

**ALGER COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING**

**September 18, 2017**

**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 Chairman Doucette with the following Commissioners present: Commissioners Pullen, Rondeau, VanLandschoot and Doucette. Absent – Commissioner Mattson.

The board of commissioners said the Pledge of Allegiance.

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

It was moved by Commissioner VanLandschoot and seconded by Commissioner Rondeau to approve the consent agenda which includes the following items:

Approve the MSU Extension Services Agreement;

**AGREEMENT FOR EXTENSION SERVICES**

This AGREEMENT FOR EXTENSION SERVICES ("Agreement") is entered into on \_\_\_\_\_ by and between Alger County, Michigan ("County"), and the BOARD OF TRUSTEES OF MICHIGAN STATE UNIVERSITY ("MSU") on behalf of MICHIGAN STATE UNIVERSITY EXTENSION ("MSUE").

The United States Congress passed the Smith-Lever Act in 1914 creating a National Cooperative Extension System and directed the nation's land grant universities to oversee its work; and,

MSUE helps people improve their lives by bringing the vast knowledge resources of MSU directly to individuals, communities and businesses; and,

For more than 100 years, MSUE has helped grow Michigan's economy by equipping Michigan residents with the information needed to do their jobs better, raise healthy and safe families, build their communities and empower our children to succeed; and,

It is the mission of MSUE to help people improve their lives through an educational process that applies knowledge to critical issues, needs and opportunities; and,

MSUE meets this mission by providing Extension educational programs in the following subject matter areas:

- Agriculture & Agribusiness
- Children & Youth Development, including 4-H
- Health & Nutrition
- Community & Economic Development, Natural Resources

NOW THEREFORE in consideration of the mutual covenants herein contained, and other good and valuable consideration, the parties hereto mutually agree as follows:

**A. MSUE will provide:**

1. Access to programs in all four MSUE Institutes to residents in your County. This includes access to educators and program instructors appointed to the Institutes and MSU faculty affiliated with each Institute to deliver core programs.
2. Extension Educators and program staff as needed to implement programs within the County, housed at the county office.
3. A county 4-H program. 1 FTE 4-H Program Coordination.
4. Salary and benefits of MSUE Personnel and the cost of administrative oversight of Personnel.
5. Operating expenses, per MSU policy, for MSUE personnel ("Personnel").

- 6. Supervision of MSU-provided academic and paraprofessional staff. Supervision of county employed clerical staff and/or other county employed staff, upon request.
- 7. Administrative oversight of MSUE office operations.
- 8. An annual report of services provided to the residents of the County during the term of this Agreement, including information about audiences served, and impact of Extension programs in the County.

**B. The County will Provide:**

- 1. An annual assessment that will be charged to the county and administered by MSUE. The assessment will help fund Extension services for the County, including operating expenses for certain Extension personnel and the operation of the County 4-H program.
- 2. Office and meeting space meeting the following requirements:
  - a. Sufficient Office space to house Extension staff as agreed upon between the County and the MSUE District Coordinator.
  - b. Utilities, including telephone & telephone service sufficient to meet the needs of Personnel utilizing the MSUE office space.
  - c. High-speed Internet service sufficient to meet the needs of Personnel utilizing the MSUE office space.
  - d. Access to space for delivering Extension programs.
  - e. Access to the office building and relevant meeting spaces must be ADA compliant/accessible
- 3. Clerical support staff for the MSUE office as agreed upon between the County and MSUE District Coordinator that will perform clerical functions, including assisting County residents in accessing MSUE resources by office visit, telephone, email, internet and media. The clerical support staff will be either a County employed clerical staff, or the County will provide funding for an MSUE employed clerical staff.

0 FTE 0

*Optional:*

- 4. Funding for additional Extension educators at \$0. (0 FTE \* \$100,681.) assigned to County and reporting to 0.
- 5. Funding for additional 4-H program capacity 0.5 FTE
- 6. Funding for additional paraprofessional(s) at 0 FTE

- 7. Collection and distribution on behalf of MSUE funds provided by the millage approved by the voters of Alger County on August 2016. The millage collected will provide funds for the following:
  - a. Annual Extension Assessment, contributions of MSUE and County as outlined in this Agreement and other usual and customary Extension Office Operating and Personnel expenses.
- 8. Total Annual Assessment in the amount of **\$68,681.**

Payments due and payable under the terms of this Agreement shall be made on the first of the month, of the first month, in each quarter of the county fiscal year, unless otherwise requested and agreed as provided below.

