

**ALGER COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

June 17, 2019

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 – none.

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 amend the agenda to include the purchase of “no trespassing” signs for the airport property; Resolution #2019-13; Resolution #2019-14; Resolution #2019-15; Resolution #2019-16; change Resolution #2019-12 Revised Airport Exchange to Resolution #2019-12 Airport Exchange Deed to Munising Township and approve the consent agenda as amended which includes the following items:

Authorize a 3-year contract with Excel Fire Protection Co., Inc;

Authorize two new MERS plans for non-union employees and elected officials;

Authorize payout of \$15,496.35 to Leota Paquette;

Authorize the register, chief deputy register, and treasurer to attend PRIA conference in Colorado Springs in August 2019;

Reappoint Anita Bouth and Debra Beeuwsaert to the Library Board;

Authorize the Land Bank to pay back the DTR in approximately 3 years for the LMAS building;

Authorize repairs for the Building Codes vehicle in the approximate amount of \$555.00;

Authorize attending the MAC Annual Conference August 18-20, 2019;

Authorize Prosecuting Attorney to attend the PAAM Annual Conference August 22-25, 2019;

Authorize the purchase of title insurance for the airport land exchange

Approve payment of all Board Bills;

Approve Financial Reports for all funds (Trial Balance Report Available);

Authorize amending revenue in Transfer in DTR (101-000-442.000) in the approximate amount of \$100,000 for the LMAS purchase;

Authorize amending expenditures in the Capital Improvement budget (101-728-969.000) in the approximate amount of \$100,000 for the LMAS purchase;

Authorize the clerk to transfer \$500 from the audit budget into the advertising budget:

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

It was moved by Commissioner Mattson and seconded by Commissioner Pullen to approve the Committee of the Whole meeting minutes of May 13, 2019 and the Board of Commissioners meeting minutes of May 20, 2019 as corrected. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – none.

It was moved by Commissioner Mattson and seconded by Commissioner VanLandschoot to accept the Forfeiture Report presented by Pam Johnson, Treasurer. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – none.

It was moved by Commissioner Mattson and seconded by Commissioner Pullen to authorize the treasurer to pay for LMAS building in the approximate amount of \$100,000 out of General Fund Capital Improvements. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – none.

It was moved by Commissioner Mattson and seconded by Commissioner Rondeau to authorize the bypass of bids and approve payment for radio encryption services to Command Communications in the approximate amount of \$6,639.20. Monies are to come from Fund #264 Central Dispatch – 911 Millage. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – none.

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to authorize a ½ page advertisement in plat book for \$400.00 with 2019 Board of Commissioners change and with the addition of AlgerCounty.gov website address. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – none.

There was some discussion regarding further research and discussion with Prosecuting Attorney Robert Steinhoff and Corporate Council Roger Zappa. It was moved by Commissioner Pullen and seconded by Commissioner Mattson to postpone the approval the Marijuana Policy from Cohl, Stoker & Toskey, P.C. until the Committee of the Whole of July 8, 2019. Motion carried by the following vote: Ayes – Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Nays – none. Absent – none.

There were no cost saving ideas or revenue sources.

There was no unfinished business.

Approval of the purchase of “No Trespass” signs for the airport property was postponed pending further research.

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to approve **Resolution #2019-09 Opposing Slashing Federal Funding for the Great Lakes Restoration Initiative:**

WHEREAS, The Great Lakes are a critical resource for our nation, supporting the economy and a way of life in Michigan and the other seven states within the Great Lakes region. The Great Lakes hold 20 percent of the world's surface freshwater and 90 percent of the United States' surface freshwater. This globally significant freshwater resource provides drinking water for more than 30 million people and directly supports 1.5 million jobs, generating \$62 billion in wages; and is also of significant importance in reducing freight on local roads with the attendant damage to those roads and to state and federal highways; and

WHEREAS, The Great Lakes Restoration Initiative (GLRI) provides essential funding to restore and protect the Great Lakes. This funding has supported long overdue efforts to clean up toxic pollution, reduce runoff from cities and farms, combat invasive species, and restore fish and wildlife habitat. Since 2010, the federal government has partnered with public and private entities and invested more than \$2 billion in over 2,900 projects throughout the region. Over its first six years, the GLRI has provided more than \$425 million for more than 500 projects in Michigan alone. The Brookings Institution has estimated that every dollar invested in the Great Lakes produces two dollars in long-term economic benefits; and

