

**CHIPPEWA COUNTY  
BOARD OF COMMISSIONERS**

Regular Session  
July 16, 2018

The Chippewa County Board of Commissioners met in regular session on Monday, July 16, 2018 in the 91st District Courtroom of the Chippewa County Building.

Chairman Scott Shackleton called the meeting to order at 2:00 p.m. The Pledge of Allegiance to the Flag of the United States of America was recited.

Present: Commissioners Conor Egan, Jim Martin, Don McLean, Robert Savoie and Chairman Scott Shackleton

Absent: None

Also Present: Scott Brand, Mike McCarthy, Lana Forrest, Karen Senkus, Carmine Bonacci, Tim Moher, Administrator Jim German Deputy Administrator Kelly Church and Cathy Maleport, Clerk.

ADDITIONS AND DELETIONS TO THE AGENDA

It was moved by Commissioner McLean, seconded by Commissioner Savoie, to accept the agenda as presented. On a voice vote, the motion carried.

APPROVAL OF COUNTY BOARD MINUTES

It was moved by Commissioner Martin, seconded by Commissioner Egan, to approve the regular Board meeting minutes of June 11, 2018 as presented. On a voice vote, the motion carried.

CORRESPONDENCE RECEIVED IN THE CLERK'S OFFICE

It was moved by Commissioner Egan, seconded by Commissioner Savoie, to acknowledge the correspondence received in the clerk's office and, if necessary, forward as appropriate. On a voice vote, the motion carried.

PUBLIC COMMENTS

- Attorney Tim Moher reported findings re: the Memorandum of Understanding between the U.S. Coast Guard and EUP Transportation Authority concerning icebreaking policies as it relates to ferry transportation during the winter months on the St. Mary's River. (*See Attached*)
- Mike McCarthy appeared before the Board on behalf of the CLMCD *Chippewa/Luce/Mackinac Conservation District* to provide an update of what the Conservation District is currently doing for Chippewa County.

ADMINISTRATOR’S REPORT– Jim German, given for informational purposes only – *no action items*.

**OLD BUSINESS – Community Action Agency Board Appointment Issue.**

Following a lengthy discussion with all the Board members addressing their concerns as to how the recent vacancy seat was filled on the Community Action Board, it was moved by Commissioner Savoie, seconded by Commissioner Martin, to retain legal counsel to assist with this issue. In further discussion, Commissioner Martin suggested that Chairman Shackleton, Administrator Jim German, and Commissioner Don McLean meet with Mr. McShane to discuss this matter in hopes of reaching a resolution before proceeding with legal counsel.

On a voice vote, the motion carried; however, a meeting will be conducted to attempt a resolution. If this meeting is unsuccessful, counsel will be retained. Commissioner McLean voted Nay.

**NEW BUSINESS**

- A) Resolution 18-17 – U.P. Area Agency on Aging FY2019 Annual Implementation Plan for Services to Older Adults. – Special Tribute Honoring Johann Ingold

It was moved by Commissioner Egan, seconded by Commissioner Savoie, to approve Resolution 18-17 as follows:

**RESOLUTION NO. 18-17**

**U.P. AREA AGENCY ON AGING  
FY 2019 ANNUAL IMPLEMENTATION PLAN FOR SERVICES TO OLDER ADULTS**

WHEREAS UPCAP, which serves as the U.P. Area Agency on Aging, is required to develop a 2019 Annual Implementation Plan that provides development and funding for programs to serve older adults in the Upper Peninsula; and

WHEREAS, during the 2019 Annual Implementation Plan development process, UPCAP conducted one public hearing and received input from service providers, older adults, county officials, human services organizations, and other interested parties; and

WHEREAS, each U.P. county is represented by a county official on the UPCAP Board of Directors; and

WHEREAS, the UPCAP Board of Directors has unanimously approved the proposed 2019 Annual Implementation Plan; and

WHEREAS, the AAA 2019 Annual Implementation Plan also requires review by individual county boards;

THEREFORE, BE IT RESOLVED, that the Chippewa County Board of Commissioners has received and hereby supports the U.P. Area Agency on Aging 2019 Annual Implementation Plan. BE IT FURTHER RESOLVED that this resolution be submitted to UPCAP and placed on file.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

