

**CHIPPEWA COUNTY  
BOARD OF COMMISSIONERS**

Regular Session  
April 11, 2019

The Chippewa County Board of Commissioners met in regular session on Thursday, April 11, 2019, at 4:30 p.m. in the 91<sup>st</sup> District Courtroom of the Chippewa County Building.

Chairman Scott Shackleton called the meeting to order at 4:30 p.m. The Pledge of Allegiance was led by Commissioner McLean.

PRESENT: Commissioners Don McLean, Robert Savoie, and Chairman Scott Shackleton with Commissioner Conor Egan arriving at 4:35 p.m. and Commissioner Jim Martin at 4:41 p.m.

ABSENT: None

ALSO, PRESENT: Scott Brand, Karen Senkus, Lana Forrest, Chippewa County Sheriff Mike Bitner, Chippewa County Chief Public Defender Jen France, Erin Carter and Maggie Merchberger, MSU Extension, John Lechner, Administrator Jim German and Cathy Maleport, Clerk

ADDITIONS AND DELETIONS TO THE AGENDA

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

APPROVAL OF COUNTY BOARD MINUTES

It was moved by Commissioner Savoie, seconded by Commissioner McLean, to approve March 14, 2019, Regular Board Meeting Minutes as presented. On a voice vote, the motion carried.

CORRESPONDENCE RECEIVED IN THE CLERK'S OFFICE

It was moved by Commissioner McLean, seconded by Commissioner Savoie, to acknowledge the correspondence received in the clerk's office and forward as appropriate.

On a voice vote, the motion carried.

PUBLIC COMMENTS

The following spoke during public comments:

- John Lechner appeared before the Board to report on the letter he received from the Court of Appeals and his letter he wrote to the President of the United States.

- Margie Merchberger 4-H Program Coordinator for Chippewa County appeared before the Board to provide an overview of what 4H offers our community.

## ADMINISTRATOR’S REPORT

Jim German, given for informational purposes only - *no action items*.

## NEW BUSINESS

### RESOLUTION 19-09

### **SPECIAL TRIBUTE HONORING ROSS N. ROE**

It was moved by Commissioner McLean, seconded by Commissioner Savoie, to approve Resolution 19-09 as follows:

#### RESOLUTION NO. 19-09



### **SPECIAL TRIBUTE HONORING *Ross N. Roe***

WHEREAS, the County of Chippewa and its residents remember and honor a community businessman, innovator and leader Ross Roe upon his passing March 5, 2019; and

WHEREAS, Ross Roe was a local businessman who started Roe Chevrolet Oldsmobile in 1967; and in 1969 was one of the original founders who was instrumental in originating the world-class professional race – the SOO International 500; and

WHEREAS, in honoring a special community citizen and leader, we recognize Ross Roe as a businessman, leader, snowmobile enthusiast, and friend; through his business skills and his professionalism has placed him in the highest of honors; and

WHEREAS, Ross Roe has earned the respect and gratitude of the citizens of Chippewa County through his many contributions to the community; through the innovations and dedication to community service, he made a huge impact on the betterment of life in Sault Ste. Marie and Chippewa County; and

WHEREAS, the County of Chippewa and its residents will share in honoring Ross Roe, and taking this time to remember his contributions to the community and to commemorate the commitment to a better place which he has inspired; and

NOW, THEREFORE BE IT RESOLVED, that the members of the Chippewa County Board of Commissioners, on behalf of the citizens, friends, and family of Ross Roe officially honor him with this Special Tribute for his accomplishment and of our gratitude for the contributions he has made for Sault Ste. Marie and Chippewa County.

A VOTE WAS TAKEN AS FOLLOWS

AYES: Commissioners Egan, Martin, McLean, Savoie and Chairman Shackleton

NAYS: None

**THE RESOLUTION WAS DECLARED ADOPTED.**

#### EUP TRANSPORTATION AUTHORITY BOARD RESIGNATION

It was moved by Commissioner Savoie, seconded by Commissioner Egan, to accept Mr. Kibble's resignation. A discussion followed which included Commissioner Egan emphasizing that Mr. Kibble was a true asset for Chippewa County and Chairman Shackleton adding that a letter of thanks or resolution should be prepared. On a voice vote, the motion unanimously carried.