Payment mailing address: MSU Extension Business Office, Justin S Morrill Hall of Agriculture, 446 W Circle Drive, Room 160, East Lansing, MI 48824

**C. Staffing and Financial Summary**

A. Base Assessment (includes 1 FTE 4-H Program Coordination)\$37,572.

**ADDITIONAL PERSONNEL**

B. 0 FTE Clerical Support Staff to be employed by MSU	\$0.
C. 0 FTE Educator (Program Area: )	\$0.
D. 0.5 FTE Additional 4-H Program Coordination	\$31,109.
E. 0.5 FTE Additional paraprofessional staff	\$0.

**TOTAL COUNTY ASSESSMENT PAYABLE TO MSU FOR FY 2018: \$68,681.**

**I. Term and Termination**

The obligations of the parties under this Agreement will commence on January 1, 2018 the first day of the County budget year 2018 and shall terminate on the last day of such County budget year 2018. Either party to this Agreement may terminate the Agreement, with or without cause, with 120 days written notice delivered to Michigan State University Extension, Justin S. Morrill Hall of Agriculture, 446 W. Circle Drive, Room 160, East Lansing, MI 48824 if to MSUE and delivered to Mary Ann Froberg County Clerk, Alger County Courthouse, 101 Court St., Munising, Michigan 49862, if to the County.

II. General Terms

1. **Independent Contractor.** The University is an independent contractor providing services to the County. The County and MSU do not have the relationship of legal partners, joint venturers, principals or agents. Personnel have no right to any of County's employee benefits.
2. **Force Majeure.** Each party will be excused from the obligations of this agreement to the extent that its performance is delayed or prevented by circumstances (except financial) reasonably beyond its control, including, but not limited to, acts of government, embargoes, fire, flood, explosions, acts of God, or a public enemy, strikes, labor disputes, vandalism, or civil riots.
3. **Assignment.** This agreement is non-assignable and non-transferable.
4. **Entire Agreement.** This Agreement, with its Appendix "A" is the entire agreement between MSU and the County. This Agreement supersedes all previous agreements, for the subject matter of this Agreement. The Agreement can only be modified in writing, signed by both MSU and the County.
5. **No Third Party Beneficiaries.** This Agreement is solely for the benefit of MSU and the County and does not create any benefit or right for any other person, including residents of the County.
6. **Indemnification:** Without waiving any claim of governmental immunity, each party will protect, defend and indemnify the other and its elected officials, agents, representatives, volunteers and employees from any and all liabilities, claims, liens, fines, demands and costs, including attorney fees, of whatsoever kind and nature, such as, but not limited to, those resulting from injury or death to any persons, including the other party's own employees, or from loss or damage to any property, including property owned or in the care, custody or control of the other party, arising out of the negligence or willful misconduct of the indemnifying party or its agents, representatives and employees, or any subcontractor or its agents, representatives and employees, in connection with this Agreement. The obligations of the parties will survive any termination of this Agreement or completion of parties' performance under this Agreement.
7. **Nondiscrimination:** The parties will adhere to all applicable federal, state and local laws, ordinances, rules and regulations prohibiting discrimination. Neither party will discriminate against a person to be served or any employee or applicant for employment because of race, color, religion, national origin, age, sex, disability, height, weight, marital status, or any other factor prohibited by applicable law.

The individuals signing below each have authority to bind MSU and the County, respectively.


BOARD OF TRUSTEES OF  
MICHIGAN STATE UNIVERSITY

By: \_\_\_\_\_

Evonne Pedawi, Director,  
Contract & Grant Administration

Date: \_\_\_\_\_

Alger COUNTY

By: 

Print name: Jerry Duvette

Its: County Board Chair  
(title)

Date: 9-27-2017

Approve and authorize Chair signing two Letters of Support for Alger Conservation District;  
September 12, 2017

Teri Grout, Executive Director  
Alger Conservation District  
101 Court Street  
Munising, MI 49862

RE: CUPCWMA: Stewardship and Sustainable Phragmites Management project

Dear Ms. Grout:

The Alger County Board of Commissioners is pleased to provide this letter of support for the Stewardship and Sustainable Phragmites Management proposal to the Michigan Invasive Species Grant Program. We understand that our landowners are the key to lasting success in managing invasive species, and we believe that this will help guide landowners into a maintenance program and continue to keep phragmites from becoming widespread on our shores and in our wetlands.

