

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

February 16, 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 4:00 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 ó none.

The board of commissioners said the Pledge of Allegiance.

Public comment session was open. Lon Johnson, Democratic candidate for Michigan's 1st Congressional District in the U.S. House of Representatives was present to speak about the 63 year old Oil Pipeline 5 owned by Enbridge which runs across the Straits of Mackinac. He is asking the board to support a resolution to reduce the line to carry non-oil products, to reduce to the original design capacity and allow for an independent inspection, and to make those results public. Enbridge is doing an inspection every two years. There are several resolutions with varying language largely allowing for propane shipping, but halting oil shipments until the line can be inspected. There was some discussion concerning the resolution the Alger County Board has to review, as well as various details about the line. There was no further public comment from the floor; thus, the public comment session was closed.

It was moved by Commissioner Pullen and seconded by Commissioner Mattson to approve the consent agenda items as follows: The motion also includes approving the Committee of the Whole meeting minutes of January 11, 2016 and the Regular Board meeting minutes of January 19, 2016:

Approve Letter of Support for the proposed site renovations at the Wagner Falls Scenic Site.

February 16, 2016

Mr. Matt Lincoln
Parks and Recreation Division
MDNR
P.O. Box 30257
Lansing, MI 48909

RE: Wagner Falls Scenic Site ó Accessibility improvements & site renovations.

Dear Mr. Lincoln,

Alger County supports the Michigan Natural Resource Trust Fund grant proposal to improve accessibility and perform site renovations at the Wagner Falls Scenic Site.

This project is vital to providing barrier free accessibility for parking, accessing, and viewing the water falls and scenic beauty found at the Wagner Falls Scenic Site. The project will look to make safety, accessibility, and site improvements throughout the site, including upgrades to; the parking area, pathways, walks, and viewing structures.

Efforts like this will bring Alger County many possibilities for the future.

We look forward to working with Parks and Recreation staff in improving the Wagner Falls Scenic Site to be a safe, enjoyable, and accessible waterfall viewing experience.

Please contact me if you have any other questions regarding this agreement.

Sincerely,

Jerry Doucette, Chairman
Alger County Board of Commissioners
(906) 387-7031
jerrydoucette@charter.net

Authorize payment to NorthCare for substance abuse from the convention facility tax monies in the amount of \$1,604.50. Those monies are to come from the 2015 appropriated budget.

Authorize payment to Burt Township for their ambulance operation in the amount of \$41,000. Those monies are to come from their 2016 budget appropriation (210-000-742.000).

Authorize payment to Burt Township for their ambulance replacement fund in the amount of \$7,000. Those monies are to come from their 2016 budget appropriation (210-000-743.000).

Authorize payment of all of the board bills as recommended by the Committee of the Whole.

Approve the financial reports for all funds. A full 30-page report is available upon request with the treasurer.

Authorize the treasurer to transfer revenues from 2016 to 2015 for the District Court Drug Grant in the total amount of \$14,863.38.

Authorize the treasurer to transfer the following revenues from 2016 to 2015 in the total amount of \$62,358.39:

#403	Current Tax Collection	\$37,654.45
#403.010	Current Tax Interest	618.75
#502	Friend of the Ct – Co-op	16,293.49
#503	P.A. - ADC	2,103.19
#544	P.A. Atty Fees – State	882.00
#612	Treasurer	56.73
#628	Remon. Adm Fee	32.58
#645	County Inmate – Room/Bd.	3,500.00
#668	Rents	900.00
#676	Reimbursement	<u>317.20</u>
	Total	\$62,358.39

Authorize the treasurer to transfer all 2016 general fund appropriations into the individual finds in the total amount of \$113,065.42. See the following:

Transfer all 2016 General Fund appropriations into individual Funds:

Circuit Ct. Prob. Oversight -	\$	0
Co. Law Library -	\$	14,000.00
Emergency Management -	\$	42,365.42
Probate Child Care -	\$	40,000.00
Sheriff's Secondary Rd -	\$	18,000.00 6,000.00
Snowmobile Law Enforc. -	\$	2,700.00
Marine Safety Grant -	\$	3,500.00
ORV Fund -	\$	2,000.00
F.I.A. -	\$	2,500.00
Capitol Improvement	\$	0
Total		\$125,065.42 \$113,065.42

Authorize the clerk to transfer the following 2015 expenditures:

- *\$601.00 From the Debt Elimination budget (101-870) into the Board of Commissioner's budget (101-101)
- *\$3,463.50 From the Debt Elimination budget (101-870) into the Probate Court budget (101-148)
- *\$65.00 From the Debt Elimination budget (101-870) into the Elections budget (101-191)
- *\$3,632.28 From the Debt Elimination budget (101-870) into the Building & Grounds budget (101-265)
- *\$957.96 From the Debt Elimination budget (101-870) into the Duplicating Acct budget (101-287)
- *\$1,394.40 From the Debt Elimination budget (101-870) into the Medical Examiner budget (101-648)

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

It was moved by Commissioner Pullen and seconded by Commissioner VanLandschoot to authorize purchasing Option A, a three-year license of web security in the total amount of \$2,852. The monies are to be split among the departments. Motion carried by following vote: Ayes ó Commissioners Mattson, Pullen, Rondeau, VanLandschoot and Doucette. Nays ó none. Absent ó none.

It was moved by Commissioner Pullen and seconded by Commissioner VanLandschoot to authorize purchasing Open DNS, a new web security in the total amount of \$100 per month. The monies are to be split among the departments. Motion carried by following vote: Ayes ó Commissioners Mattson, Pullen, Rondeau, VanLandschoot and Doucette. Nays ó none. Absent ó none.

It was moved by Commissioner VanLandschoot and seconded by Commissioner Mattson to approve the Court Staff Letter of Understanding as follows:

LETTER OF UNDERSTANDING

BETWEEN

ALGER COUNTY BOARD OF COMMISSIONERS
AND
11TH CIRCUIT JUDGE
AND
ALGER COUNTY STAFF EMPLOYEES AFSCME

ALGER COUNTY BOARD OF COMMISSIONERS
AND
ALGER COUNTY PROBATE/FAMILY COURT JUDGE
AND
ALGER COUNTY STAFF EMPLOYEES AFSCME

ALGER COUNTY BOARD OF COMMISSIONERS
AND
ALGER COUNTY DISTRICT COURT JUDGE
AND
ALGER COUNTY STAFF EMPLOYEES AFSCME

ALGER COUNTY BOARD OF COMMISSIONERS
AND
ALGER COUNTY PROSECUTING ATTORNEY
AND
ALGER COUNTY STAFF EMPLOYEES AFSCME

Effective date: January 1, 2016

Expiration: December 31, 2016

Pursuant to Article 43(c) of the contract ratified on January 9, 2015, the Employer, Co-Employer(s) and Employees have agreed to a modification to the following articles and appendices.

ARTICLE 38. INSURANCE - HEALTH INSURANCE (a) - see APPENDIX "G"

ARTICLE 43. DURATION

(b) Notice of modification, amendment or termination shall be in writing and shall be sufficient if sent by certified mail, addressed if to the Union to: Michigan AFSME, Council 25, 1034 N. Washington, Lansing, MI 48906; and if to the Employer and Co-Employers, addressed to the Alger County Board of Commissioners, Courthouse, Munising, Michigan 49862, or to any other such address as the Union or the Employer and Co-Employers may make available to each other.

APPENDIX "B" SCHEDULE OF RATES

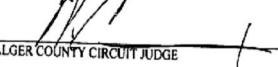
APPENDIX "C" LIST OF CURRENT BENEFITS

This agreement shall become effective January 1, 2016.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first above written:

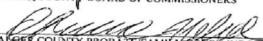

ALGER COUNTY COURTHOUSE EMPLOYEE AFSCME


ALGER COUNTY BOARD OF COMMISSIONERS



ALGER COUNTY CIRCUIT JUDGE


ALGER COUNTY COURTHOUSE EMPLOYEE AFSCME

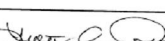

ALGER COUNTY BOARD OF COMMISSIONERS


ALGER COUNTY PROBATE/FAMILY COURT JUDGE

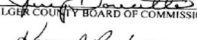

ALGER COUNTY COURTHOUSE EMPLOYEE AFSCME


ALGER COUNTY BOARD OF COMMISSIONERS



ALGER COUNTY DISTRICT COURT JUDGE


ALGER COUNTY COURTHOUSE EMPLOYEE AFSCME


ALGER COUNTY BOARD OF COMMISSIONERS


ALGER COUNTY PROSECUTING ATTORNEY

 7-19-16
TODD FLATH
MICHIGAN COUNCIL 25 REPRESENTATIVE


LAURIE PINE
LOCAL 625.4 PRESIDENT

**APPENDIX "B"
SCHEDULE OF RATES**

Effective March 1, 2016

Employee	Title	
Kristine Dausey	Deputy Probate Register	\$11.76
Karen Gurski	District Court Recorder	\$16.83
Betty Jones	District Court Clerk	\$16.94
Kathleen Lindquist	CV Advocate/CS Coord.	\$14.51
Stacey Masters	Probate Register	\$19.19
Jamie Nebel	Diversion Officer	\$14.50
Leota Paquette	Administrative Assistant	\$15.23
Laurie Pine	Deputy Friend of the Court	\$17.45
Amy Richmond	Enforcement Officer	\$15.58
		\$141.99

Effective May 1, 2016

Karen Gurski and Stacey Masters will continue with the wages as set forth above – they will not receive a decrease in wages.

When a person promotes to a higher classification, they will be moved to the step that provides them with a pay increase.

CLASS	START	6 MONTH	1 YEAR	2 YEAR	3 YEAR	4 YEAR	5 YEAR
GRADE 1							
NOT CURRENTLY A POSITION WITH THE EMPLOYER							
1/1/2016	\$12.62	\$13.37	\$14.11	\$14.56	\$15.14	\$15.76	\$16.26

CLASS	START	6 MONTH	1 YEAR	2 YEAR	3 YEAR	4 YEAR	5 YEAR
GRADE 2							
Deputy Probate Register							
District Court Recorder (salary)							
Diversion Officer							
1/1/2016	\$12.62	\$12.89	\$14.17	\$14.63	\$15.24	\$15.82	\$16.64

CLASS	START	6 MONTH	1 YEAR	2 YEAR	3 YEAR	4 YEAR	5 YEAR
GRADE 3							
NOT CURRENTLY A POSITION WITH THE EMPLOYER							
1/1/2016	\$12.62	\$13.29	\$14.56	\$15.00	\$15.60	\$16.27	\$16.79

CLASS	START	6 MONTH	1 YEAR	2 YEAR	3 YEAR	4 YEAR	5 YEAR
GRADE 4							
District Court Clerk							
CV Advocate/CS Coord.							
Child Support Enforcement Officer							
1/1/2016	\$12.62	\$13.35	\$14.72	\$15.26	\$15.94	\$16.65	\$17.41

CLASS	START	6 MONTH	1 YEAR	2 YEAR	3 YEAR	4 YEAR	5 YEAR
GRADE 5							
Administrative Assistant							
Deputy Friend of the Court							
Probate Register (salary)							
1/1/2016	\$13.61	\$14.28	\$15.58	\$16.41	\$17.08	\$17.81	\$18.54

*These are the 2014 wages per the existing Alger County Courthouse Employees Association POAM contract.

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

It was moved by Commissioner Pullen and seconded by Commissioner Mattson to authorize the sheriff to purchase 3 APX 7500 Single Blank Radio Consoles for the 911 Dispatch and moving the existing rack and tower in the total amount of \$21,734.75. Those monies are to come from Central Dispatch 911 Millage - Capital Improvements (264-000-901.000). Burt Township will pick up one or two of the old radio consoles. Motion carried by following vote: Ayes ó Commissioners Mattson, Pullen, Rondeau, VanLandschoot and Doucette. Nays ó none. Absent ó none.

It was moved by Commissioner Mattson and seconded by Commissioner Rondeau to authorize Imperial Electric to perform electrical work for moving the server room to accommodate the new jail in the amount of \$5,400. The monies are to come from 911 capital improvements (264-000-901.000). Motion carried by following vote: Ayes ó Commissioners Mattson, Pullen, Rondeau, VanLandschoot and Doucette. Nays ó none. Absent ó none.

It was moved by Commissioner Mattson and seconded by Commissioner Pullen to allow District Court to continue the community service work with existing staff and with no additional compensation. There was discussion that the amount of time did not appear significant enough to require compensation. Motion carried by following vote: Ayes ó Commissioners Mattson, Pullen, Rondeau, VanLandschoot and Doucette. Nays ó none. Absent ó none.

Old business was next. There was none.

The sheriff explained the payments to the townships. He said that Mathias does submit a budget every year and is subject to an audit. It was moved by Commissioner Rondeau and seconded by Commissioner Pullen to authorize payment to Mathias Township First Responders. The monies are to come from their 2016 budget (210-000-969.000). Motion carried by the following vote: Ayes ó Commissioners Mattson, Pullen, Rondeau, VanLandschoot and Doucette. Nays ó none. Absent ó none.

