

**CHIPPEWA COUNTY
BOARD OF COMMISSIONERS**

Regular Session
August 13, 2018

The Chippewa County Board of Commissioners met in regular session on Monday, August 13, 2018 in the 91st District Courtroom of the Chippewa County Building.

Chairman Scott Shackleton called the meeting to order at 2:04 p.m. The Pledge of Allegiance to the Flag of the United States of America was recited.

Present: Commissioners Jim Martin, Don McLean, Robert Savoie, Chairman Scott Shackleton and Connor Egan (*arrived at 2:16 p.m.*)

Absent: None

Also Present: Chippewa County Sheriff Mike Bitnar, Scott Brand, Tim Moher, Lana Forrest, Jim Traynor, Chief Public Defender Jennifer France, Administrator Jim German and Tammy Schroeder, Chief Deputy 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 Savoie, seconded by Commissioner McLean, to approve the regular Board meeting minutes of July 16, 2018 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 Martin, 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 regarding the Sugar Island Ice Breaking Committee that was formed at the July Board meeting. Among some of the comments were the following:
 - Tim Moher was elected Chairman
 - Jennifer McLeod was elected Vice Chair
 - The Memorandum of Understanding that was signed by EUPTA and the Coast Guard has been cancelled by EUPTA at their Board meeting which took place on

August 7, 2018.

- EUPTA will now work with Sugar Island, Neebish Island, Sault Tribe of Chippewa Indians, Bay Mills Indian Community, the City of Sault Ste. Marie, and the County of Chippewa within the committee that was formed.

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

OLD BUSINESS – Department of Veterans Affairs Committee Appointment.

Chairman Shackleton noted that the sole application they received for the Veterans Affairs Committee was very impressive, but it has been determined that he is not a Chippewa County resident. A discussion followed which yielded the consensus that, although all were very impressed with the application, they were not comfortable appointing a Mackinac County resident to a Chippewa County Board.

It was moved by Commissioner McLean, seconded by Commissioner Savoie, to re-advertise the position for appointment to the Department of Veterans Affairs Committee. On a voice vote, the motion carried.

NEW BUSINESS

A) Resolution 18-18 – Opposing House Bill 6049 and Senate Bill 1025

It was moved by Commissioner McLean, seconded by Commissioner Martin, to approve Resolution 18-18 as follows:

**RESOLUTION NO. 18-18
OPPOSING HOUSE BILL 6049 AND SENATE BILL 1025**

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

WHEREAS, HB6049/SB 1025 will impose a huge financial burden on Chippewa 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 Chippewa County at odds with its local units of government by requiring the County 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 BOR’s 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 reducing the standing of local units of government with their own constituents; and

WHEREAS, there are no guarantees that quality education will be available locally or even regionally to allow for the increased certifications 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 inadequate assessing practices, not levels of certification. The solution lies in appropriate oversight of assessors by the State Tax Commission, not simply imposing increased educational requirements that may be impossible to achieve, may not be relevant to the needs of the local unit, and will not eliminate inadequate assessing practices; a common sense approach should be encouraged and supported by the State Tax Commission and

WHEREAS, Chippewa 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; and

NOW, THEREFORE BE IT RESOLVED, that the Chippewa County Board of Commissioners hereby opposes HB 6049/SB 1025 and asks that it be referred back to the House Tax Policy Committee and the Senate Finance Committee until the funding issues and other problems identified above can be properly addressed.

BE IT FURTHER RESOLVED, that this resolution will be forwarded to all counties in Michigan, Michigan House Representatives Lee Chatfield, Senator Wayne Schmidt and Governor Rick Snyder.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

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

Nays: None

RESOLUTION 18-18 WAS DECLARED ADOPTED

B) Resolution 18-19 – Opposing Senate Bill 1031, A bill to Amend 1893 PA 206, Entitles “The General Property Tax Act” (MCL 211.2 to 211.155 by Adding Section 9p)

It was moved by Commissioner Savoie, seconded by Commissioner Martin, to approve Resolution 18-19 as follows:

RESOLUTION NO. 18-19
OPPOSING SENATE BILL 1031, A BILL TO AMEND 1893 PA 206, ENTITLED
“THE GENERAL PROPERTY TAX ACT” (MCL 211.1 TO 211.155 BY ADDING SECTION
9P

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 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 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 Chippewa County and its local units, as it will not only reduce personal property tax revenue 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 Chippewa County Board of Commissioners does hereby oppose SB 1031.

