

**ALGER COUNTY BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**February 8, 2010**

**Minutes are subject to corrections and approval**

Pursuant to recess, the Alger County Board of Commissioners convened in the conference room of the county building at 4:00 p.m. on the above date.

The meeting was called to order by Chairwoman Pullen with the following Commissioners present: Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Absent ó Commissioner Lindstrom.

The Board of Commissioners said the Pledge of Allegiance.

Public comment session was open. There was no public comment from the floor; thus, the public comment session was closed.

Item no. 15 was moved up to item no. 7 on the agenda. On a motion by Commissioner VanLandschoot, seconded by Commissioner Mattson to approve the agenda as amended. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó Commissioner Lindstrom.

It was moved by Commissioner Mattson and seconded by Commissioner VanLandschoot to approve the Organizational meeting minutes from January 4, 2010, the Committee of the Whole minutes from January 7, 2010, the Regular Board minutes from January 13, 2010, and the Special Board of Commissioners meeting minutes from January 20, 2010. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, VanLandschoot and Pullen. Nays ó none. Absent ó Commissioner Lindstrom.

Joe Menze from Computer Associates was present to discuss the new register of deeds program with Trimin Government Solutions. He said that Trimin is a web based program and much easier to work with updates. He said that overall with the technology, the customer service aspects, and with a swing in revenue Trimin is a plus for the county. It was moved by Commissioner Doucette and seconded by Commissioner VanLandschoot to authorize the clerk to purchase a new register of deeds system with Trimin Government Solutions in the approximate amount of \$34,600 plus expenses. Monies are to come from the Delinquent Tax Revolving (DTR) fund and will be paid back when finances are available from the register of deeds fund. The clerk is to notify Manatron for termination of their contract. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó Commissioner Lindstrom.

The Board reviewed and discussed a contract with MGT of America for a replacement of Maximus responsible for the cost allocation plan. MGT's service for the cost allocation plan is \$8,500. Maximus's cost is \$9,000. On a motion by Commissioner Mattson, seconded by Commissioner VanLandschoot to postpone making a decision on choosing either Maximus or MGT of America for the cost allocation plan. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó Commissioner Lindstrom.

On a motion by Commissioner VanLandschoot, seconded by Commissioner Doucette to authorize payment to the Alger County Conservation District in the amount of \$500 for the Emerald Ash Borer program. Monies to come from the health department's budget. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó Commissioner Lindstrom.

It was moved by Commissioner VanLandschoot and seconded by Commissioner Doucette to appoint John Howko to the Alger County Library Board. Motion was tied by the following vote: Ayes ó Commissioners Mattson and VanLandschoot. Nays ó Commissioners Doucette and Pullen. Absent ó Commissioner Lindstrom. Since there is a tie vote, Commissioner Pullen said that another motion is in order. There was much discussion. It was moved by Commissioner VanLandschoot seconded by Commissioner Mattson to send this request back to the Alger County Library Board for their recommendation. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó Commissioner Lindstrom.

On a motion by Commissioner Mattson, seconded by Commissioner VanLandschoot to approve the appointments of Edward Sowa ó one-year term; John Sherman-Jones ó three-year term; and Lisa Peters ó three-year term to the Commission on Aging Board effective January 1, 2010. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó Commissioner Lindstrom.

It was moved by Commissioner Doucette and seconded by Commissioner VanLandschoot to approve the Alger County Road Commission members the same monthly salary and meeting per diem as the Alger County Board of Commissioners. The current salary for the Alger County chair is \$205, the vice-chair is \$190, and the other commissioner is \$170. The per diems are \$35 per meeting. Motion carried by the following vote: Ayes 6 Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays 0 none. Absent 0 Commissioner Lindstrom.

Joe Cilc was present to talk about the contract regarding him being the Building Code Inspector. He said that he talked to Karen Bahrman about it. She said that he should be an employee of the county with a letter from Alger County stating that Joe is part-time and receives no employee fringe benefits normally provided to regular County employees.

Next on the agenda is a Notice of Hearing regarding Bob Seid's retirement. The Notice of Hearing is set for March 15, 2010 in Lansing. They will discuss the options at the three-county meeting on February 18, 2010 in Schoolcraft County.

On a motion by Commissioner Mattson, seconded by Commissioner VanLandschoot to authorize the Chair to sign a one-year contract with Lakeshore Energy Services at a rate of \$0.649/Ccf. Motion carried by the following vote: Ayes 6 Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays 0 none. Absent 0 Commissioner Lindstrom.