It was moved by Commissioner Rondeau and seconded by Commissioner VanLandschoot to authorize payment to Rock River Township First Responders. The monies are to come from their 2016 budget (210-000-969.000). Motion carried by the following vote: Ayes ó Commissioners Mattson, Pullen, Rondeau, VanLandschoot and Doucette. Nays ó none. Absent ó none.

There were no miscellaneous financial matters.

It was moved by Commissioner Pullen and seconded by Commissioner Mattson to approve the following resolution #2016-04 Support Preventing Rule Change in the Clean Water Act:

RESOLUTION #2016-04

WHEREAS, in August 2015, the U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) implemented a regulation for the Definition of Waters of the U.S. under the Clean Water Act, which has since been temporarily halted by the 6th U.S. Circuit Court of Appeals; and

WHEREAS, both agencies are seeking a rule change to give the federal government more authority by expanding the definition of ñnavigable watersö in the Clean Water Act; and

WHEREAS, the rule change would subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds and flood plains, to the jurisdiction of the Clean Water Act; and

WHEREAS, that under the rule change, Michigan's Wetlands Law will be in violation of the Clean Water Act; and

WHEREAS, if Michigan loses delegated authority and must work directly with the Corps, the agency can take months or years to answer a permit application, and can even deny permits with impunity; and

WHEREAS, the change will cause significant harm to local farmers, stall the development of businesses, take control of land used for sustainable food production out of our local providers' hands, and negatively impact county-owned and maintained infrastructure such as roadside ditches and county drains; and

WHEREAS, Michigan has robust programs to protect water quality in our state; and

WHEREAS, the rule change would bring enormous costs to our farms, municipalities and taxpayers.

THEREFORE, in consideration of the foregoing, BE IT RESOLVED that the Alger County Board of Commissioners of Alger County wholly support preventing the furtherance of the U.S. Environmental Protection Agency and the Army Corps of Engineers proposed rule expanding the definition of ñWaters of the United Statesö and requiring these agencies to work with state and local governments on rule development; and

BE IT FURTHER RESOLVED that copies of this Resolution be provided to all Michigan counties, Gov. Rick Snyder, the Michigan Association of Counties and members of the Michigan congressional delegation.

Approved at a meeting of the Alger County Board of Commissioners held in compliance with Act 267, Public Acts of Michigan, 1976, as amended, on the 16th day of February, 2016.

Jerry Doucette, Chairman
Alger County Board of Commissioners

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

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to approve the following resolution #2016-05 Stop Exempting State Lawmakers and Top Officials from the Laws that they enact:

RESOLUTION #2016-05

WHEREAS, in 2015, the Center for Public Integrity and Global Integrity conducted a national study of state ethics and transparency laws and safeguards, in which the State of Michigan was ranked last; and

WHEREAS, some of the reasons cited for the State's poor ranking was weak public records laws and the absence of laws requiring personal financial disclosures by lawmakers and top state officials; and

WHEREAS, another glaring issue cited was the exemption of the governor and the legislature from state open records laws; and

WHEREAS, the State has required transparency from local municipalities through EVIP and CIP, yet the State has chosen to not take the opportunity to lead by example; and

WHEREAS, this Board feels it is time that State lawmakers and top officials stop exempting themselves from the laws that they expect others to follow; now

THEREFORE, BE IT RESOLVED that the Alger County Board of Commissioners urges State lawmakers and top officials to stop the hypocrisy of exempting themselves from the laws that they enact for the governance of the State of Michigan, of which they are included; and

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

Dated: February 16, 2016

Jerry Doucette, Chairman
Alger County Board of Commissioners

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

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to approve the following resolution #2016-06 Opposing HB 5016:

RESOLUTION #2016-06

WHEREAS, HB 5016 would amend Section 13 of Public Act 368 of 1925, which regulates the use of public right of ways along roads by requiring local governments and the Michigan Department of Transportation (MDOT) to give a one year notice to entities licensed under the Michigan Telecommunications Act (MTA) of any plan to relocate any in ground or above ground utilities or transmission lines; and

WHEREAS, these licensed entities already benefit from the free use of public right of ways that would cost them a significant amount of money if they were required to purchase use of said public right of ways; and