We support your plan to continue to respond to new reports of invasive phragmites in Alger County and to initiate a landowner cost share program to sustain the management efforts that have been taking place for the past 5 years to our south. We will continue to provide office and storage space to further your efforts.

Sincerely,



Chairman

September 12, 2017

Alger Conservation District  
Attn: Teri Grout  
101 Court Street  
Munising, MI 49862

Subject: Letter of Support for CUPCWMA Core Functions Campaign Project

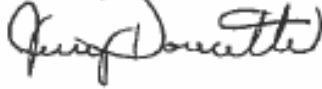
Dear Ms. Grout,

The Alger County Board of Commissioners strongly supports the Alger Conservation District's Core Functions Grant Proposal on behalf of CUPCWMA. We recognize the value of having the staff and expertise available to find and manage damaging invasive species, both new threats and ongoing ones, as needed to ensure the integrity of our natural resources.

We appreciate the success you have shown in bringing education and effective invasive species management to landowners in our county, and we believe you are the right agency to continue to spearhead CUPCWMA's efforts in Alger and Schoolcraft Counties.

Please contact us with any questions.

Sincerely,



Chairman

Approve replacement of two defibrillators for the sheriff's vehicles in the amount of \$2,790 to Cardiac Life;

Authorize Alger County to be the fiduciary of the U.P. Timber Industry Rails Study Grant;

Authorize payment to LMAS for their quarterly appropriation in the amount of \$20,745 (101-601-969.000);

Authorize payment of board bills;

Approve Financial Reports for all funds (Trial Balance Report Available). A full 30-page report is available upon request with the treasurer;

Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette.

Nays – none. Absent – Commissioner Mattson.

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to authorize the sheriff to go out on bids for a new 2017 GM G4500 McCoy Miller ambulance. Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – Commissioner Mattson.

U.S. Forest Ranger Brian Hinch was present to discuss proposed fee increases for Grand Island. Brian explained that 95% of monies generated by these fees are returned to maintain and operate Grand Island. Comment cards are available and can be returned until September 30, 2017. The proposed fee increases will be presented to a Recreation Advisory Committee in January or February for approval. Commissioner Rondeau questioned the Advisory Board Committee census. Ranger Hinch will find a list of advisory members and supply it to the Commissioners. Sheriff Brock, Undersheriff Blank, Steve Webber and the Commissioners would like as much local feedback as possible.

Jana Mathieu was present to discuss Indigent Defense. A written plan will be submitted for October Board Meeting. Attorneys will have to meet with clients within three days of assignment. The Public Defender model increases accountability, budgetary consistency, and overall quality of the justice system. The current defense attorney system has inefficiencies and the proposed plan will increase the quality and presence of

defending attorneys. The Michigan Indigent Defense Fund will help cover the costs to startup a public defender's office; expenses to implement the plan will be reimbursed as well. Steve Webber explained that Prosecuting Attorney Karen Bahrman is onboard with the program. Ms. Mathieu reiterated that the quality of court appointed attorneys representing clients in Alger County would be improved by funding continuing education. The deadline for the compliance plan is November 20, 2017 so there are two more Board meetings before the deadline to make changes and approve of the plan.

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to approve the Substance Abuse Disorder Grant in the amount of \$4,300.

## NORTHCARE NETWORK

SUBSTANCE USE DISORDERS

### FY18 Liquor Tax Funds Request

Name of County: <u>Alger</u>	
Liquor Tax payment to NorthCare 10/1/16- 9/30/17: \$ <u>17,494.91</u>	
Amount of FY18 (10/1/17- 9/30/18) Request: \$ <u>4,300</u>	
Name/Title of Contact: <u>Steve Webber, Administrator</u>	
Phone # <u>(906) 387-7029</u>	Email address: <u>swebber@algercourthouse.com</u>
<small>NOTES: Funds must be spent on Substance Use Disorder Prevention, Recovery or Treatment services within the county. Examples of programming typically funded with local liquor tax include: DARE programming, Drug/Treatment court case management, drug testing supplies/services for court involved individuals, and training related to substance use disorders. If multiple requests are made, they should be submitted under a single cover on behalf of the county. If a request involves multiple counties, provide detail on either the amount per county or the time spent per county.</small>	
<p style="text-align: center;">Provide a brief description of how funds will be spent:</p> <p style="text-align: center; font-size: 1.2em; color: blue;">Treatment Court Training Request will come later</p> <p style="text-align: center; font-size: 0.8em;">Attach separate descriptions for multiple services/programs/departments</p>	

**DEADLINE: Wednesday, September 20, 2017**

Please mail, email or fax to NorthCare Network:

NorthCare Network  
200 W. Spring St., Suite 2, Marquette MI 49855  
(906) 225-5149  
slambert@northcarenetwork.org

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

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to approve the 2018 Drug Court Grant.