WHEREAS, GLRI projects are making a significant difference. They have restored more than 150,000 acres of fish and wildlife habitat; opened up fish access to more than 3,400 miles of rivers; helped implement conservation programs on more than 1 million acres of farmland; and accelerated the cleanup of toxic hotspots. In Michigan, GLRI funding has been instrumental in removing contaminated sediments from Muskegon Lake, the River Raisin, and the St. Mary's River; in restoring habitat along the St. Clair River, Cass River, Boardman River, and the Keweenaw Peninsula; and in the delisting of White Lake in Muskegon County and Deer Lake in the Upper Peninsula as areas of concern; and

WHEREAS, While a significant investment, past GLRI funding represents only a small portion of the amount needed to restore and protect the Great Lakes. Toxic algal blooms, beach closings, fish consumption advisories, and the presence of contaminated sediments continue to limit the recreational and commercial use of the Great Lakes; and

WHEREAS, Any cuts to GLRI funding would jeopardize the momentum from over a decade of unprecedented regional cooperation. Draft federal budgets have proposed a 97 percent reduction in GLRI funding. These cuts would be a short-sighted, short-term cost-saving measure with long-term implications. Restoration efforts will only become more expensive and more difficult if they are not addressed in the coming years;

NOW THEREFORE BE IT RESOLVED, That the Alger County Board of Commissioners opposes slashing federal funding for the Great Lakes Restoration Initiative;

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation as well as the other 82 Michigan counties.

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

It was moved by Commissioner Pullen and seconded by Commissioner VanLandschoot to approve **Resolution #2019-10 Supporting US House of Representatives Bill 530:**

WHEREAS, the implementation of fifth generation (5G) mobile technology requires thousands of small cell wireless facilities to be installed within municipal units across the nation; and

WHEREAS, on August 2, 2018 and September 26, 2018, the Federal Communications Commission (FCC) adopted orders that would limit the annual fees municipal units are permitted to set for use of public rights-of-way; and

WHEREAS, the FCC's actions restrict communities' ability to manage its rights-of-way; and

WHEREAS, H.R. 530, the Accelerating Wireless Broadband Development by Empowering Local Communities Act of 2019, was introduced in the House of Representatives and would cause the FCC adopted orders to have no force or effect; and

NOW, THEREFORE BE IT RESOLVED that the Alger County Board of Commissioners does hereby Support H.R. 530, the Accelerating Wireless Broadband Development Empowering Local Communities Act of 2019, which would cause the Federal Communications Commission's actions taken on August 2, 2018 and September 26, 2018 restricting municipal control over permits for wireless facilities to have no force or effect.

BE IT FURTHER RESOLVED that this resolution will be forwarded to President Donald J. Trump, U.S. Senator Gary Peters, U.S. Senator Debbie Stabenow, Congressmen Jack Bergman, State Representative Sara Cambensy, State Senator Ed McBroom and Governor Gretchen Whitmer.

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

Resolution #2019-11 Veteran Services Grant Funding was postponed.

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to approve **Resolution #2019-12 Airport Exchange Deed to Munising Township:**

KNOW ALL MEN THAT, at a meeting of the Board of Commissioners of the County of Alger, held on the 20th day of May, 2019, it was resolved the County should complete the land exchange addressed in that Exchange Agreement between the Alger County Board of Commissioners and the United States of America, acting through the Forest Service, Department of Agriculture, signed by the County on August 27, 2015, and signed by the United States of America on September 4, 2015, by closing upon the exchange lands in accord with that Agreement.

It was further resolved that Milton G. Doucette, Chairman of the Alger County Board of Commissioners, and Mary Ann Froberg, Clerk of the County of Alger, are authorized to sign a warranty deed, right of way and easement as well as "any and all closing documents required to accomplish the closing and complete the exchange on behalf of the County of Alger." Said resolution is numbered 2019-07.

