

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

August 15, 2016

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 4:02 P.M. on the above date.

The meeting was called to order by Chairman Doucette with the following Commissioners present: Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Absent – 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.

It was moved by Commissioner VanLandschoot and seconded by Commissioner Pullen to approve the consent agenda which includes the Committee of the Whole meeting minutes of July 11, 2016 and the Regular Board meeting minutes of July 18, 2016 and the following items:

Approve the Regulation and Resolution on E-Cigarettes and Vapor Pens

Authorize payment to LMAS for their quarterly appropriation in the amount of \$20,745.00

Authorize payment of board bills.

Approve financial reports for all funds (Trial Balance Report Available).

Approve the following resolution:

RESOLUTION #2016-14

At a regular meeting of the Alger County Board of Commissioners held on August 15, 2016 at Munising, Michigan.

Present were: Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette

Absent were: None

WHEREAS, the Michigan Legislature has a bill pending before it, known as Senate Bill No. 39 introduced in 2015 to amend the “Natural Resources and Environment Protection Act,” that proposes to prohibit the Department of Natural Resources (department) from acquiring surface rights to (additional) land if the department owns the surface rights to more than 4,626,000 acres of land, without an approved (legislature) Strategic Plan which contains a land inventory describing intended and authorized use(s) of existing lands, and is any established payment in lieu of taxes on department land due to a local unit of government is delinquent; and

WHEREAS, the proposed amendments require maximizing access to department lands and bodies of water adjacent to the lands by removing gates, berms, and other human made barriers; and other natural resources by providing public access to all lands under control of the department for all natural resource dependent outdoor recreation activities including motorized and non-motorized activities; and

WHEREAS, if a county receives reduced tax income from state parks within that county’s boundaries, county residents should not have to pay entrance fees to the park; and

WHEREAS, the proposed amendments further provide housekeeping edits and procedural updates that enhance transparency and support the intent of the amendments, clarifies authority of the department to sell or lease land and establishes scheduled procedures for processing applications to purchase surplus lands, the allowance of fees, prohibition of preference to a qualified conservation organization over another private party or individual, and limits further purchases of land by the department in a county or township without prior written agreement and authorization by that jurisdiction is more than 33% of the jurisdictions property is owned by the state, federal government, qualified conservation organization and commercial forest-land.

THEREFORE, BE IT RESOLVED, the Alger County Board of Commissioners supports reducing barriers to the public use of public lands for recreation and access and encourages the department to develop the Strategic Plan in consultation with local jurisdictions where department lands are located to ensure accuracy and local preference in proposed land uses; and

BE IT FURTHER RESOLVED, that the Board of Commissioners supports the passage of Senate Bill No. 39 of 2015; and

BE IT FINALLY, RESOLVED, that a copy of this resolution be forwarded to our area legislators, the Michigan Association of Counties, and the other 82 Michigan Counties.

CERTIFICATION

I hereby certify that the Resolutions set forth above were adopted by the Board of Commissioners of Alger County at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Mary Ann Froberg, County Clerk

Dated: August 15, 2016

Approve the following resolution:

**RESOLUTION #2016-15
DARK STORES / MICHIGAN TAX TRIBUNAL**

At a regular meeting of the Alger County Board of Commissioners held on August 15, 2016 at Munising, Michigan.

Present were: Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette

Absent were: None

WHEREAS, the Michigan Tax Tribunal (MTT) has, in recent years, used a faulty interpretation of the tax assessment law which dramatically reduces the property tax liabilities of fully functioning major “big box” retail stores; and

WHEREAS, under the “dark store” theory, big box stores are appealing their property tax assessments to the MTT, arguing that the basis of the fair market value of their fully operating store should include comparisons to sales of similar properties that are vacant and abandoned, or are now used for a different-less valuable use; and

WHEREAS, the MTT has upheld this theory and cut property tax assessments significantly and, as a result, counties, townships, schools and local units are losing millions of dollars, impacting services to their residents and students; and

WHEREAS, additionally, big box stores are putting deed restrictions on their properties that severely limit how the building can be used once it’s vacant resulting in buildings remaining empty and adding to the blight problem in Michigan communities; and