It was moved by Commissioner Savoie, seconded by Commissioner Egan, to seek additional applicants for the EUP Transportation Authority Board to fill John Kibble's position. A brief discussion followed.

On a voice vote, the motion carried with Commissioner Martin voting Nay.

#### STANDING COMMITTEE REPORTS

##### **PERSONNEL, EQUALIZATION, TRANSPORTATION, HEALTH AND SOCIAL SERVICES**

*Commissioner Egan, Chairman – April 4, 2019*

#### **Arbitration of Disputes and Employment at Will – New Policy**

The Committee reviewed a new proposed policy "Arbitration of Disputes and Employment at Will", which will need to be signed by all non-union, non-elected employees of the County. This arbitration policy and the program will be in effect 90 days after the date of adoption by the Board of Commissioners. The policy establishes a protocol for the County and its employees when differences arise between the employee, the county, or co-employees arising out of or relating to the employee's employment with the county.

It was moved by Commissioner Egan, seconded by Commissioner Martin, to approve the new policy "Arbitration of Disputes and Employment at Will", which will establish a better system. A discussion followed with Chairman Shackleton communicating his concern with the wording in the minutes. He indicated that it needs to be made clear to employees, that when we say it will need to be signed, it makes it sound as though you have to sign it to agree to it, that's not the case, they need to be aware and informed of it.

On a voice vote, the motion carried.

**Bylaws of the Central Dispatch Board of Directors – Policy 603 Update**

The Committee reviewed Policy 603 – Bylaws of the Central Dispatch Board of Directors; and three changes were offered by Director Michelle Robbins, these changes follow the practices of the Board and update the Controller to Administrator verbiage.

It was moved by Commissioner Egan, supported by Commissioner Savoie, to approve Policy 603 Bylaws of the Central Dispatch Board of Directors as amended. On a voice vote, the motion carried.

**Magistrate – District Court – On call Hours Pay**

Circuit Court Administrator Ojala addressed the Committee regarding payment for Magistrate on-call hours for District Court employee Roxanne Bosley. Ms. Bosley now serves on the rotation for Magistrate work every fourth week; although this was not a change to her job description, it was something she previously was not requested to cover, and additional pay was not requested when the job description was updated by the previous Judge. The County has employees who receive no call-out pay and employees who receive pay, Only when called out, not just for being on-call. Discussion followed.

It was moved by Commissioner Egan, seconded by Commissioner Savoie, to pay two (2) hours only when called out for the Magistrate position, noting there could be multiple call-outs during a 24-hour period. A brief discussion followed. On a voice vote, the motion carried.

**Equalization and Apportionment - Agenda Items**  
**2019 County Equalized Values.**

Equalization Director Kennedy reviewed the process of arriving at equalized values, including land value, economic condition factor, appraisal, and sales studies. She discussed the assessor and Board of Reviews function in the process, and ultimately the role of county and state in establishing equalized value.

Kennedy went on to present the 2019 County Equalized Values. The total 2019 Equalized Value for the county is \$1,366,726,575 which is an increase of 1.45% over the County’s 2018 Equalized Value.

She explained that the values presented on the report are the basis for completing the State required forms which must be completed and sent to the State before the first Monday in May. The equalization process and the valuations presented were discussed in detail.

It was moved by Commissioner Egan, seconded by Commissioner Savoie, that the equalized values as presented by Equalization Director Kennedy, be adopted as reported and that all state-required forms regarding the same be completed and filed as required by statute.

On a voice vote, the motion was unanimously carried.

**2019 Tentative Taxable Values**

As an informational item, Equalization Director Kennedy also presented the TENTATIVE 2019 TAXABLE VALUES. She explained the capped value formula as it relates to taxable values and

Tribunal issues that affected this year's taxable value changes. It was explained that the county's projected tentative taxable value based on its equalized value is \$1,152,057,665, which is a projected increase of \$11,396,688 over the County's 2018 value. The total Tentative DNR taxable value for 2019 is \$18,288,294 which is an increase of \$428,446 over the DNR's 2018 taxable value. The final taxable values for the county will be calculated in May after preliminary State equalization occurs and after school operating exemption information has been provided by the local assessors.