At a meeting of the Board of Commissioners of the County of Alger, held the 17th of June, 2019 it was further resolved that Milton G. Doucette, Chairman of the Alger County Board of Commissioners and Mary Ann Froberg, Clerk of the County of Alger are authorized to sign a warranty deed from Alger County to the Township of Munising for the 5 acre parcel of land adjacent to the Munising Township cemetery, this land is known as Federal Parcel #2 in the Exchange documents and will become part of the cemetery to serve for the public good.

Legal Description: *(Include subdivision part, Section, Township, Range, Meridian; or lot, block, warrant, parcel, grant, etc., as appropriate.)*

A Parcel of land in the NW 1/4 of the NW 1/4 of Section 19, 146N-R18W, Munising Township, Alger County, Michigan Meridian, Michigan described as; the westerly 950 feet of the northerly 330 feet of the NW 1/4 of the NW 1/4; except a parcel described as; beginning at the Northwest corner of said section; thence S 89° 52' 14"E, along the north line of said section a distance of 264.00 feet; thence S 00° 22' 32" W, parallel to the west line of said section for a distance of 330.00 feet; thence N 89° 52' 14" W parallel to the north line of said section for a distance of 264.00 feet; thence N 00° 22' 32" E along the west line of said section for a distance of 330.0 feet to the point of beginning, containing 2.00 acres as recorded in the deed dated 1-29-1999 in Liber 163 on Page 79 in the Alger County Register of Deeds Office; and except a parcel described as; beginning at a point on the existing fence, said point being S 89° 52' 14" E along the north line of said section for a distance of 264.00 feet and S 00° 22' 32"W parallel to the west line of said section for a distance of 6.26 feet from the Northwest section

corner of said section thence; S 89° 35' 40" E along the existing fence line for a distance of 22.32 feet; thence S 00° 24' 52" W along the existing fence line for a distance of 317.17 feet; thence N 89° 37' 18" W along the existing fence line for a distance of 22.10 feet; thence N 00° 22' 32" E parallel to the west line of said section for a distance of 317.18 feet to the point of beginning, containing 0.16 acre, as recorded in the deed dated 3-5-2008 as #MI200800384 in the Alger County Register of Deeds Office. Said parcel containing 5.04 acres, more or less.

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

It was moved by Commissioner Rondeau and seconded by Commissioner Pullen to approve **Resolution #2019-11 Veterans Services Grant Funding:**

WHEREAS, MCL 35.623a(5)(a), as amended, establishes a "base amount" of \$50,000 per County for "veterans service operations;" and

WHEREAS, MCL 35.623a(5)(b) provides for a "per capita amount" for the "number of veterans residing in each county;" and

WHEREAS, the plain language of MCL 35.623a(5) provides that disbursements to counties are to be determined by "combining" these amounts; and

WHEREAS, the distinction between a "base amount" of \$50,000 per year and a variable "per capita amount" strongly suggests that the base amount may be interpreted as being fixed; and

WHEREAS, the statute can reasonably be interpreted to mean that the \$50,000 base amount would be ongoing, and would thus sustain County initiatives, provided the County complied with the provisions of MSC 35.623a; and

WHEREAS, the Michigan Veterans Affairs Agency has a long history of promoting an increase in the number of Veterans Administration Accredited Representatives to serve Michigan Veterans; and

WHEREAS, subsequent to disbursing the statutorily mandated funds for 2019, the Michigan Veterans Affairs Agency briefed the Michigan Association of County Veterans Counselors that the grant funding is programmed to be reduced to a \$25,000 "base amount" for Fiscal Year 2020 due to funding constraints; and

WHEREAS, this reduction contravenes the plain language of the statute and will undermine steps taken by counties to provide services to our veterans; and

NOW, THEREFORE, be it resolved, that the Alger County Board of Commissioners urges compliance with the plain language of MCL 35.623a, and calls upon the State Legislature and the Governor to fully fund the County Veterans Service Fund Grant in FY 2020 and beyond; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Whitmer, Senator McBroom, Representative Cambensy, the Michigan Association of Counties, and Veterans Services Offices in all Michigan counties.