WHEREAS, the issue is already having a growing impact as other businesses such as; restaurants, national chain pharmacies, auto part stores, are now seeking the same treatment and without action, the problem will only get worse; and

WHEREAS, the reduction of property tax liabilities creates huge cuts in the funding to state and local units of government like cities, counties, townships, and school districts; and

WHEREAS, the decisions of the MTT are a catastrophic departure from the tax assessment process required by law and all precedents in the matter, all at the expense of local governments, their residents and other businesses in the communities; now

THEREFORE, BE IT RESOLVED, that the Alger County Board of Commissioners strongly supports the passage of House Bill 4909, House Bill 5578 and Senate Bill 524 that include measures to address the following three (3) issues:

1. All properties, including big box stores, must be assessed at their highest and best use;
2. The legislation will limit the use of deed restrictions to prevent the “dark store” theory of using vacant, deed restricted properties for the purpose of lowering value and eliminating competition;
3. The Michigan Tax Tribunal will be required to consider all three (3) methods of assessing – ‘cost minus depreciation’, ‘sales comparison’, and ‘income’ – when determining a property’s true cash value; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to all Michigan Counties, Representative John Kivela, Senator Tom Casperson, Governor Snyder, and the Michigan Association of Counties.

CERTIFICATION

I hereby certify that the Resolutions set forth above were adopted by the Board of Commissioners of Alger County at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Mary Ann Froberg, County Clerk

Dated: August 15, 2016

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

Sealed bids to hire a company for an Alger County GIS system to do county mapping were opened.

There were two bids. Coleman Engineering placed a bid with First year costs at \$84,600 and yearly recurring costs of \$7,500 (\$5,000 if the county manages splits itself.). CUPPAD entered a bid with first year costs of \$95,425 and second year costs of \$5,900 - \$6,200. Emails were sent to the township clerks requesting feedback to assist in the costs for the system. There was some discussion with Rock River Township Supervisor Teri Grout about their portion. This topic will be discussed at the upcoming township board meeting. The Village of Chatham will be contacted as the townships were notified but not the village council. Commissioner Rondeau questioned if the issue could be postponed a month. Commissioners Mattson and Pullen agree this should be discussed at the regional government meeting later this month. The Coleman bid includes two days of training and unlimited phone technical support and assistance. Coleman engineering can build a stand-alone systems or a hosted system. The software used by both companies is the same. The question of utilizing the system in the field arose, in which case cell coverage would be necessary. It was moved by Commissioner Rondeau and seconded by Commissioner VanLandschoot to postpone the issue until a time when the townships, the City of Munising, and the Village of Chatham can meet or by the next Committee of the Whole meeting. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – none.

Old business was next. There was none.

There were no miscellaneous financial matters.

Committee Reports were next. Undersheriff Brock gave an update on the jail expansion. He commented that Gundlach Champion has been very professional and security minded. Commissioner Pullen said the lights on the front of airport are now working and Mary. Bluschke at Alger Title will now be handling our title work. The final portions of the airport landswap should be finalized this fall. Commissioner VanLandschoot gave a brief AMCAB update. Commissioner Doucette stated opioids are a problem all over the United States, including Alger County.

Correspondence was read from DEQ and LMAS.

Board Comments were next. Commissioner VanLandschoot said this GIS system is a good idea and gets everyone on the same mechanism for the future. Commissioner Rondeau questioned if the letter of support for the Road Commission had been mailed. Undersheriff Brock stated the warrant was served on the individual involved in the Ambulance lawsuit.

Commissioner Doucette expressed his gratitude to Undersheriff Brock and the EMS crew.

Pam Johnson believes the GIS system needs to be in place and the County should take the lead. The question of splitting the costs was discussed. The maintenance fee could be split amongst the townships. The amount that ambulance/911 can contribute will need to be researched further. Commissioner Mattson stated there is financial support but the willingness to contribute remains to be seen. Undersheriff Brock thanked the board said the staff made his decision to run for Sheriff easy.

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

It was moved by Commissioner Rondeau and seconded by Commissioner VanLandschoot to adjourn this meeting at 5:30 p.m. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – none.

Jerry Doucette, Chairman
Alger County Board of Commissioners

Mary Ann Froberg
Alger County Clerk