Yeas: Commissioners Conor Egan, Jim Martin, Don McLean, Robert Savoie and Chairman Scott Shackleton

Nays: None

***RESOLUTION 18-17 WAS DECLARED ADOPTED***

**B) Establish Special Committee – Ice Breaking**

Chairman Shackleton explained that research was done on the Board’s policies and procedures. He reported that they do not have a provision for an ad-hoc committee; but, they do have a provision for a special committee. He further explained that Mr. German informed him about a meeting that was held with Mr. Moher and others, in an effort to put together an organized front to work through this icebreaking issue on the St. Mary’s River during the winter months. He read the following statement about establishing a committee.

“As Chairman of the Chippewa County Board of Commissioners I am directing the formation of a Special Committee. The committee will be known as the Sugar Island Ferry Committee.

This committee is charged with amicably working with all interested parties to ensure ferry passage from Sugar Island to the mainland is maintained on a regular basis with emphasis on the winter months.

The committee shall exist for one year beginning on August 1, 2018, but at the end of the one year, the existence of the committee may be extended. Dissolution of the committee will take place after the time period for its existence runs out, at the request of the committee, or if, at the discretion of the County Board Chair, the committee is not properly fulfilling its mission.

The committee will elect its own Chairman and Vice-Chairman as it sees fit.

The following people are appointed to serve on the committee at the pleasure of the Board Chair. Members may be added or removed during the existence of the committee.”

- Jennifer McLeod
- Aaron Schlehuder
- Conor Egan
- Jack Kibble
- Scott Labonte
- Don McLean
- Tony Andary
- Steve Cannello

- Les Laitenen
- Tim Moher
- Jim German

Discussion yielded the consensus of approval of the full Board.

## STANDING COMMITTEE REPORTS

### **FINANCE, CLAIMS AND ACCOUNTS COMMITTEE MEETING MINUTES**

*Commissioner Martin, Chairman – July 12, 2018*

#### **AGENDA ITEMS**

##### **Health Department – Medical Direction Agreement between CCHD and LMAS**

The Committee reviewed the Alternate Medical Direction Agreement between Chippewa County Health Department (CCHD) and LMAS District Health Department to ensure alternate medical direction (back-up) is available to comply with the applicable statutes and rules. This agreement has no additional costs.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to approve the Alternate Medical Direction Agreement between Chippewa County Health Department (CCHD) and LMAS District Health Department, as presented; to ensure the statutory mandate of a local health department to provide qualified medical direction for its provision of public health services, to be provided at no additional County cost. On a voice vote, the motion carried.

##### **Health Department – Medical Examiner Facility Use Agreement – Spectrum Health**

The Committee reviewed the Second Amendment to Medical Examiner Facility Use Agreement between Spectrum Health Hospital and Chippewa County. The Agreement provides autopsy services from Spectrum Health Hospitals, the fees have increased by \$12.00 to \$1,023.00.

It was moved by Commissioner Martin, supported by Commissioner Savoie, to approve the Second Amendment to medical Examiner Facility Use Agreement between Spectrum Health Hospital and Chippewa County, as presented for autopsy services. On a voice vote, the motion carried.

##### **Health Department – Pink Ribbon Request #18-08 - \$732.43 & 18-09 - \$1,310.40**

The Committee reviewed Pink Ribbon request #18-08 in the amount of \$732.43 and #18-09 in the amount of \$1,310.40. The current balance of Pink Ribbon funds is \$46,554.86.

It was moved by Commissioner Martin, supported by Commissioner Savoie, to approve Pink Ribbon request #18-08 in the amount of \$732.43 and request #18-09 in the amount of \$1,310.40. On a voice vote, the motion carried.

##### **Health Department – Family Planning Program New Policies**

The Committee reviewed the new policies for the Family Planning Program: 4.05.013 – IUD Placement; 4.05.014 – IUD Removal; 4.05.015 – IUD Complications/Missing Strings; 4.05.016 – Identifying IUD Candidates; 4.05.017 – IUD Complications/Perforation; 4.05.018 – IUD

Complications/Delayed Menses; 4.05.019 – IUD Complications/Abnormal Bleeding.

