?

9. **UNFINISHED BUSINESS & OLD BUSINESS:** - Commissioner Stevens - None

10. **PETITIONS AND NEW BUSINESS:** - Commissioner Stevens - None

11. Motion by Commissioner Smith, supported by Commissioner Stevens to accept Committee Reports and Correspondence and Place on File. All Ayes, Motion Carried.

12. Controller's Report.

Pascoe stated she went to the Upper Peninsula County Commissioners meeting and met with 8 administrators and had a very vigorous conversation.

13. Commissioners' Personal Privilege.

Commissioner Degenauer Jr. addressed Shelly Taff's concerns. He stated they did eliminate a part time position in the clerk's office. He stated that was a probate position but the Probate Judge asked that the position not be cut because he wanted the person to do collections, so it was not cut. He stated it was a unanimous vote. He stated an employee from the clerk's office applied for the job and now there is a full time vacancy in the Clerk's Office. Now the County Clerk has one and one half people missing from her office. He stated the Federal Government will not allow passports to be done in the same office as birth certificates, so now she will no longer be doing passports. He stated she has interviewed and will be hiring a full time person within the week.

14. Motion by Commissioner Wender, supported by Commissioner Stevens to adjourn, Subject to Call of Chairman at 7:56 P.M.

Henry Wender, Chairman

Dolly L. Cook, County Clerk

