

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

**January 13, 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, Lindstrom, Mattson, VanLandschoot, and Pullen. Absent ó none.

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.

On a motion by Commissioner VanLandschoot, seconded by Commissioner Mattson to approve the agenda as presented. Motion carried by the following vote: Ayes ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó none.

It was moved by Commissioner Lindstrom and seconded by Commissioner Mattson to approve the Committee of the Whole minutes from December 10, 2009 (with corrections), the Regular Board minutes from December 14, 2009 (with corrections), and the Special Board of Commissioners minutes from December 17, 2009 and December 23, 2009. Motion carried by the following vote: Ayes ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot and Pullen. Nays ó none. Absent ó none.

Troy Edwards from Wood Island Landfill was present to answer questions about the landfill. Commissioner Pullen asked how many feet of dirt are put over the top of a cell when it is closed. Troy had drawings from the start to finish of what is done. He said when it is full of garbage and put to grade, they put three feet of sand over the top of the garbage. Then they put a liner on with a mesh in between two layers (actually a bentonite) so that when it gets wet it will seal, or if a stick or root would puncture it, the bentonite would seal it off (like caulking). He said once that is on, there is two feet of sand put over the top of that and then it is all compacted into place. Then there is six inches of top soil and it is seeded and mulched. He said there are vent pipes in there for fermenting gas to escape and to be collected, tested, and monitored. He said there are 39 wells all around the landfill at various lengths away from the landfill from 100 feet to 300 feet and those wells are from 30 feet to 60 feet deep into the water table. He said that they are sampled quarterly to detect if there are any leaks. He said that the last sampling was done in December of 2009 and there was nothing. Troy also said that right now there is manganese in the ground, naturally occurring. He said they are putting in a water softening system right now that is going to pump and treat 50,000 gallons of water a day and put it back into the water stream. He said that would take the manganese out of the area up there.

A representative of the U.S. Census Bureau was scheduled to appear, but did not attend the meeting.

Joe Cilc was present to talk about his year end report. He said that the count was down 14% for permits and 39% on valuations. He said that he red tagged 17 people in 2009. Joe discussed the letter from Gerald and Nancy Tahtinen regarding AuTrain property. He said that he used to be a zoning administrator down state for about 27 years. He said that part of the zoning administrator's job is to make sure to look at the floodplain. He said what the gentleman is trying to say is that Joe never informed them of the floodplain. Joe said that wasn't true. He said that anyone that builds near the water, he tells them to make sure they build above the floodplain. Joe said to get a building permit, you have to give the elevation of the lowest floor of the building if it's in the floodplain. He said that is by building code and that contractors are required to know this. He said that the contractor went over the plans with Joe a couple of times. Joe said that at no time did the contractor let Joe know that it is in the floodplain. He said it is not his job to go out there and determine that, but it is supposed to be the zoning administrator's job. Joe said that when he went out to do a footing inspection, because of his previous experience, he knew that there was a problem. He then told the contractor he has a problem and he needs to certify where the floodplain is. Joe then read him the section of the building code. Joe said the contractor stopped and he contacted the owner and told them what Joe needed. He said he needed a pin set on the property with the elevation. He said he found out the footings were below the floodplain. He told them then they would have to raise the building or go through litigation. Jerry Oberlander of Cornerstone Builders contacted Sheila Meier of the DEQ. The DEQ agreed to allow a stone berm on the lakeside to stop any possible flooding and to install a dry well between the berm and the house. Then a pump could be dropped in to stop any flooding into the house. Joe said that they did this. He said that the DEQ is the ultimate authority on this. Joe, the contractor, and the owner all agreed to this. Joe said that he thinks what is going on is