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

It was moved by Commissioner Pullen and seconded by Commissioner Rondeau to approve the following resolutions:

Resolution #2019-13 Resolution to Preserve the Public Mental Health System:

WHEREAS, Michigan's public mental health system provides one of the broadest array of cutting edge, community-based mental health services and supports throughout our Upper Peninsula region; and

WHEREAS, Community Mental Health Service Programs (CMHSPs) were created by County Boards of Commissioners as duly authorized under 330.1205 of the Michigan Mental Health Code; and

WHEREAS, Five CMHSPs representing fifteen counties in the Upper Peninsula created a regional entity, NorthCare Network, to manage Medicaid specialty services as duly authorized under 330.1204b of the Michigan Mental Health Code; and

WHEREAS, County Boards of Commissioners across the Upper Peninsula region support the preservation of the current public mental health system delivery and management; and

WHEREAS, All five CMHSPs in the Upper Peninsula region (Copper Country CMH, Gogebic CMH, Hiawatha Behavioral Health, Northpointe Behavioral Health and Pathways CMH) support the preservation of the current public mental health system delivery and management; **and**

WHEREAS, Senate and House 298/234 of the Executive Budget recommendation for 2018 effectively nullifies the **duly** authorized actions taken by Community Mental Health Service Programs to create a regional entity under section 330.204b of the Michigan Mental Health Code; and

WHEREAS, Section 298/234 of the Executive Budget recommendations for 2018 have no accountability to the Upper Peninsula's fifteen County Boards of Commissioners; and

WHEREAS, County Boards of Commissioners across the Upper Peninsula oppose Section 298/234 of the Executive Budget recommendation for 2018 to implement health plan led pilots; and

WHEREAS, County Boards of Commissioners across the Upper Peninsula oppose any involvement in a pilot program in the Upper Peninsula region; and

WHEREAS, Section 298/234 of the Executive Budget recommendation for 2018 will result in the elimination of public specialty mental health services that are accountable to the communities of persons residing in the fifteen counties of the Upper Peninsula;

THEREFORE BE IT RESOLVED, That the Alger County Board of Commissioners opposes Section 298/234 of the Executive Budget recommendation for 2018 and encourages the Governor, State Senate, and State House of Representatives to prevent it from becoming law.

Resolution #2019-14 Resolution to Protect the MI Choice Program:

WHEREAS, the Senate recently passed SB 135 which contains the following boilerplate language under Section 1852 (*Long-Term Service and Support Pilot — Senate requires DHHS to implement a pilot in Wayne, Macomb, Barry, Berrien, Calhoun, Cass, Kalamazoo, St. Joseph, Van Buren Counties and the Upper Peninsula to transition home and community based services waiver recipients into a long-term services and support program administered by CM integrated care organization*)

WHEREAS, the MI Choice Program is a long-term care, in home services program for U.P. residents seeking long term care at home;

WHEREAS, the MI Choice Program, administered by UPCAP, uses a local network of service providers including Community Action Agencies, Commissions on Aging, County Agencies and private Services Agencies;

WHEREAS, enacting this provision would have the following negative effects on Upper Peninsula residents:

- Closing down the popular MI Choice Program which has been operating since 1988 and has a 98% satisfaction rating;
- Creating a pilot program which would mandate that all existing MI Choice participants receive their in-home care from a for profit insurance company;
- Making the U.P. the only region in the State that doesn't give residents a choice of where they receive their in-home care and care management;
- Requiring U.P. residents to have their care provided by a for-profit insurance company that has little or no experience in providing in-home care to the nursing home eligible population

WHEREAS, one reason why Section 1852 is being proposed is because, under an existing demonstration pilot (MI Health Link) involving the for profit health insurance company (Upper Peninsula Health Plan) and the MI Choice Program, when provided a choice, 95% of the clients opted NOT to have their care provided by the insurance company, but instead by MI Choice. The new pilot would make it **mandatory** for residents to be enrolled with the for-profit health care organization **eliminating choice**.

WHEREAS, should the pilot demonstration be allowed to move forward and not be successful, the comprehensive network of services developed over the past 29 years for the MI Choice Program will no longer

be available nor unable to fully meet the future community-based long-term supports and services needs of the Upper Peninsula residents.