WHEREAS, requiring local governments and MDOT to notify the entities one year in advance of any relocation of utilities or transmission lines is unnecessary, burdensome, potentially costly, and punitive to the extent that it levies a fine in the form of paying for relocation costs for failure to timely notify the entities; now

THEREFORE, BE IT RESOLVED that the Alger County Board of Commissioners firmly opposes HB 5016 and respectfully asks the support of Senator Casperson and Representative Kivela in our opposition; and

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

Dated: February 16, 2016

Jerry Doucette, Chairman
Alger County Board of Commissioners

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

It was moved by Commissioner Pullen and seconded by Commissioner Mattson to approve the following resolution #2016-07 Line 5 Resolution:

#2016-07 LINE 5 RESOLUTION

WHEREAS, Pipeline 5, now owned by Enbridge, which began operation in 1953, has transported Alberta crude oil and natural gas liquids from Superior, Wisconsin through 18 Michigan Counties to a refinery in Sarnia, Ontario - a distance of 645 miles crossing numerous wetlands, 20 rivers, the Straits of Mackinac and the St. Clair River at Marysville, Michigan; and

WHEREAS, the State of Michigan and Enbridge are parties to an Easement Agreement requiring Enbridge operate in a reasonable and prudent manner and guarantee payment of all damages and costs from its operation of said line; and

WHEREAS, the history of pipeline leaks shows that there is a significant risk of severe damage and economic loss to government entities, individuals, businesses, and the environment; and

WHEREAS, the Michigan Petroleum and Pipeline Task Force has recommended independent risk analysis, adequate financial assurances, independent analysis of alternatives to the existing Straits pipelines, together with disclosure of inspection data and other information; which recommendations have not yet been satisfied.

NOW, THEREFORE, BE IT RESOLVED, that on the 16th day of February, 2016, Alger County hereby requests that Governor Snyder utilize the State's authority by acting immediately to cause Line 5 to be restricted to not more than 300,000 barrels per day and its cargo be limited to non-oil products until the recommendations of the Michigan Petroleum Pipeline Task Force have been satisfied and an independent panel of pipeline experts has verified that Line 5 is safe.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Rick Snyder, Attorney General Bill Schuette, Michigan Pipeline Advisory Board and Pipeline Task Force, State Representative John Kivela, State Senator Tom Casperson, U.S. Representative Dan Benishek, and U.S. Senators Debbie Stabenow and Gary Peters.

PASSED, APPROVED, AND EFFECTIVE on this 16th day of February, 2016.

Jerry Doucette, Chairman
Alger County Board of Commissioners

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

Committee Reports were next. Commissioner Doucette showed a few videos from NACo (National Association of Counties). Commissioner Doucette spoke highly of NACo and briefly described the kind of information available as well as some of the services they offer. Commissioner Doucette said that he will be heading to Washington D.C. for a conference on Thursday. Undersheriff Brock asked Commissioner Doucette to keep mental health issues in the jails at the forefront. Commissioner VanLandschoot passed out an AMCAB Housing Services Report. Commissioner Rondeau discussed Michigan getting hit from Ontario, Canada with garbage, nuclear waste and now the pipeline. He said that he had a meeting with the DNR about snowmobiles, EMS, and wanting to put in an ORV trail. He said that there are issues still up in the air. Commissioner Pullen met with Terry Burkhart regarding pensions and she will meet with Commissioner Rondeau to discuss it.

Correspondence was briefly read from CUPPAD regarding updating a County Recreational Plan, DHHS regarding the Child Care Fund, LMAS Board Minutes and Agenda, and an annual report from Pathways.

Board comments were next. Commissioner Pullen mentioned the airport is ongoing. Commissioner Rondeau commented that Ontario has taken advantage of Michigan numerous times over the decades. He will have a committee report after his talks with the DNR are over.

Staff comments were next. Sheriff Hughes said the EMT class has nine people including the county clerk.

Public comment session was open. Neil Simons from the Munising News asked about item C on the consent agenda regarding what sort of renovations were proposed as well as details of Resolution #2016-04 Support Preventing Rule Change in the Clean Water Act. There were no further comments from the floor; thus, the public comment session was closed.

It was moved by Commissioner VanLandschoot and seconded by Commissioner Rondeau to adjourn this meeting at 5:05 p.m. Motion carried by the following vote: Ayes ó Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Nays ó none. Absent ó none.

Jerry Doucette, Chairman
Alger County Board of Commissioners

Mary Ann Froberg
Alger County Clerk