

**ALGER COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

July 16, 2018

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

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 Pullen and seconded by Commissioner VanLandschoot to approve the consent agenda which includes the following items:

Approve the 2018/2019 Child Care Budget;

Authorize the clerk to advertise for audit services;

Authorize the clerk to advertise for cost allocation services;

Approve the UPAAA 2019 AIP (Annual Implementation Plan) for services to the Upper Peninsula Older Adults;

Authorize joining the PILT lawsuit;

Authorize going out for RFPs for health insurance;

Authorize employees to attend the MERS Conference in Grand Rapids, October 4 & 5;

Authorize the clerk and administrator to advertise for a Defense Attorney and support person;

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.

Authorize the treasurer to transfer cost allocation monies:

REMARKS: Transfer from funds to General fund
Cost Allocation
Per Board meeting July 16, 2018

	DR	CR
<u>MSU EXTENSION</u>		
208-000001000		\$3,653.00
208-000965000	\$3,653.00	
<u>COUNTY AGING</u>		
202-000001000		\$2,712.00
202-000965000	\$2,712.00	
<u>BUILDING DEPT</u>		
249-000001000		\$6,000.00
249-000965000	\$6,000.00	
<u>AMBULANCE</u>		
210-000001000		\$43,030.00
210-000965000	\$43,030.00	
<u>911 - MILLEAGE</u>		
264-000001000		\$3,480.00
264-000965000	\$3,480.00	
<u>WIRELESS 911</u>		
265-000001000		\$17,482.00
265-000965000	\$17,482.00	
<u>FORECLOSURE</u>		
517-000001400		\$255.00
517-000965000	\$255.00	

<u>BROWNFIELD</u>		
795-000001000		\$1,170.00
795-000965000	\$1,170.00	
<u>VETERANS MILLAGE</u>		
293-000001000		\$8,491.00
293-000965000	\$8,491.00	
<u>VETERANS TRUST FUND</u>		
294--000001000		\$559.00
294-000965000	\$559.00	
<u>FRIEND OF THE COURT FUND</u>		
215-000001000		\$3,562.00
215-000965000	\$3,562.00	
<u>GENERAL FUND</u>		
101-000001000	\$90,394.00	
101-000448000		\$90,394.00

Authorize the treasurer to transfer funds to the general fund budgets:

<u>Ambulance</u>		
210-000001000		\$4,657.50
210-000999000	\$4,657.50	
<u>CTY SURVEY & REMONUMENTATION</u>		
701-000001000		\$4,140.00
701-000230010 (ADMINISTRATIVE EXP REIMB)	\$4,140.00	
<u>Limestone Summer Collection</u>		
602-000001000		\$0.00
602-000995101	\$0.00	
<u>WIRELESS 911</u>		
264-000001000		\$37,300.00
264-000999101 (BUDGET AMOUNT)	37,300.00	
<u>FORECLOSURE FUND</u>		
517-000001400		\$43,940.00
517-000995101	\$43,940.00	
<u>FRIEND OF THE COURT FUND</u>		
215-000001000		\$0.00
215-000999000	\$0.00	
<u>DHS DEBT SERVICE</u>		
351-000001000		\$75,244.00
351-000995000	\$75,244.00	
<u>DTR</u>		
516-000001500		\$56,377.00
516-000999000	\$56,377.00	
<u>GENERAL</u>		
101-000442210 (AMBULANCE)		\$4,657.50
101-000442700 (DHS NON BOND)		\$75,244.00
101-000618000 (REMONT. - ADMIN. EXP.)		\$4,140.00
101-000444100 (TRANSFER IN WIRELESS)		\$37,300.00
101-000446000 (FORECLOSURE)		\$43,940.00
101-000445100 (FRIEND OF THE CT FUND)		\$0.00
101-000442000 (DTR)		\$56,377.00
101-000444200 (Summer Tax Collection)		\$0.00
101-000001000	\$221,658.50	

Authorize the treasurer to create new fund # for the Indigent Defense Fund;

Affirm Resolution #2018-09: RESOLUTION OF ALGER COUNTY BOARD OF COMMISSIONERS TO CREATE A NEW FUND WITHIN THE LOCAL CHART OF ACCOUNTS FOR PURPOSES OF ACCEPTING GRANT FUNDS FROM THE MICHIGAN INDIGENT DEFENSE COMMISSION AND CHARGING ALL MIDC PLAN-RELATED COSTS TO SAID FUND:

WHEREAS, the United States Constitution and the amendments thereto, as well as the Michigan Constitution provide that people charged with criminal offenses are entitled the right to have an attorney represent them in court proceedings; and