It was moved by Commission Martin, seconded by Commissioner McLean, to approve the new policies as presented; policies 4.05.013 – IUD Placement; 4.05.014 – IUD Removal; 4.05.015 – IUD Complications/Missing Strings; 4.05.016 – Identifying IUD Candidates; 4.05.017 – IUD Complications/Perforation; 4.05.018 – IUD Complications/Delayed Menses; 4.05.019 – IUD Complications/Abnormal Bleeding. On a voice vote, the motion carried.

**Information Systems – Release RFQ – Six Microsoft Surface Pro 4 Tablets and Accessories**

The Committee reviewed the RFQ for six (6) Microsoft Surface Pro 4 Tablets with Accessories.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to approve the release of the RFQ for Six (6) Microsoft Surface pro 4 Tablets with Accessories. On a voice vote, the motion carried.

**Office of Emergency Services – 2015 Stonegarden \$13,338.01 – 4 Motorola portable radios per SOM bid Pricing (waive County Policy – due to sole provider)**

The Committee reviewed a request from Director Michelle Robbins to purchase 4 Motorola APEX 4000 portable radios using 2015 Stonegarden funds, as the request has already been approved by the SOM and FEMA. This purchase pricing is via the SOM and is a sole source provider; so the County will need to waive the County Purchasing policy.

It was moved by Commissioner Martin, seconded by Commissioner McLean, to authorize the \$13,319.87 expenditure to purchase four (4) Motorola APEX 4000 portable radios which includes battery and speaker mic from the 2015 Stonegarden funds, and to waive the County Purchasing policy because of the sole source provider with the SOM. On a voice vote, the motion carried.

**Sheriff's Department – SimplexGrinnell – Indusoft Upgrade - \$16,574.21**

The Committee reviewed a FY18 Budgeted Upgrade for the Sheriff's Department Jail to upgrade the current DP Detention via Tyco/SimplexGrinnell including computer upgrades in the sergeant's office and the main control center.

It was moved by Commissioner Martin, seconded by Commissioner Egan, to re-authorize the budgeted upgrade, of the DP Detention Indusoft provided by SimplexGrinnell at a cost not to exceed \$16,574.21; and waiving the County Purchasing policy for the upgrade. On a voice vote, the motion carried.

**Administration – Class Action RE: Payment in Lieu of Taxes Act**

The Committee reviewed documents regarding a Class Action law suit to recover additional funds under the Payment In Lieu of Tax Act (PILT Act) for fiscal years 2015, 2016 and 2017; as Congress significantly amended the PILT statute in 2008 and for 2015-17, because of insufficient appropriations, PILT recipients did not receive the full amount to which they were entitled under the PILT statute based on the U.S. Department of the Interior's full payment calculation.

It was moved by Commissioner Martin, seconded by Commissioner McLean, to authorize and participate in the Class Action Lawsuit regarding PILT Act for fiscal years 2015, 2016 and 2017, and to authorize signature of the Class Action Opt-In Notice Form. On a voice vote, the motion carried.

**Administration – Meijer Tax Tribunal Lawsuit**

The Committee reviewed Meijer Tribunal (Parcel #17-051-064-031-00) analysis, which broke down by

taxing unit; the County portion potential loss being \$13,610.99. The anticipated costs for the Meijer tribunal will be similar to the total Wal-Mart (Cascade) costs; which was \$28,036.39.

Committee comments to remember for Monday night included: the cost of these lawsuits, costs the County Department and constituents every time; that these businesses have commitments to the community too; and that Legislature has been a major disappointment when it comes to the “Dark Stores” issue.

It was moved by Commissioner Martin, seconded by Commissioner McLean, to authorize participation with the City of Sault Ste. Marie and the EUP ISD to join a similar Joint Defense Agreement, cost sharing (County 32%, City 66% and 2% EUPISD) regarding the Meijer Tax Tribunal. A lengthy discussion followed. On a voice vote, the motion carried unanimously.