**Michigan Supreme Court**  
 State Court Administrative Office  
 Michigan Hall of Justice  
 P.O. Box 30048  
 Lansing, Michigan 48909  
 Phone (517) 373-0128

Dawn A. Monk  
 Chief Operating Officer

August 29, 2017

Honorable William W. Carmody, Chief Judge  
 11th Circuit Court  
 Schoolcraft County Courthouse  
 PO Box 186  
 Manistique, MI 49854

Re: FY 2018 Michigan Drug Court Grant Program Award Notification  
 93rd District Court — Hybrid DWI/Drug Court

Dear Chief Judge Carmody:

I am pleased to inform you that your court has been awarded a grant in the amount of \$40,000 from the Michigan Drug Court Grant Program administered by the State Court Administrative Office (SCAO). This award is for the grant period October 1, 2017, through September 30, 2018.

Your court's fiscal year 2018 contract will be e-mailed to your project director, David Maddox. The budget, based on your court's actual award, should be updated in WebGrants by October 27, 2017. Instructions for revising your budget are attached to the message your project director will receive from WebGrants. Please mail two original signed contracts to SCAO by December 8, 2017.

If you have any questions about the grant or need assistance regarding best practices, please contact Jessica Parks at 517-373-6285 or at [parksj@courts.mi.gov](mailto:parksj@courts.mi.gov). For assistance in publicizing the success of your court, please contact John Nevin at 517-373-0129 or [nevinj@courts.mi.gov](mailto:nevinj@courts.mi.gov).

August 29, 2017  
 Page Two

Finally, I am proud to note that the success of treatment courts statewide is a direct result of the hard work and commitment of judges like you who are dedicated to solving problems and saving lives. Thanks to you, our communities are safer and stronger.

Sincerely,

Dawn A. Monk

cc: Honorable Mark Luoma  
 Jessica Parks, Trial Court Services Deputy Director  
 Jerome M.P. Kole, Region IV Administrator  
 David Maddox, Court Administrator/Drug Court Project Director

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

It was moved by Commissioner Pullen and seconded by Commissioner VanLandschoot to approve the Nepotism Policy as submitted:

**NEPOTISM POLICY**

Personnel shall not advocate an immediate family member for appointment, employment, promotion, or advancement. An employee, volunteer, trainee, intern shall not appoint, employ, promote, or advance a relative to any position over which he or she has supervisory responsibility.

For the purpose of this section, the term "immediate family" means mother, father, step-parents, foster parents, brother, sister, wife or husband, children, step-children, foster children, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents, and grandchildren, or a member of the employee's household.

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

It was moved by Commissioner Rondeau and seconded by Commissioner VanLandschoot to authorize Commissioner Mattson, Commissioner Doucette, Mary Ann Froberg and Steve Webber to be attending the UPACC Fall Conference Oct. 19 & 20 at the Island Resort. Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – Commissioner Mattson.

It was moved by Commissioner Rondeau and seconded by Commissioner VanLandschoot to reappoint Richard Hale to the Board of Canvassers for another four year term. Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – Commissioner Mattson.

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to reappoint Kay Powers to the Board of Canvassers for another four year term. Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – Commissioner Mattson.

It was moved by Commissioner Rondeau and seconded by Commissioner VanLandschoot to reappoint Catherine Pullen & Mary Ann Froberg to the Commission on Aging Board for a one year term. Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – Commissioner Mattson.

Commissioner Doucette updated the Board on the current situation of the ALTRAN Board members and the changes proposed to the ALTRAN Articles of Incorporation. It was moved by Commissioner Rondeau and seconded by Commissioner to temporarily appoint Steve Webber to the Alger County Transit Authority (ALTRAN) with the second member to be appointed by the City of Munising's Board of Commissioners. Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – Commissioner Mattson.