On a motion by Commissioner Mattson, seconded by Commissioner Doucette to authorize the clerk to purchase an ad for the Alger County Board of Commissioners for the 116<sup>th</sup> Firefighters tournament booklet in the amount of \$50 for an eighth of a page. Motion carried by the following vote: Ayes 6 Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays 0 none. Absent 0 Commissioner Lindstrom.

Under old business Commissioner Pullen talked about vacant space up at the LMAS building. The building and grounds committee is going to go up to the LMAS building and see what space is up there.

It was moved by Commissioner Mattson and seconded by Commissioner VanLandschoot to pay the LMAS quarterly payment appropriation in the amount of \$18,166.75. Motion carried by the following vote: Ayes 6 Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays 0 none. Absent 0 Commissioner Lindstrom.

On a motion by Commissioner VanLandschoot, seconded by Commissioner Mattson to approve payment of all of the board bills as recommended by the audit committee and the Committee of the Whole except for the bill to Norway Springs, Inc. for water cooler expenses in the Treasurer's office. Motion carried by the following vote: Ayes 6 Commissioners Doucette, Mattson, VanLandschoot and Pullen. Nays 0 none. Absent 0 Commissioner Lindstrom.

It was moved by Commissioner Mattson and seconded by Commissioner Doucette to approve the financial reports for all funds. A full 30-page report is available upon request with the Treasurer. Motion carried by the following vote: Ayes 6 Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays 0 none. Absent 0 Commissioner Lindstrom.

On a motion by Commissioner Mattson, seconded by Commissioner Doucette to authorize the Clerk to transfer the following 2009 expenditures:

Transfer \$1,932.76 from Attorneys/Consultants budget to the Board of Commissioner's budget.

Transfer \$2,863.45 from Attorneys/Consultants budget to the County Clerk/ROD budget.

Transfer \$3,616.20 from Attorneys/Consultants budget to the Equalization's budget.

Transfer \$508.12 from Attorneys/Consultants budget to the Service Contract's budget.

Transfer \$670.47 from Attorneys/Consultants budget to the Postage Account's budget.

Transfer \$42,112.76 from Circuit Court's budget to the Jail budget.

Transfer \$1,052.28 from Attorneys/Consultants budget to the Veterans Affairs budget.

Motion carried by the following vote: Ayes 6 Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays 0 none. Absent 0 Commissioner Lindstrom.

It was moved by Commissioner Mattson and seconded by Commissioner VanLandschoot to approve the following resolution #2010-02:

#### **RESOLUTION #2010-02**

#### **RESOLUTION OBJECTING TO ELECTION MANAGEMENT SYSTEM LICENSE RENEWAL FEES**

**Whereas**, the State of Michigan has entered into contract pricing for software license fees established for the GEMS Election Management Systems; and

**Whereas**, the pricing is the same for all who utilize the software regardless of whether the County performs the programming, or a vendor performs the programming and the County only utilizes the software for programming the memory cards, uploading local results, and preparing the reports subsequent to the election; and

**Whereas**, Alger County does not program for elections and utilizes a vendor to provide the programming for the elections; and

**Whereas**, Alger County only utilizes the software to program the memory cards for the AccuVote tabulators, upload local election results, and the system compiles the results, generating various post election reports; and

**Whereas**, this is a very small component of the election process, and the license renewal fee is excessive for this component; and

**Whereas**, the cost of the license renewal is an unfunded mandate to maintain the software that the State of Michigan required.

**NOW, THEREFORE BE IT RESOLVED** that the Alger County Board of Commissioners objects to the contract licensing costs for the GEMS Election Management Systems and believe the costs should be prorated when the County does not utilize the entire programming element of the software.

**BE IT FURTHER RESOLVED**, that copies of this resolution be sent to our legislators in Lansing, Governor Jennifer Granholm, and the County Clerks of the other 82 Michigan Counties.

Dated: February 8, 2010

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Catherine A. Pullen, Chair  
Alger County Board of Commissioners

Motion carried by the following vote: Ayes 6 Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays 0 none. Absent 0 Commissioner Lindstrom.