WHEREAS, the judicial system recognizes the rights of persons without the ability to pay for an attorney and/or other legal services (such as hiring investigators or expert witnesses) have the same right of legal representation in the court system as a person who can afford to pay for an attorney and/or other legal services; and

WHEREAS, the State of Michigan ("State") has created the Michigan Indigent Defense Commission ("MIDC") within the Department of Licensing and Regulation; and

WHEREAS, the MIDC is purposed with creating more effective and equitable funding at the State and local level for persons who are charged with criminal offenses and do not have the financial ability to pay for an attorney and/or other legal services; and

WHEREAS, the State, through the MIDC, is separating the financial matters of court appointed cases away from the court system to local court funding units (i.e., in this case, the County of Alger on behalf of the 93rd District Court and the 11th Circuit Court), which requires creation of a separate fund within the local chart of accounts; and

WHEREAS, the MIDC is receiving grant applications to fund court-appointed attorney and related legal services from local court funding units to provide funding by the State to the local court funding units beginning October 1, 2018; and

WHEREAS, the MIDC allows for grant applications to request funds for limited construction costs to allow for criminal defense attorneys and their clients to meet in a private and secure setting at or near a courtroom, in furtherance of protecting attorney-client confidentiality; and

WHEREAS, this new fund within the local chart of accounts will accept all funds from the State through MIDC grants and will charge all MIDC-related costs to this fund; and

WHEREAS, the MIDC recommends any fund balance at the end of the County's fiscal year should remain in the newly created fund and not revert to the County's general fund so that funds are used exclusively for court appointed attorney and related legal services; and

WHEREAS, the MIDC recommends any fund balance at the end of the County's fiscal year shall remain in the fund to carry over to the next year to be used for future compliance expenditures; and

WHEREAS, the County acknowledges that a separate fund will allow for better management of the grant funds and monitoring by the local and state interested parties; and

WHEREAS, the Alger County Board of Commissioners determines that this is an important service and source of funding for defendants in criminal cases who do not have the ability to afford an attorney or legal services in the 93rd District Court and 11th Circuit Court.

NOW, THEREFORE BE IT RESOLVED that the Alger County Board of Commissioners hereby resolves that the Alger County Finance Department shall create a separate fund within the local chart of accounts to accept all funds from the State through MIDC grants and to charge all MI DC-related costs to this fund.

BE IT FURTHER RESOLVED that all funds received through the MIDC grants will be placed in this fund and all MIDC-related costs shall be charged to this fund; any fund balance at the end of the County's fiscal year will remain in the fund and carryover to the next year to be used for future compliance expenditures.

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

It was moved by Commissioner VanLandschoot and seconded by Commissioner Rondeau to approve the Committee of the Whole meeting minutes of June 11, 2018 and the Board of Commissioners meeting minutes of June 18, 2018. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau and VanLandschoot. Nays – none. Absent – Commissioner Doucette.

Acting DHHS Director Jamie Lemay was present to discuss the 2019 DHHS Budget Request.

Dulcee Ranta was not available to discuss Equalization.

There was some discussion about attorneys and expenses for the airport land-swap. It was moved by Commissioner Pullen and seconded by Commissioner VanLandschoot to postpone until next month. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau and VanLandschoot. Nays – none. Absent – Commissioner Doucette.

It was moved by Commissioner Pullen and seconded by Commissioner VanLandschoot to approve Steve Webber to fill the term of Tom Moseley on the Land Bank Authority ending 12/31/2020. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau and VanLandschoot. Nays – none. Absent – Commissioner Doucette.

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to authorize purchase of an enclosed trailer up to \$9,000. Monies to come from Foreclosure Fund. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau and VanLandschoot. Nays – none. Absent – Commissioner Doucette.

There was no unfinished business.

There were no miscellaneous financial matters.

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to authorize Resolution #2018-10 Opposing Proposed Changes to the Statewide Septic Code (HB 5752 & HB 5753):

WHEREAS, House Bills 5752 and 5753 would add Part 128 to the Public Health Code and establish state and local standards for onsite wastewater treatment systems which would require the Michigan Department of Environmental Quality to develop a statewide code to govern the installation, operation, maintenance and inspection of septic systems;

WHEREAS, The Amendatory Act restricts and removes local controls and changes existing regulations and guidelines that have been effectively enforced by counties and health departments across the Upper Peninsula; and

WHEREAS, The Amendatory Act would add additional mandates that would increase the amount of personnel time and expenses that Upper Peninsula Health Departments would incur under the new Act without adequate funding from the state; and

WHEREAS, The Amendatory Act would gut existing regulations and grant the Michigan Department of Environmental Quality authority to approve local sanitary codes which, in effect, eliminates local control and undermines the duties of local health departments to implement and enforce laws; and

WHEREAS, The Michigan Department of Environmental Quality lacks the necessary budget and staffing levels to meet the mandates of this Amendatory Act which will place an additional financial burden on local authorities; and

WHEREAS, The creation of the State Technical Advisory Committee under the Act would take away and replace local control of the design, permitting, inspection and management of onsite wastewater treatment facilities and limit input into the rulemaking process to four local health department representatives; and

WHEREAS, The Amendatory Act fails to address funding for distressed homeowners and vacated properties with onsite wastewater treatment systems;

THEREFORE BE IT RESOLVED,

That the Alger County Board of Commissioners opposes HB 5752 and HB 5753 and requests State Legislators to oppose the legislation.