#### **Administration – Personnel Policy Clarification**

Administrator German addressed the Committee to confirm Personnel action regarding new hires/replacement staff for current positions specifically with regards to the Health Department staffing. The Health Department will be handled the same as the other Departments, County Administration will review and authorize, and if the Health Department doesn't agree with Administration, they can appeal to the Personnel Committee. The Personnel Committee will still make all decisions about new positions, wages and benefits.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to clarify that the Health Department vacancies will be handled the same as all County Departments; and that Personnel will still oversee the new positions, wages and benefits. Commissioner Egan noted, that, we did not take over the Health Department; but, rather have a more active role with the Health Department. On a voice vote, the motion carried.

#### **Administration – Point of Entry Roof Structure**

The Committee reviewed the one bid that was received for the Point of Entry Roof Structure. Three companies attended the walk-through. The bid of \$47,000.00 from Bonacci Contracting, Inc. was discussed to clarify what specifications were going to be followed for the project.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to approve the bid of \$47,000.00 from Bonacci Contracting, Inc. with the stipulation of clarifying the design and materials to be used for the Point of Entry Roof Structure. A discussion followed which included aluminum versus steel, window of opportunity, and fees concerning engineer studies.

Upon further discussion, it was moved by Commissioner Martin, seconded by Commissioner Savoie, to restate the motion as follows:

Recognizing that aluminum is the superior product, and having a current engineering study of such , it was moved by Commissioner Martin, seconded by Commissioner Savoie, to restate his motion and approve the original bid of \$55,000.00 provided by Bonacci Contracting, with the stipulation of clarifying the design and materials to be used for the Point of Entry Roof Structure. During discussion it was noted that the aluminum to be used for this roof structure is ½ inch thick. On a voice vote, the motion carried.

#### **Administration – Sugar Island – Notice of “Comments for Master Plan”**

The Committee received and reviewed Sugar Island's proposed new Master Plan; the process calls for requesting comments.

It was moved by Commissioner Martin, seconded by Commissioner Egan, to acknowledge receipt of the Sugar Island proposed Master Plan; with no comments. On a voice vote, the motion carried.

**Administration – MEDC – CDBG Program Income Certification - \$33,280.10**

The Committee was updated on the CDBG program income monies, as well as, that no new monies are available, and we no longer have a third party administrator to proceed with new projects. Since the County received less than \$35,000 between July 1, 2017 and June 30, 2018; and once MEDC authorized the \$33,280.10 no longer had to follow compliance, no reporting, and it can be spent at the County's discretion.

It was moved by Commissioner Martin, seconded by Commissioner Egan, to approve and authorize sending in the Program Income Certification Form 8-H; indicating PI received between July 1, 2017 and June 30, 2018, is \$33,281.10, which is lower than the threshold, to return the funds to the MEDC, and eliminates compliance and reporting once we receive confirmation from the MEDC. On a voice vote, the motion carried.

**Administration – Animal Protection – Renewal Millage Proposal (November ballot)**

The Committee reviewed the proposed renewal language for the Animal Protection Millage, which will be on the November ballot.

It was moved by Commissioner Martin, seconded by Commissioner Egan, to approve the Animal Protection language as follows, for the November ballot:

(This proposal, if passed, will permit the County to continue its tax levy of a tenth (.1) of a mill to provide operating funds to the Chippewa County Animal Shelter to be used exclusively to continue the facility as a no-kill shelter, and, as such, the funding will be used to provide medical and supplemental care for the health, safety, and well-being of the animals housed and cared for at the Chippewa County Animal Shelter)

Shall the previous voted increase in the tax limitation imposed under Article IX, Section 6 of the Michigan Constitution on general ad valorem taxes within CHIPPEWA COUNTY MICHIGAN of .1 mill (\$0.10 per \$1,000 of taxable value) be renewed at .1 mill (\$0.10 per \$1,000 of taxable value) for a period of SIX YEARS, being 2019, 2020, 2021, 2022, 2023, and 2024, inclusive, to continue to provide additional operating funds to the Chippewa County Animal Shelter to be used exclusively to continue the facility as a no-kill shelter, and continue to provide medical and supplemental care for the health, safety, and well-being of the animals housed and cared for at the Chippewa County Animal Shelter, and shall the County levy such millage for said purpose, thereby raising in the first year of this renewal an estimated \$120,000?