now that they're done, the contractor probably didn't let them know that this is what was holding them up. He said that they built too big of a house on too small of a lot. He said that they are less than 10 feet from the property line and had a six foot elevation between the neighbor's property. He said the first gully wash or heavy rain they get, the material would go on the neighbor's property. He said the only thing he told them that they would have to do is to put up some type of retaining wall. He said that they built a masonry wall about five feet tall, 12 inches thick all along the one side of the property line. He said the building code requires a grade with a one in ten slope. He said he doesn't know where the people are coming from regarding the well. There was an existing well in front of the house. The house was not moved so moving the well was the owner's responsibility. He said that the well wasn't drilled yet and to move the well 50 feet or 100 feet, he wouldn't have budgeted anything more. He said that a survey would have been required anyway. Joe said that he is against paying this. Commissioner Pullen asked Joe if he had errors and omissions insurance as a contracted person. Joe said that was part of the job. He said that everywhere he has worked, because the building code is adopted by county ordinance, he has been covered for liability and errors and omissions, since he is enforcing the county ordinances. She also asked if the township was ever involved in any of this. He said not that he knows of. He said there are only two townships in Alger County that are in the floodplain program. They are AuTrain and Onota townships. No other township in the county is in it. He said he didn't even know there were maps out there and that it took the DEQ about two and one half weeks to come up with maps of the floodplain. He said even though he knew that it was in a floodplain, it is not his job to determine that. He said the only thing the building inspector does is to make sure that when they build a building is that the lowest floor is above the floodplain. Joe said when he called the DEQ, it took them two weeks to come up with the elevation. He said that the contractor and architect knew this lot was undersized to start with. He said that once they issue a zoning permit, like it or not, he has to issue a building permit. He said that Will Rogers signed a zoning permit for the owners to build the house on September 15, 2008. Commissioner Pullen said she doesn't feel that the county has any financial responsibility and doesn't feel it is appropriate to even contact the insurance company. Joe said that if anyone is responsible it is the architect or contractor. He said that this was caught when the footings were being formed and the owners could have stopped right there. He said that there was only one footing poured. Cathy is going to meet with Joe on Friday to work out a letter to the owners. Joe said that he is having shoulder surgery March 22<sup>nd</sup> and said that he should be off for about one week.

On a motion by Commissioner Lindstrom, seconded by Commissioner VanLandschoot to advertise for the vacancy on the Alger County Library Board. Motion carried by the following vote: Ayes ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot and Pullen. Nays ó none. Absent ó none.

It was moved by Commissioner VanLandschoot and seconded by Commissioner Mattson to approve the 2010 Committee List as follows:

**2010 COMMITTEE LIST**

**AIRPORT**

\*Cathy Pullen, Joseph VanLandschoot

**ALGER COUNTY COMMISSION ON AGING / U.P. AREA AGING AGENCY**

\*Cathy Pullen, Ed Lindstrom

**ALTRAN**

\*Cathy Pullen

Alternate: Ed Lindstrom

**AMBULANCE, LAW ENFORCEMENT, EMERGENCY SERVICES/911/HAZ. WASTE**

\*Jerry Doucette, Esley Mattson, David Cromell

**AMCAB**

\*Ed Lindstrom

Alternate:

**AUDIT COMMITTEE**

\*Alternating, Mary Ann Froberg

**BROWNFIELD REDEVELOPMENT AUTHORITY**

\*Chair, Vice-Chair, Mary Ann Froberg

Alternate: Jerry Doucette

**BUDGET**

\*Esley Mattson, Joseph VanLandschoot, Mary Ann Froberg, Pam Johnson

**BUILDING & GROUNDS**

\*Esley Mattson, Jerry Doucette, Mary Ann Froberg (See Addendum 406 of the Board Policy)

**COUNTY HOUSING AUTHORITY**

\*Ed Lindstrom, Cathy Pullen

**COUNTY REMONUMENTATION**

\*Mary Ann Froberg

Alternate: Joseph VanLandschoot

**EXECUTIVE/BUILDING CODES**

\*Esley Mattson, Cathy Pullen

**EXTENSION, CONSERVATION, WATERSHED STEERING, RECREATION, RESOURCE & DEVELOPMENT**

\*Jerry Doucette

Alternate: Ed Lindstrom

**EQUALIZATION**

\*Committee of the Whole, Equalization Director (Jerry Doucette as designated Commissioner who will meet twice a year to make sure state mandates are being met)