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

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to authorize Resolution #2018-11 In Opposition to HB 6049 and SB 1025:

WHEREAS, House Bill (HB) 6049 and Senate Bill (SB) 1025 seeks to completely restructure the tax assessing qualifications, process and boundaries of local assessing units in Michigan; and

WHEREAS, HB 6049/SB 1025 will impose a huge financial burden on Alger County as well as Michigan's other counties and local units because its mandates will require increased staffing levels and office space while providing a woefully inadequate 1% administrative fee and undefined "start-up funding" to compensate the counties and other local units for the drastic expenses that will surely accompany the new mandates; and

WHEREAS, HB 6049/SB 1025 will put Alger County at odds with its local townships by requiring us to take the 1% administration fee from the local units to pay for our increased costs; and

WHEREAS, HB 6049/SB 1025 changes the manner in which local boards of review (BOR) are conducted. By putting specialized BORs at the county level, HB 6049/SB 1025 has the potential to strip elected township supervisors and local assessing units of control over the tax assessing process, depriving them of the ability to account for unique conditions and values unknown to county-wide, regional and/or statewide assessing units but well known in the local units; and

WHEREAS, HB 6049/SB 1025 appears to have been designed without any input from existing assessors or their associations and the previous drafts were not made public to the counties and townships directly affected by its sweeping changes until nearly ready for introduction into the Michigan Legislature. In this context, it is difficult to view HB 6049/SB 1025 as anything other than a power grab generating from Lansing; and

WHEREAS, there are no guarantees that quality education will be available locally or even regionally to allow for the increased certification levels imposed by HB 6049/SB 1025; and

WHEREAS, HB 6049/SB 1025's proposed levels of certification for assessors will not achieve the results that are being sought. The real problem is bad assessors, not their levels of certification. The solution lies in better policing of assessors by the State Tax Commission, not simply imposing increased educational requirements that may be impossible to achieve and that do nothing to weed out the bad actors; and

WHEREAS, Alger County views HB 6049/SB 1025 in its current form as an unconstitutional unfunded mandate which does little or nothing to accomplish its stated goals.

NOW, THEREFORE, BE IT RESOLVED, that the Alger County Board of Commissioners hereby opposes HB 6049/SB 1025 and asks that it be withdrawn from consideration until the funding issues and other problems identified above can be properly addressed.

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

Nays – none. Absent – Commissioner Doucette.

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to authorize Resolution #2018-12 Opposing SB 1031:

WHEREAS, Senate Bill (SB) 1031 seeks to amend the General Property Tax Act to exempt qualified utility personal property from the collection of taxes under the Act; and

WHEREAS, "Qualified utility personal property" under the Act would include both of the following utility personal property: electric transmission and distribution systems, substation equipment, spare parts, gas distribution systems, water transmission and distribution systems, gas storage equipment, and transmission lines of gas or oil transporting companies; that was initially installed in the State after December 31, 2017; and

WHEREAS, SB 1031 in its present form as introduced on May 29, 2018 will impose a financial burden on Alger County and its local units, as it will not only reduce personal property tax revenues in 2019, but every year thereafter those annual losses will continue to increase; and

WHEREAS, SB 1031 was reported favorably by the Senate Committee on Finance without amendment for immediate effect to the Committee of the Whole on June 6, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Alger County Board of Commissioners hereby opposes SB 1031.

BE IT FURTHER RESOLVED that this resolution will be forwarded to all counties in Michigan, Michigan House Representatives Pagel and LaSata, Senator John Proos, Governor Rick Snyder, the Michigan Townships Association, the Michigan Municipal League, and the Michigan Association of Counties.

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

There were no committee reports.

Correspondence was briefly read from DHHS.

Cybersecurity and NACo were briefly discussed.

Sheriff Brock gave updates regarding: tourism, rescues, inmate housing, and the 911 millage.

Commissioner Rondeau discussed Road Patrol coverage in Burt township, radios in Rock River, school security, and speed limit statistics.

Steve Webber discussed the pager system and towers; as well as, security cameras and door locks.

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

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau 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