BE IT FURTHER RESOLVED this resolution will be forwarded to all counties in Michigan, State Representative Lee Chatfield, State Senator Wayne Schmidt, Governor Rick Snyder, the Michigan Townships Association, the Michigan Municipal League and the Michigan Association of Counties.

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 18-19 WAS DECLARED ADOPTED

C) Resolution 18-20 – 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.

It was moved by Commissioner McLean, seconded by Commissioner Martin, to approve Resolution 18-20 as follows:

RESOLUTION NO. 18-20

**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 Chippewa on behalf of the 91st District Court and the 50th Circuit Court). Which requires creation of a separate fund within the local chart of accounts; and

WHEREAS, the MIDC is receiving grant application 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 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 Chippewa County Board of Commissioners determines that this is an important service and source of funding for defendants in criminal case who do not have the ability to afford an attorney or legal services in the 91st District Court and 50th Circuit Court.

NOW, THEREFORE BE IT RESOLVED that the Chippewa County Board of Commissioners hereby resolves that the Chippewa County Administration 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 MIDC-related costs to this fund.

BE IT FURTHER RESOLVED that all funds received through the MIDC 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 carry over to the next year to be used for future compliance expenditures.

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 18-20 WAS DECLARED ADOPTED

STANDING COMMITTEE REPORTS

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

Commissioner Egan, Chairman – August 9, 2018

AGENDA ITEMS

MIDC

A discussion took place on creating two new public defender positions; an assistant public defender and a legal assistant. They would be paid for by the State under the Michigan Indigent Defense Grant.

It was moved by Commissioner Egan, seconded by Commissioner Savoie, to create two new positions in the Public Defender's Office, an assistant public defender and a legal assistant to be paid for with the State MIDC grant at the starting wage. It was noted that this is a funded mandate for the time being. On a voice vote, the motion carried.

It was moved by Commissioner Egan, seconded by Commissioner McLean, to accept the August 9, 2018 Personnel, Equalization and Apportionment, Transportation and Health and Social Services Committee meeting minutes, as presented. On a voice vote, the motion carried.

FINANCE, CLAIMS AND ACCOUNTS COMMITTEE MEETING MINUTES

Commissioner Martin, Chairman – August 9, 2018

AGENDA ITEMS

Health Department –Preliminary 2019 Budget

The Committee reviewed the preliminary 2019 Health Department budget presented by Chuck Leonhardt, several questions and concerns were addressed and the Committee will be asked to approve a final budget at the September meeting.

HD – Retirement System Waiver Application Form 5584 – Approve Application for Waiver and Plan

The Committee reviewed the necessary application to the Michigan Department of Treasury Form 5584, as the Chippewa County Health Department's Retiree Healthcare Plan does not meet the standards established by the SOM. The Retirement Plan is only funded at 20% and needs to be at 40%; policy changes have been made and the HD is funding the current retirees plus 5.25% of the annual wages, which is approximately \$125,000 annual to the Plan.

It was moved by Commissioner Martin, seconded by Commissioner Egan, to approve Form 5584 regarding Protecting Local Government Retirement and Benefits Act; Application for Waiver and Plan for the CCHD Retirement Healthcare Plan. A Discussion followed. On a voice vote, the motion carried.

Health Department – Family Planning Program New Policies

The Committee reviewed policies for Clinical Procedures 4.05.020 – Animal Bite/Rabies Investigation and Children's Special Health Care Services 8.00.025 – CSHCS Annual Report.

It was moved by Commissioner Martin, seconded by Commissioner McLean, to approve the new policies as presented Clinical Procedures 4.05.020 – Animal Bite/Rabies Investigation and Children's Special Health Care Services 8.00.025. On a voice vote, the motion carried.