It was moved by Commissioner Egan, seconded by Commissioner Martin, that the Tentative 2019 Taxable Values presented by Director Kennedy be accepted in the minutes.

On a voice vote, the motion was unanimously carried.

### **Truth in Taxation Public Hearing**

Director Kennedy reviewed the process of establishing the County's operating millage rates, the time table involved, and the necessity of holding a Truth in Taxation Public Hearing at the June 13<sup>th</sup> meeting of the County Board of Commissioners.

It was moved by Commissioner Egan, seconded by Commissioner Savoie, that the information presented be accepted into the minutes and that the Truth in Taxation Public Hearing be scheduled for the June 13, 2019 meeting of the County Board, and that Director Kennedy, as soon as the necessary data is certified and compiled, submit the pertinent information to the Administrator's Office and the Board so that the hearing may proceed within the deadlines established by law.

A discussion followed which included the importance of Ms. Kennedy's work. The Board applauded her efficiency and professionalism.

On a voice vote, the motion was unanimously carried.

It was moved by Commissioner Egan, seconded by Commissioner Savoie, to accept the Personnel, Equalization, Transportation, Health and Social Services meeting minutes of April 4, 2019, as presented. On a voice vote, the motion carried.

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

*Commissioner Martin, Chairman – April 4, 2019*

### **AGENDA ITEMS**

#### **Health Department – Audit FYE 9/30/2018 (Anderson, Tackman & Co)**

The Committee was updated on the progress of the Chippewa County Health Department's 9/30/2018 Audit; at this time due to some unanswered questions by the SOM; the Committee was requested to pass a motion that would allow Accountant Chuck Leonhardt, approve the release of the CCHD FY2018 to the SOM, once he is satisfied and to have Anderson, Tackman & Company present the audit at the next Finance, Claims, and Accounts meeting in May.

It was moved by Commissioner Martin, seconded by Commissioner Egan, to authorize Chuck Leonhardt to release the Chippewa County Health Department FYE 2018 audit to the State of Michigan, when he is satisfied with its completion and to have Anderson, Tackman & Company present the audit at the May Finance, Claims and Accounts meeting. On a voice vote, the motion carried.

### **Health Department – Fixed Food Policy 903**

The Committee reviewed the previously updated Fixed Food Policy 903; to address non-profit organizations. It was suggested that non-profit organizations be given a 25% discount for Policy 903. Discussion and examples of increases were discussed, as well as, the Committee's future reviews of policies.

It was moved by Commissioner Martin, seconded by Commissioner McLean, to update the Fixed Food Policy 903, to include a 25% discount for all non-profit organizations. On a voice vote, the motion carried.

### **Public Defender – MIDC – Indigent Defense Budget 10/1/2019 to 9/30/2020**

Chief Public Defender Jennifer France presented to the Committee an overview of the proposed Indigent Defense System Budget, which is due April 30<sup>th</sup>, the overview included a PowerPoint presentation, showing the changes between the prior year and upcoming budget. Ms. France reviewed her prior year case numbers; she discussed a pilot program for case management; her overflow cases (currently five (5) additional attorneys on contract); she covered supplies/services, training/travel/ equipment; contractual services for experts, investigators and attorneys' and the personnel and fringe benefits. Dialogue between the Committee and Ms. France continued with many questions about the grant, policies and the requirements; as Ms. France had indicated huge increases in pay through the Indigent Defense Grant; based on the numbers Ms. France would be the highest paid employee other than the Judges. The Committee continued with the discussion until a tabling motion was presented; as too many questions were still outstanding.

Chairman Shackleton explained; it was tabled, but we do have before us the option tonight of approving a new budget which is basically the same as last years. He called upon the Administrator to provide more information.