THEREFORE, BE IT RESOLVED that the Alger County Board of Commissioners opposes Senate Bill 135; Section 1852 and requests that the Upper Peninsula of Michigan be removed from the pilot, allowing MI Choice to continue providing U.P. County residents a **choice** of options like the rest of the State.

Resolution #2019-15 Resolution in Support of the Eastern, Central and Western Upper Peninsula Regional Planning & Development Commissions Covering Prosperity Regions 1A, 1B, 1C:

WHEREAS, the Michigan Legislature has annually appropriated funding to the Department of Management, Technology, and Budget for the Regional Prosperity Initiative; and,

WHEREAS, Prosperity Regions 1a, 1b., 1c, represent the entire Upper Peninsula of Michigan where Regional Prosperity Initiative projects have served the rural communities across the three regions both directly and indirectly;

WHEREAS, the Regional Prosperity Initiative has fostered collaboration and cooperation among the three regions in the Upper Peninsula and strengthened their capacity to perform better planning and economic growth strategies at the local and Upper Peninsula scale;

WHEREAS, without the Regional Prosperity Initiative the three regions in the Upper Peninsula will be severely limited in their capacity to assist their communities and work collaboratively on Upper Peninsula challenges as other funding is very limited;

WHEREAS, a continuation of the Regional Prosperity Initiative will allow the collaborative synergy to grow further to meet the unique conditions in the Upper Peninsula of Michigan;

NOW THEREFORE BE IT RESOLVED THAT, The Alger County Board of Commissioners hereby supports continued State funding for the Regional Prosperity Initiative.

Resolution #2019-16 Resolution of Support for the Michigan Launch Initiative at Sawyer International Airport:

WHEREAS, Michigan Aerospace Manufacturers Association has organized the Michigan Launch Initiative (MLI) for establishing spaceport operations and command center facilities within the State of Michigan; and

WHEREAS, multiple aerospace companies have plans to launch thousands of satellites into low Earth orbit (LEO); and

WHEREAS, the MLI will provide a collaborative platform for academia, industry, and governmental agencies to provide LEO and hypersonic launch technology for commercial and defense applications, with a priority to establish and launch a satellite launch facility and command center in Northern Michigan; and

WHEREAS, the economic impact on the area is estimated to be \$8 million annually with an estimated job creation between 500-1,000; and

WHEREAS, Sawyer and the surrounding County forest land is uniquely positioned for the site requirements to allow for a polar orbit satellite launch facility, low-density population, extensive restricted airspace, Interstate highway system accessible, engineering and manufacturing capacity, and

WHEREAS, the Michigan Launch Initiative requires \$750,000 for performing an initial (Phase I) evaluation of the site and developing support objectives, which include Technical Case Development, Site Location Review and Development Planning, Business Case Development, and Legal Services

NOW THEREFORE BE IT RESOLVED, the Alger County Board of Commissioners does hereby appeal to the State of Michigan to support the establishment of spaceport operations at Sawyer International Airport by investing \$750,000 in Michigan Launch Initiative's efforts to perform Phase I site Investigations and developing start-up objectives

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

Commissioner Pullen spoke about Senator McBroom visiting the area concerning Mental Health, Line 5 issues, and the dark stores bill, road funding. Commissioner Doucette spoke about Michigan Works OPEBs, prison closures. There was some discussion regarding raise the age.

Correspondence was briefly read from United States Department of Agriculture, State of Michigan Department of Health and Human Services and NorthCare Network.

Board comments were next. Commissioner Rondeau inquired into previously discussed filing system and the tower in Chatham. Commissioner Doucette and Sheriff Brock explained that a meeting is necessary with Burt Township regarding their ambulance service. Commissioner Doucette wanted to note that the Alger County Board of Commissioners and the treasurer have worked to help the Burt Township ambulance service.

Staff comments were next. Sheriff Brock updated the board regarding recent rescues and negligent fees. Steve Webber updated the board concerning the Stonegarden and Emergency Management audit. Joel VandeVelde updated the board regarding opioid litigation. Commissioner Doucette would like to see more clarification regarding some invoices.

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

It was moved by Commissioner Rondeau and seconded by Commissioner VanLandschoot to adjourn this meeting at 5:50 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