**ALGER COUNTY FAIR BOARD**

\*Jerry Doucette

Alternate: Ed Lindstrom

**U.P. FAIR BOARD**

\*Ed Lindstrom

Alternate: Joe Cilc

**FINANCE & TAXATION**

Esley Mattson, Cathy Pullen, Mary Ann Froberg, Pam Johnson

**HEALTH & WELFARE (LMAS)**

\*Ed Lindstrom, Esley Mattson

Alternate: Jerry Doucette

**HIGHWAYS, BRIDGES & PARKS**

\*Jerry Doucette

Alternate: Esley Mattson

**HUMAN RESOURCES / PUBLIC & LABOR RELATIONS**

\*Esley Mattson, Cathy Pullen, Mary Ann Froberg

Alternate: Jerry Doucette

**INDUSTRIAL PARK COMMISSION/ SOLID WASTE LANDFILL/ MUNISING LANDFILL**

\*Joseph VanLandschoot

Alternate: Esley Mattson

**ALGER COUNTY INSURANCE COMMITTEE**

\*Jerry Doucette

**JUDICIAL COMMITTEE**

\*Esley Mattson, Ed Lindstrom

**PATHWAYS SUBSTANCE ABUSE LIAISON**

\*Ed Lindstrom, Esley Mattson

Alternate: Jerry Doucette

**PRISON LIAISON**

\*Jerry Doucette

Alternate: Esley Mattson

**REGIONAL GOVERNMENT COMMITTEE**

\*Esley Mattson, Jerry Doucette

**RESOLUTIONS**

\*Joseph VanLandschoot

**SIX COUNTY CONSORTIUM**

\*Ed Lindstrom, Jerry Doucette

**THREE COUNTY COMMITTEE – meets quarterly**

\*Cathy Pullen, Esley Mattson

**UPCAP/ CUPPAD**

\*Ed Lindstrom, Joseph VanLandschoot

Motion carried by the following vote: Ayes ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot and Pullen.

Nays ó none. Absent ó none.

There was no old business to discuss. Commissioner Doucette said that he Bob Johnson from UPPCO to set up a time to go through the building.

On a motion by Commissioner VanLandschoot, seconded by Commissioner Doucette to authorize the Treasurer to transfer the following general fund appropriations into the individual funds:

Circuit Court Probation Oversight	\$ 1,500
County Law Library	\$ 8,000
Emergency Management	\$13,438
Probate Child Care	\$30,000
Sheriff's Secondary Road Patrol	\$14,830
Snowmobile Law Enforcement	\$ 2,880
Marine Safety Grant	\$ 2,500
DHS	\$10,000

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

It was moved by Commissioner Doucette and seconded by Commissioner Lindstrom to authorize payment to Pathways for their first quarter mental health appropriation payment in the amount of \$8,305. Motion carried by the following vote: Ayes ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot and Pullen. Nays ó none. Absent ó none.

On a motion by Commissioner Mattson, seconded by Commissioner Doucette to approve payment of all of the board bills as recommended by the audit committee and the Committee of the Whole. Motion carried by the following vote: Ayes ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot and Pullen. Nays ó none. Absent ó none.

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 ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó none.

On a motion by Commissioner Lindstrom, seconded by Commissioner VanLandschoot to authorize the Treasurer to transfer \$188,571 from the Revenue Sharing Reserve Fund to General Fund #101-000-445.000 (Transfer in Revenue Sharing). Motion carried by the following vote: Ayes ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó none.

It was moved by Commissioner Mattson and seconded by Commissioner Lindstrom to authorize the Treasurer to transfer \$195,000 from the Revenue Sharing Reserve Fund to General Fund for cash flow purposes only. This will be returned at year end. Motion carried by the following vote: Ayes ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó none.

On a motion by Commissioner VanLandschoot, 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 ó Commissioners Doucette, Lindstrom, Mattson, VanLandschoot, and Pullen. Nays ó none. Absent ó none.

There were no resolutions.

There was nothing new for committee reports. Commissioner Doucette said that they are looking at the possibility of working into a partnership for a park development with the conservation district and MI Works and getting a grant for it. Commissioner VanLandschoot wondered if any other county was not doing unfunded mandates that the state had handed down.

There was no new correspondence

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

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

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Catherine A. Pullen, Chairwoman  
Alger County Board of Commissioners

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Mary Ann Froberg  
Alger County Clerk