Mr. German reported that the Board does not have to table this issue as attorney Steve Cannello has provided legal advice. He referenced the sheet with the orange highlights, is what we want to present. (*see attached*) He explained that he and Kelly still have to fill in the totals for the Deputy PD and the Assistant PD because Mr. Casey is being promoted to the Deputy Public Defender that's paid for by the county, and there still has to be a position hired in his position that will be paid for by the state, with the state grant. The raises, that raised concerns, have all been taken out with the exception of the 1% the county gave all employees. The salary and fringes will need to be verified. He suggested, instead of having another meeting, the commission approve this Indigent Defense System budget for the year October 1, 2019, to September 30, 2020, after Kelly and himself go over the final facts and figures and get everything down to the penny. He added; this is nothing like what was presented to you last time.

It was moved by Commissioner McLean, seconded by Commissioner Egan, to adopt this revised Indigent Defense Budget, as explained, and include specifically the verification by Kelly and Jim relative to the numbers.

On a voice vote, the motion carried, with Commissioner Savoie voting Nay.

### **Public Defender – Private Investigator Service Agreement**

The Committee was asked to approve a Private Investigator Service Agreement retroactively between the Public Defender's Office and Hill Investigations PLLC; for services to be provided and paid for from the MIDC Grant.

It was moved by Commissioner Martin, supported by Commissioner McLean, to approve the Private Investigator Service Agreement retroactively between the Public Defender and Hill Investigations PLLC. Discussion followed; with regards to County Policy being followed. Commissioner McLean clarified, "Just so I understand what we're voting on here, if we vote no, then we go out for bids to bring us in compliance with our policy and the state policy and proceed from there."

Chairman Shackleton suggested that if this fails the appropriate thing to do is to follow up with a motion authorizing the RFP's to be allowed.

On a voice vote, the motion Failed, with all Commissioners voting Nay.

It was moved by Commissioner McLean, seconded by Commissioner Savoie, to proceed along the lines that were explained and to go out for RFP's for private investigative service for the Public Defender's Office. A discussion followed.

On a voice vote, the motion carried.

#### **Central Dispatch – 2017 Stonegarden Grant Purchase 7 Motorola APX 4500 Radios**

##### **Central Dispatch – Release RFP VHF Portable Radios**

The Committee reviewed two items from Central Dispatch. The first being to approve the purchase of seven (7) Motorola APX 4500 mobile radios with 2017 Operation Stonegarden Grant funds at the price of \$3,219.50 each from Motorola, using the Michigan contract bid pricing. The next request was to release an RFP to purchase forty (40) Motorola XPR3500e portable 2-way radios with paging capability, for local fire departments using Title III funds.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to approve the purchase of seven (7) Motorola APX 4500 mobile radios, at the price of \$3,219.50 per radio, total not to exceed \$22,536.50 from 2017 Stonegarden Funds and to release the RFP seeking bids to purchase forty (40) Motorola XPR3500e portable 2-way radios per bid specifications utilizing Title III funds. Commissioner McLean complimented Central Dispatch for all that they do relative to Stonegarden. He indicated the money that they've asked for has gone to really good use.

On a voice vote, the motion carried.

#### **Equalization – Motion regarding missed date requirement**

The Committee was requested to pass a motion acknowledging a statutory requirement that the County Board of Commissioners meet for an Equalization Session on or before the Tuesday following the second Monday in April, and note that the Committee as the Board's representatives have reviewed and approved the Equalization Report as of April 4, 2019.

It was moved by Commissioner Martin, seconded by Commissioner McLean, acknowledging the statutory date requirement and that the Committee as the Board's Representatives have reviewed and approved the Equalization Report presented by Equalization Director Sharon Kennedy on April

4, 2019; and that the full Board will take the information into consideration and act on the issue at its Regular meeting to be held on April 11, 2019. A brief discussion followed. On a voice vote, the motion carried.