**ON A VOICE VOTE, THE MOTION CARRIED.**

**Finance - Claims and Accounts**

The Committee reviewed the bills and payroll presented for approval.

It was moved by Commissioner Martin, seconded by Commissioner McLean to recommend the approval of June bills and payroll as follow: the general claims totaling \$232,827.98, other fund claims \$758,384.50, payroll \$505,859.17, Health Department claims \$292,633.66 and Health Department payroll \$215,209.68; total claims \$2,004,914.99 and vouchers H-1 through H-237. On a voice vote, the motion carried.

**Finance – Beginning Fund Balances to Audit**

The Committee reviewed the beginning fund balances based on the FYE 12/31/17 audit.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to approve the beginning fund balances as presented from the FY2017 Audit. On a voice vote, the motion was carried. *(See attached)*

**Finance – Budget Amendments**

The Committee reviewed the following budget amendments:

It was moved by Commissioner Martin, seconded by Commissioner Egan, to approve the budget amendments as presented.

| <b>Revenue</b>                             | <b>Original Budget</b> | <b>Amended Budget</b> | <b>Change</b> |                 |
|--|------------------------|-----------------------|---------------|-----------------|
| 101-000-507.400 General Fund - Grant       | 0                      | 40,000.00             | 40,000.00     | Grant Funds     |
| <b>Expenditures</b>                        |                        |                       |               |                 |
| 101-149-745-700 - GF - Bailiff Uniforms    | 0                      | 2,000.00              | 2,000.00      | Add'l Staff     |
| 101-265-937.000 - GF – B&G Maintenance     | 8,000.00               | 15,000.00             | 7,000.00      | Landscaping     |
| 101-400-801.507 - GF - Regional Planning   | 0                      | 40,000.00             | 40,000.00     | Grant Expenses  |
| 101-648-701.000 - GF Medical Examiner      | 65,000.00              | 100,000.00            | 35,000.00     | More Autopsies  |
| 225-000-935.000 - Correctional Maintenance | 77,290.71              | 124,934.71            | 47,644.00     | Plumbing/Boiler |
| 226-000-931.000 - Building Maintenance     | 30,000.00              | 103,253.33            | 73,253.33     | Elevator        |

On a voice vote, the motion carried.

It was moved by Commissioner Martin, seconded by Commissioner Egan, to accept the Finance, Claims and Accounts Committee Minutes of July 12, 2018 as presented. On a voice vote the motion carried.

**COMMISSIONER REPORT ON MEETINGS AS BOARD REPRESENTATIVE AND GENERAL COMMENTS**

Among some of the comments were the following:



- Commissioner McLean reported on the St. Mary's River Ice Committee meeting he attended that is now a special committee of this Board. He explained that they want to make sure that they do what they can to ensure safe and easy passage between the mainland and Sugar Island, Neebish Island and Drummond Island. He also reported on the UPCAP meeting and referenced a branch of that called the Upper Peninsula Legislative Coalition.
- Commissioner McLean also recognized the indigent meeting in Schoolcraft County. He indicated that it is important that we are represented at this meeting and suggested that the Administrator attend.
- Commissioner Egan communicated that he is looking forward to fulfill his duties as part of the ice breaking committee as well as the EUPTA Board. He also noted that Community Action does a wonderful, wonderful job and is very important. He further indicated that this does not mean that there haven't been some problems with the way the Board has handled some of its business.
- Commissioner Martin indicated he is a firm believer in follow the money, and recognized SB 1031. He also updated the Board on HB 6049 and SB 1025, noting that this would be a huge unfunded mandate.

Having completed the agenda items; it was moved by Commissioner Shackleton, seconded by Commissioner Egan, to adjourn. The Board adjourned at 3:29 p.m.

Respectfully submitted,

Catherine C. Maleport, Clerk

Scott Shackleton, Chairman