On a motion by Commissioner VanLandschoot and seconded by Commissioner Doucette to approve the following resolution #2010-03:

**RESOLUTION #2010-03  
RESOLUTION SUPPORTING THE FINAL REPORT OF THE LEGISLATIVE COMMISSION ON STATUTORY  
MANDATES**

**WHEREAS**, the electorate of the State of Michigan passed an amendment in November 1978 to the State's Constitution that required the State to fund mandates imposed on local units of government (often referred to as the "Headlee Amendment"); and

**WHEREAS**, the Headlee Amendment (Article IX, Section 29) states:  
"The state is hereby prohibited from reducing the state financed proportion of the necessary costs of any existing activity or service required of units of Local Government by state law. A new activity or service or an increase in the level of any activity or service beyond that required by existing law shall not be required by the Legislature or any state agency of units of Local Government, unless a state appropriation is made and disbursed to pay the unit of Local Government for any necessary increased costs. The provision of this section shall not apply to costs incurred pursuant to Article VI, Section 18." and;

**WHEREAS**, the Headlee Amendment became effective on December 23, 1978; and

**WHEREAS**, the State Legislature established the Legislative Commission on Statutory Mandates (LCSM) through P.A. 98 of 2007, as amended by P.A. 356 of 2008 and assigned the LCSM to identify mandates (including those involving reports) and the related cost of the mandates to local units of government, along with recommendations to resolve the unfunded mandates; and

**WHEREAS**, the LCSM worked with the Citizens Research Council (issued an analysis of other state's statutes and constitutional requirements similar to the Headlee Amendment) and local units of government associations, including:

- Michigan Association of Counties.
- Michigan Municipal League.
- Michigan Township Association.
- Michigan School Business Officials and Michigan Association of School Administrators.
- Michigan Community College Association.
- County Road Association of Michigan.

**WHEREAS**, the LCSM issued a report in June 2009 entitled "Interim Report of the Legislative Commission on Statutory Mandates" that indicated, among other matters, that the State had failed to enact legislation enabling the Headlee Amendment and has not complied with the Headlee Amendment since its adoption in 1978; and

**WHEREAS**, the LCSM has completed its report in December 2009 entitled "Final Report of the Legislative Commission on Statutory Mandates" that reaffirms the Interim Report results and provides recommendations, including but not limited to:

- Drafted legislative and court rules that would mitigate unfunded mandates imposed on local unites of government in the future.
- Proposed procedures that will prevent new unfunded mandates from being imposed on local units of government.
- Proposed procedures that would be corrective should unfunded mandates be imposed that include, among other requirements:

- *A submission of an action before the Court of Appeals to be heard by a special master in order to rule on whether the matter is a mandate and if the mandate is underfunded.*
- *Require the Court of Appeals to rule on the above within six months of the filing.*
- *Should the Court of Appeals not rule on the above within six months, the local unit of government would have no obligation to continue to provide the services until such time as the State complies with the Headlee Amendment.*

*WHEREAS, the Michigan Association of Counties adopted a resolution of support for the recommendations contained in the final LCSM report in December 2009.*

*NOW THEREFORE BE IT RESOLVED, that the Alger County Board of Commissioners supports the findings and recommendations in the interim and final reports of the Legislative Commission on Statutory Mandates and encourages the Governor, Legislature and Supreme Court to adopt and enact the recommendations cited in the final report.*

*BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Jennifer Granholm, U. P. Legislators and U. P. County Boards of Commissioners.*

*Adopted this 8th day of February, 2010*

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*Catherine A. Pullen, Chair  
Alger County Board of Commissioners*

Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó Commissioner Lindstrom.

Under committee reports Commissioner Doucette discussed a meeting he went to with MI works and discussed a U.P. Economic Opportunity Study. He said they are going to have group development meetings and he chose to be on the health care committee.

Under new correspondence Commissioner Pullen discussed a seminar with CUPPAD in Escanaba regarding an Adaptive Building Reuse Seminar. The cost is \$10 per person and an additional \$5 for those persons who wish to attend the lunch at noon. She said that anyone that wants to go will be reimbursed. Commissioner VanLandschoot talked about the MAC Legislative Update and counties not receiving jail reimbursements for the last five months.

Public comment session was open. There was no public comment; thus, the public comment session was closed.

On a motion by Commissioner VanLandschoot, seconded by Commissioner Mattson to adjourn this meeting. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó Commissioner Lindstrom.

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Catherine A. Pullen, Chairwoman  
Alger County Board of Commissioners

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Mary Ann Froberg  
Alger County Clerk