It was moved by Commissioner Pullen and seconded by Commissioner VanLandschoot to approve the 911 millage rate at .40 of a mill. Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – Commissioner Mattson.

It was moved by Commissioner Rondeau and seconded by Commissioner VanLandschoot approve the Veteran's millage rate at .10 of a mill. Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – Commissioner Mattson.

There were no miscellaneous financial matters

There was no unfinished business

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to approve resolution #2017-12 RESOLUTION OPPOSING PASSAGE AND ENACTMENT OF SENATE BILL 386 OF 2017

**WHEREAS**, the collection of delinquent real property taxes and the administration of the delinquent tax revolving fund by the county treasurer under The General Property Tax, 1893 PA 206, as amended, MCL 211.1 to 211.157, is important in assuring that ALGER COUNTY (the "County") and local tax collecting units within the County actually receive taxes levied in a timely manner, that tax delinquent properties in the County are returned to productive use, and that a favorable credit rating for the County is maintained;

**WHEREAS**, Senate Bill 386 of 2017, as passed by the Michigan Senate ("SB 386") would undermine the process for collecting delinquent real property taxes by: (1) increasing, litigation against the county treasurer, allowing anyone to challenge a court-ordered property tax foreclosure for eight new reasons, even a person with no legal interest in the property; (2) clouding title to court-foreclosed properties, reducing sale proceeds used to reimburse local tax collecting units for unpaid property taxes and reducing delinquent tax revolving fund revenue; and (3) creating uncertainty through retroactivity and interference with a pending case before the Michigan Supreme Court;

**WHEREAS**, by allowing new collateral attacks on judicial foreclosure orders after the orders are final and appeal rights exhausted, SB 386 would undermine the quality of the fee simple title vested in the foreclosing governmental unit, cloud otherwise clear titles, create uncertainty, and reduce prices paid for tax-foreclosed properties at tax sales, all of which undermine the current effective tax sale and delinquent tax collection process;

**WHEREAS**, for these reasons, the Michigan Association of Counties, the Michigan Association of County Treasurers, and the county treasurer of this County have indicated their opposition to the passage and enactment of SB 386; and

**WHEREAS**, the county treasurer has asked this Board of Commissioners to join in opposing SB 386;

**NOW, THEREFORE, BE IT RESOLVED**, by this Board of Commissioners, Alger County, that the Board of Commissioners of ALGER COUNTY hereby opposes the passage and enactment of Senate Bill 386 of 2017.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be transmitted to the county treasurer, each member of the Michigan State Senate and the Michigan House of Representatives representing ALGER COUNTY, and the Governor of Michigan.

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

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to approve resolution #2017-13 Authorizing the Chair & Vice-Chair to sign for Hanley Field Exchange.

**WHEREAS**, the Alger County Board of Commissioners has designated the Chairman of the Alger County Board, Jerry Doucette, as an authorized signatory, or in his absence Vice-Chairman Esley Mattson, as an authorized signatory for the Hanley Field (5Y7) Exchange documents.

**NOW, THEREFORE, BE IT RESOLVED** that the Alger County Board of Commissioners agrees to move forward with the exchange.

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

Committee reports were next. Commissioner VanLandschoot will update the Board at next months' meetings. Commissioner Pullen updated the Board on issues regarding a hangar at Hanley Field as well as the airport land swap.

Correspondence was briefly read from Department of Natural Resources Shingleton Forest Management Unit regarding Public Open House September 28, 2017 and the Shingleton Field Office; Department of Health and Human Services Board Meeting Notice and Agenda for September 21, 2017 and Minutes from August 17, 2017 Board Meeting.

Board comments were next. Commissioner Rondeau updated the Board that the landfill was utilized heavily on the Saturdays it was open. Commissioner Rondeau also stated that the DNR's open houses are very informative. Commissioner Doucette will be presenting at the next NACo conference. Commissioner Doucette announced UPPCO will be making decisions on energy generation in the Upper Peninsula.

Staff comments were next. Steve Webber explained that the Stonegarden Grant awarded for this year is \$55,000. Mr. Webber also elaborated on details of the funding and its allowable uses.

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

It was moved by Commissioner VanLandschoot and seconded by Commissioner Pullen to adjourn this meeting at 7:15 p.m. Motion carried by the following vote: Ayes – Commissioners Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – Commissioner Mattson.



---

Jerry Doucette, Chairman  
Alger County Board of Commissioners

---

Mary Ann Froberg  
Alger County Clerk