### **Surveyor – 2019 Survey and Remonumentation Grant - \$125,755**

The 2019 Survey and Remonumentation Grant from the Office of Land Surveying and Remonumentation was approved at the December 20, 2018, Commission meeting; in the amount of \$110,755 with Chippewa County contributing \$15,000 for total FY2019 project amount of \$125,755. Before the Committee, is the contracts for the 2019 Remonumentation Program which include:

- \$24,605 for William L. Karr, PS, Chippewa County Surveyor to oversee administration
- \$44,800 for Rogers Land Surveying to complete 28 corners
- \$14,400 for Sidock Group to complete 9 corners,
- \$17,600 for Alpine Engineering to complete 11 corners,
- \$9,000 for William L. Karr, Chippewa County Surveyor to perform monument maintenance, and
- \$4,800 divided among six Peer Review Professional Surveyor: Jeff Davis, P.S., Great Lakes Surveying; Neil Hill, P.S., Mackinac Country Land Surveying; Erik Lewicki, P.S., Foresight Land Surveying; Ginger L. Michalski-Wallace, P.S., Alpine Engineering; Larry Rogers, P.S., Rogers Land Surveying and Lawrence Weinreis, P.S., M.D.O.T.; all the documents need to be approved and authorized for signature by the Committee.

It was moved by Commissioner Martin, seconded by Commissioner Egan, to approve the Program Representative contract in the amount of \$24,605 for William L. Karr, PS, Chippewa County Surveyor; to approve three Monumentation contracts one for \$44,800 for 28 corners to Rogers Land Surveying, another for \$14,400 for 9 corners to Sidock Group, and \$17,600 for 11 corners to Alpine Engineering; approve one Maintenance Monumentation contract in the amount of \$9,000 for William L. Karr, P.S., Chippewa County Surveyor and to approve six Professional Service Agreements for the Peer Review Surveyors, total not to exceed \$4,800 for the following Surveyors: Jeff Davis, P.S., Great Lakes Surveying; Neil Hill, P.S., Mackinac Country Land Surveying; Erik Lewicki, P.S.; Foresight Land Surveying; Ginger L. Michalski-Wallace, P.s., Alpine Engineering; Larry Rogers, P.S., Rogers Land Surveying and Lawrence Weinreis, P.S., M.D.O.T. 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 Savoie, to recommend the approval of March bills and payroll as follows: the general claims totaling \$274,003.07, other fund claims \$346,062.79, payroll \$738,798.40, Health Department claims \$232,530.20 and Health Department payroll \$181,229.31 total claims \$1,772,624.03 and vouchers H-1 through H-265. On a voice vote, the motion carried.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to accept the Finance Claims and Accounts meeting minutes of April 4, 2019, 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 indicated that he noticed recently in the news that the Resolution the Board passed about a month ago relative to drug prices, that Congress is holding hearings and checking into the matter and that he hoped that their Board had some impact on it. He also suggested that the Resolution regarding the Mining Bill be brought forward to next month's meeting for consideration, as such seems like a common sense approach to a large issue.
- Commissioner Savoie stated that in December or January the County Board dealt with the vaping issue and he saw that it's made national news; hopefully we're going to make progress with that issue.
- Commissioner McLean commented on the good outcome concerning the incident out in Paradise, at both Tahquamenon Falls, and out on the Bay. This incident shows the professionalism that the Chippewa County Sheriff's Department has, and how well the whole county worked together. We could have had two horrific outcomes; but, because they were properly equipped, professionally trained and well-led, we had an outcome as good as you could expect. He indicated; the Sheriff should be commended.
- Commissioner Egan added; it was great to see how the Sheriff's Department handled that. He also noted that he thought, it was really amazing they were able to do something with the distracted driving incident that was out near Gaines Highway.
- Chairman Shackleton reported on a meeting he, Commissioner Egan and Mr. German attended with Senator Wayne Schmidt.
- Chairman Shackleton also communicated that the problem that the Board is having regarding the pay scale for the Public Defender's office is that the State of Michigan through the Michigan Indigent Defense counsel wants to impose a state pay scale into a county department. This scale does not address the implications that this would have on other county departments.
- Commissioner Mclean announced that the Ice breaking operations worked perfectly this year.

Having completed the Agenda items, it was moved by Commissioner Savoie, seconded by Commissioner Egan to adjourn. The Board adjourned at 5:26 p.m. On a voice vote, the motion carried.

Respectfully submitted,

Catherine C. Maleport, Clerk

Scott Shackleton, Chairman