Health Department – Autoclave purchase - \$6,914.99 via family planning budget

The Committee reviewed the purchase of this necessary equipment to sterilize equipment in the family planning clinics. The specialty item will be purchased from Henry Schien Company.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to approve the purchase of the autoclave equipment at a price not to exceed \$6,914.99 from the Henry Schien Company and paid from the family planning budget. On a voice vote, the motion carried.

Information Systems – Bid Summary – Six Microsoft Surface Pro 4 Tablets and Accessories

The Committee reviewed the eight bids and pricing for the six (6) Microsoft Surface Pro 4 Tablets with Accessories. Information Systems is recommending the lowest bid proposal from Insight Public Sector in the amount of \$7,173.12 and valid until September 26, 2018.

It was moved by Commissioner Martin, seconded by Commissioner Egan, to approve the purchase of Six (6) Microsoft Surface Pro 4 Tablets with Accessories, from Insight Public Sector, Inc., who had the lowest bid of \$7,173.12. On a voice vote, the motion carried.

Information Systems – DS Tech Service Agreement – Server Hosting and Network Services

The Committee reviewed the renewal of the contract between Chippewa County and DS Tech which provides Server Hosting and Network Services, the term of the contract is 60 months, at the cost of \$540 per month, plus applicable fees and taxes.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to approve the 60 month contract between DS Tech and Chippewa County for Server Hosting and Network Services as presented, at a cost of \$540 per month plus applicable fees and taxes. On a voice vote, the motion carried.

Sheriff Department – Jail – Physician Staffing Enhancement following ICE Audit - \$724.58/month

The Committee reviewed a request from the Chippewa County Jail to add additional physician's services to the Correctional Healthcare Companies (CHC) contracts due to a recent ICE audit.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to authorize the additional 0.5 hours (0.0125 FTE) per week of Physician services at a monthly cost of \$724.58 (\$8,694.96 annually) to the CHC contract. On a voice vote, the motion carried.

Office of Emergency Services – Title III Establish Fund

The Committee reviewed a request to establish a special fund for Title III funds, for easier tracking of these funds

It was moved by Commissioner Martin, seconded by Commissioner McLean, to authorize administration to establish a new special fund for Title III monies. On a voice vote, the motion carried.

Treasurer – Annual Report of Balance in Land Sale Proceeds Account

The Committee received and reviewed the Annual Report of Balance in Land Sale Proceeds Accounts provided by County Treasurer Margie Hank, in accordance with MCL 211.78m (8)(h).

It was moved by Commissioner Martin, seconded by Commissioner Egan, to accept and approve the Annual Report of Balance in Land Sale Proceeds Accounts, as presented with the amount available to transfer of \$122,876.30 to the general fund by 12/31/2017. On a voice vote, the motion carried.

Administration – Supplemental Animal Control Services w/City of Sault Ste. Marie renewal

The Committee reviewed the Contract for Supplemental Animal Control Services between the County and the City of Sault Ste. Marie which is a renewal, with no changes from the previous contract.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to approve the renewal of the Contract for Supplemental Animal Control Services between the County and the City of Sault Ste. Marie. This is a two year contract in which the County will receive \$1,300.00 per month for providing the services, as detailed. 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 July bills and payroll as follows: General claims totaling \$388,756.89, other fund claims of \$309,604.15, payroll of \$487,454.58, Health Department claims of \$395,577.76 and Health Department payroll of \$209,192. Total claims of \$1,790,585.82 and vouchers H-1 through H-279. 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 meeting minutes of August 9, 2018 as presented. On a voice vote, the motion carried.

COMMISSIONER REPORT ON MEETINGS AS BOARD REPRESENTATIVE AND
GENERAL COMMENTS

Commissioner McLean reported on the following:

- The Upward Talent Counsel meeting he attended. He noted that this is the new name for Michigan Works.
- The EDC Asbestos abatement assessment agreement process in Kincheloe.
- Follow up meeting with Representative Chatfield.

Having completed the agenda items; it was moved by Commissioner Savoie, seconded by Commissioner Martin to adjourn. The Board adjourned at 2:37 p.m.

Respectfully submitted,

Catherine C. Maleport, Clerk

Scott Shackleton, Chairman