

**DICKINSON COUNTY BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING  
Monday, June 11, 2018 - 6:00 p.m.  
Courthouse - Circuit Courtroom**

Tape 333

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 Barb Kramer, Ann Martin and John Degenaer. (5)  
Absent: None  
Also Present: County Clerk Dolly Cook, Prosecutor Lisa Richards, Equalization Director Sid Bray, Lt. Aaron Rochon and Controller Brian Bousley
4. Motion by Commissioner Kramer seconded by Commissioner Martin to accept the agenda with the following additions:  
6. B 2. Resolution 2018-12 in opposition to HB 6049 and SB 1025  
10. A. Commissioner Stevens to be appointed to the newly formed UP Legislative Coalition.  
All Ayes, Motion Carried.
5. Motion by Commissioner Stevens seconded by Commissioner Martin to approve the following meeting minutes: Regular – May 30<sup>th</sup> 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. Gerald McCole, Channing, addressed the Board. He read a letter that is on file in the County Clerk's Office. He explained what has gone on with Pinecrest and how the three Counties got control of Pinecrest. He stated the Dickinson County Board of Commissioners do not have rules or bylaws in place like the other counties. He stated Northpointe is in trouble again.
- B. Resolutions and Legislation – Commissioner Martin
  1. Motion by Commissioner Martin seconded by Commissioner Stevens to approve Resolution 2018-11 opposing proposed changes to the statewide septic code (HB 5752 & HB 5753). All Ayes, Motion Carried.  
Commissioner Stevens stated this is another unfunded mandate. Homeowners would have to pay \$250-300 each for this.

**DICKINSON COUNTY RESOLUTION 2018-11 OPPOSING PROPOSED CHANGES  
TO THE STATEWIDE SEPTIC CODE (HB 5752 & HB 5753)**

**WHEREAS,** House Bills 5752 and 5753 would add Part 128 to the Public Health Code and establish state and local standards for onsite wastewater treatment systems which would require the Michigan Department of Environmental Quality to develop a statewide code to govern the installation, operation, maintenance and inspection of septic systems;

**WHEREAS,** The Amendatory Act restricts and removes local controls and changes existing regulations and guidelines that have been effectively enforced by counties and health departments across the Upper Peninsula; and

**WHEREAS,** The Amendatory Act would add additional mandates that would increase the amount of personnel time and expenses that Upper Peninsula Health Departments would incur under the new Act without adequate funding from the state; and

**WHEREAS,** The Amendatory Act would gut existing regulations and grant the Michigan Department of Environmental Quality authority to approve local sanitary codes which, in effect, eliminates local control and undermines the duties of local health departments to implement and enforce laws; and

**WHEREAS,** The Michigan Department of Environmental Quality lacks the necessary budget and staffing levels to meet the mandates of this Amendatory Act which will place an additional financial burden on local authorities; and

**WHEREAS**, The creation of the State Technical Advisory Committee under the Act would take away and replace local control of the design, permitting, inspection and management of onsite wastewater treatment facilities and limit input into the rulemaking process to four local health department representatives; and

**WHEREAS**, The Amendatory Act fails to address funding for distressed homeowners and vacated properties with onsite wastewater treatment systems;

**THEREFORE, BE IT RESOLVED,**

That the Dickinson County Board of Commissioners opposes HB 5752 and HB 5753 and requests State Legislators to oppose the legislation.

\_\_\_\_\_  
Henry Wender – Dickinson Co. Chair

\_\_\_\_\_  
Dolly Cook – Dickinson Co. Clerk

Date

2. Motion by Commissioner Martin seconded by Commissioner Stevens to approve resolution 2018-12 in opposition to HB 6049 and SB 1025. All Ayes, Motion Carried.

**DICKINSON COUNTY BOARD OF COMMISSIONERS  
RESOLUTION 2018-12 IN OPPOSITION TO HB 6049 AND SB 1025**

WHEREAS, House Bill (HB) 6049 and Senate Bill (SB) 1025 seeks to completely restructure the Tax assessing qualifications, process and boundaries of local assessing units in Michigan; and

WHEREAS, HB 6049/SB 1025 will impose a huge financial burden on Dickinson County as well as Michigan's other counties and local units because its mandates will require increased staffing levels and office space while providing a woefully inadequate 1% administrative fee and undefined "start-up funding" to compensate the counties and other local units for the drastic expenses that will surely accompany the new mandates; and

WHEREAS, HB 6049/SB 1025 will put Dickinson County at odds with its local townships by requiring us to take the 1% administrative fee from the local units to pay for our increased costs; and

WHEREAS, HB 6049/SB 1025 changes the manner in which local boards of review (BOR) are conducted. By putting specialized BORs at the county level, HB 6049/SB 1025 has the potential to strip elected township supervisors and local assessing units of control over the tax assessing process, depriving them of the ability to account for unique conditions and values unknown to county-wide, regional and/or statewide assessing units but well known in the local units; and

WHEREAS, HB 6049/SB 1025 appears to have been designed without any input from existing assessors or their associations and the previous drafts were not made public to the counties and townships directly affected by its sweeping changes until nearly ready for introduction into the Michigan Legislature. In this context, it is difficult to view HB 6049/SB 1025 as anything other than a power grab generating from Lansing; and

WHEREAS, there are no guarantees that quality education will be available locally or even regionally to allow for the increased certification levels imposed by HB 6049/SB 1025; and

WHEREAS, HB 6049/SB 1025's proposed levels of certification for assessors will not achieve the results that are being sought. The real problem is bad assessors, not their levels of certification. The solution lies in better policing of assessors by the State Tax Commission, not simply imposing increased educational requirements that may be impossible to achieve and that do nothing to weed out the bad actors; and

WHEREAS, Dickinson County views HB 6049/SB 1025 in its current form as an unconstitutional unfunded mandate which does little or nothing to accomplish its stated goals.

NOW, THEREFORE, BE IT RESOLVED, that the Dickinson County Board of Commissioners

hereby opposes HB 6049/SB 1025 and asks that it be withdrawn from consideration until the funding issues and other problems identified above can be properly addressed.

**CERTIFICATION**

The undersigned hereby certify that the foregoing RESOLUTION IN OPPOSITION TO HOUSE BILL 6049 was duly approved at a meeting of the Dickinson County Board of Commissioners held on the \_\_\_\_ day of \_\_\_\_\_, 2018 by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ opposed, and \_\_\_\_\_ abstaining.

\_\_\_\_\_  
Henry Wender – Dickinson Co. Chair

\_\_\_\_\_  
Dolly Cook – Dickinson Co. Clerk

Commissioner Stevens stated this would remove local control and again the state is telling us what to do.

7. **REPORTS OF STANDING COMMITTEES:**

A. **Finance Committee** – Finance Chairperson Martin

1. Motion by Commissioner Martin seconded by Commissioner Kramer to approve the request from the Sons of the American Legion for a financial contribution to the 4<sup>th</sup> of July fireworks fund of \$200.00. Roll Call Vote: Commissioners:

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

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

C. **Upward Talent Council** – Commissioner Stevens-None

D. **Planning and Zoning Committee** – Commissioner Kramer-None

E. **DHHS / DICSA** – Commissioner Kramer-None

F. **Dickinson-Iron Health Department** – Commissioner Stevens

1. Board of Health meeting minutes of April 25<sup>th</sup>.

G. **Northpointe** – Commissioner Martin

1. Motion by Commissioner Martin seconded by Commissioner Stevens to approve Northpointe' s payment request for the third and fourth quarter appropriations totaling \$49,815.00. Roll Call Vote: Commissioners:

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

H. **Pinecrest** – Commissioner Degenauer

1. Pinecrest meeting minutes of April 26<sup>th</sup>.
2. Motion by Commissioner Degenauer Jr., seconded by Commissioner Martin to approve the County Controller to ask for a proposal from Pritok Capital on the purchase of Pinecrest Medical Care Facility. Kramer, Martin, Stevens, Wender Ayes, Degenauer Jr., Nay. Motion Carried.

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

Equalization Director Sid Bray explained to the Board those businesses that are going to the tax tribunal for tax deduction. He stated if they all received a deduction, it would cost the County approximately \$24,000.

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

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

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

Commissioner Stevens stated Lake Antoine looks great.

- M. **Airport Committee** – Commissioner Wender-None
- N. **Fair Board** – Commissioner Degenauer-None
- O. **Library Board** – Commissioner Martin-None
- P. **Employee Relations** - Commissioner Degenauer-None
- Q. **Dickinson County Hospital Committee** – Commissioner Stevens-None  
Commissioner Stevens stated DCH is moving forward.
- R. **Dickinson County Road Commission** – Commissioner Wender-None
- S. **Construction Code Commission** – Commissioner Degenauer-None
- T. **Bay West Advisory Committee** - Commissioner Degenauer-None
- U. **Veterans’ Affairs Committee** – Commissioner Stevens-None

8. Citizens’ Time: (Limited to five minutes per person)  
Chairman Wender opened the floor to Citizen’s Time and there was no participation.

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

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

1. Motion by Commissioner Martin seconded by Commissioner Kramer to approve Joe Stevens be appointed to the newly formed UP Legislative Coalition formed by the UP Association of County Commissioners. Wender, Degenauer Jr., Kramer, Martin Ayes, Stevens abstained. Motion Carried.

11. Motion by Commissioner Martin seconded by Commissioner Kramer to accept the committee reports and correspondence and place on file. All Ayes, Motion Carried.

12. Controller’s Report.  
Controller Bousley stated the taxi-way project at the airport came in too high and will be put off for a year unless it becomes a safety issue. The opioid Litigation is continuing and the next stage is data collection. He stated the Sheriff has been approved for two wrap grants. He stated he received an internet policy from MAC. He stated there will be a Department Head meeting on Friday. Commissioner Degenauer Jr., and Bousley met with the City of Norway regarding the Mine Inspector. He stated we will lose money on the Personal Property Tax formula and they want to extend the pay by 6 months.

13. Commissioners’ Personal Privilege.  
Commissioner Kramer stated she will attend the collaborative meeting.  
Commissioner Stevens stated Tim and the airport employees did a great job and he thanked them. Commissioner Kramer stated they received a \$2,000 grant for trees at Lake Antoine and they are out for bids.  
Commissioner Degenauer Jr., stated Dickinson, Delta and Menominee pursued a county person on the Board at Pincrest and it was not fair to blame the County.

A. Motion by Commissioner Martin seconded by Commissioner Kramer to enter into a closed session at 6:31 PM to discuss the purchase or lease of real property, pursuant to Open Meetings Act 15.268, Sec. 8(d). (*Closed session requires 2/3 vote*) Roll Call Vote: Commissioners:  
Stevens Aye  
Wender Aye  
Degenauer Jr.,Aye  
Kramer Aye  
Martin Aye Motion Carried.

Motion by Commissioner Martin seconded by Commissioner Kramer to enter back into the regular meeting at 6:55 PM. Roll Call Vote: Commissioners:  
Wender Aye  
Stevens Aye  
Martin Aye  
Kramer Aye  
Degenauer Jr.,Aye Motion Carried.

14. Motion by Commissioner Martin seconded by Commissioner Kramer to adjourn, Subject to Call of Chairman at 6:56 PM.

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Henry Wender Chairman

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Dolly L. Cook County Clerk