

Approved as corrected, 11-17-15

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING  
November 3, 2015**

Escanaba, Michigan

A Regular meeting of the Delta County Board of Commissioners was held this date, pursuant to the following call:

October 29, 2015

The Honorable Members of the Delta  
County Board of Commissioners

Dear Commissioners:

A Regular Meeting of the Delta County Board of Commissioners is scheduled for Tuesday November 3, 2015, at 5:15 p.m. in the Boardroom of the Delta County Service Center.

Sincerely yours,  
Nancy J. Kolich  
Delta County Clerk

ROLL CALL

PRESENT: Commissioners Harrington, Johnson, Malnar, Moyle, and Rivard.

EXCUSED: None.

The meeting was called to order at 5:15 p.m. in the Boardroom of the Delta County Service Center of the Delta County Courthouse by Delta County Clerk, Nancy Kolich.

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by Commissioner Moyle and seconded by Commissioner Johnson to approve the minutes of the October 20, 2015 meeting as corrected. MOTION CARRIED.

VI. APPROVAL OF AGENDA

Moved by Commissioner Johnson and seconded by Commissioner Malnar to approve the agenda as presented. MOTION CARRIED.

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

- A. Received: 1. Letter from Heritage Garden Wind Farms.  
2. Letter from Belinda Collins.

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- B. Forwarded:
1. Letter to UP State Fair Authority.
  2. Letter to William Charon.
  3. Letter to Dennis Wiltzius.
  4. Letter to Tom Pairolero.
  5. Letter to John Winneroski.
  6. Letter to Tom Trudgeon.
  7. Letter to Vicki Schwab.
  8. Letter to Will Carne Jr.
  9. Letter to Harold Schermer.
  10. Letter to Michael Parrett.
  11. Letter to Margaret Carignan.
  12. Letter to Sharyn Caszatt.
  13. Letter to Russell Nelson.

VIII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

1. CAA/HRA Board minutes of 9-10-15.
2. Concealed Weapons Board minutes of 9-15-15
3. Human Services Board minutes of 9-21-15.
4. Solid Waste Management minutes of 9-22-15.
5. Pinecrest Board of Trustees minutes 8-27-15, 9-23-15.
6. Central Dispatch minutes of 10-14-15.

VIII. REPORTS OF SPECIAL COMMITTEES AND OTHERS.

Moved by Commissioner Rivard and seconded by Commissioner Malnar that the Communications and Reports of Standing and Statutory Committees and the Reports of Special Committees and Others be received and placed on file. MOTION CARRIED.

VIII. PUBLIC COMMENT ON AGENDA ITEMS

**Public Hearing on the Proposed Amendments to the Zoning Ordinance (Text Changes to Wind Turbine Wording).**

Moved by Commissioner Moyle and seconded by Commissioner Malnar to open the Public Hearing at 5:18 p.m. MOTION CARRIED.

Rory Mattson, Delta County Conservation District, addressed the Board with his concerns regarding the Wind Turbine Ordinance.

Diane Hanson, Hiawathaland Farm Bureau, addressed the Board with her concerns regarding farmers and the Garden Wind Turbines.

Marilyn Kinsey, Delta County EDA, addressed the Board with her concerns regarding the Garden Wind Turbines.

Jon Haindl, Big Bay de Noc School District, addressed the Board with his concerns regarding the Garden Wind Turbines.

Dave Nelson, Masonville Township, addressed the Board with his concerns regarding the Garden Wind Turbines.

Benny Herioux, Chairman Planning Commission, addressed the Board with his concerns regarding the Wind Turbine Ordinance.

Rick Wilson, Traverse City, Heritage Wind Farms, addressed the Board with his concerns regarding the Garden Wind Turbines.

Morgan Tatrow, Garden Township, addressed the Board with his concerns regarding the Garden Wind Turbines.

Ron Collins, Fayette, addressed the Board with his concerns regarding the Garden Wind Turbines.

Jim Dalgord, Fayette, addressed the Board with his concerns regarding the Garden Wind Turbines.

Vicki Schwab, Delta County EDA, addressed the Board with her concerns regarding the Garden Wind Turbines.

Michelle Goldi, Garden Township, addressed the Board with her concerns regarding the Garden Wind Turbines.

Tracy Sommer, Garden Township, addressed the Board with her concerns regarding the Garden Wind Turbines.

Bill Goldi, Garden Township, addressed the Board with his concerns regarding the Wind Turbine Ordinance.

Pat Yaeger, Garden Township, addressed the Board with her concerns regarding the Garden Wind Turbines.

Scott Lucas, Garden Township, addressed the Board with his concerns regarding the Wind Turbine Ordinance.

Marlene Winter-Johnson, Garden Township, addressed the Board with her concerns regarding the Garden Wind Turbines.

John Gavre, Garden Township, addressed the Board with his concerns regarding the Wind Turbine Ordinance.

Cristi Currie, Garden Township, addressed the Board with her concerns regarding the Garden Wind Turbines.

Tom Butch, Delta County EDA, addressed the Board with his concerns regarding the Garden Wind Turbines.

Dave Gembel, Fayette, addressed the Board with his concerns regarding the Wind Turbine Ordinance.

Nicole Young, Garden Township, addressed the Board with her concerns regarding the Garden Wind Turbines.

Robert Barron, Escanaba Township, addressed the Board with his concerns regarding the Garden Wind Turbines.

Anna LaBuet, Garden Township, addressed the Board with her concerns regarding the Garden Wind Turbines.

Allen Kestraba, Traverse City, Heritage Wind Farms, addressed the Board with his concerns regarding the Garden Wind Turbines.

Laurie Gembel, Fayette, addressed the Board with her concerns regarding the Garden Wind Turbines.

Jake Nyquist, Escanaba Township, addressed the Board with his concerns regarding the Garden Wind Turbines.

Tyler Lucas, Garden Township, addressed the Board with his concerns regarding the Wind Turbine Ordinance.

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Moved by Commissioner Moyle and seconded by Commissioner Johnson to close the Public Hearing at 6:32 p.m. MOTION CARRIED.

**Public Hearing on the Establishment of a PACE Program and District.**

Moved by Commissioner Rivard and seconded by Commissioner Moyle to open the PACE Public Hearing at 6:32 p.m. MOTION CARRIED.

Moved by Commissioner Moyle and seconded by Commissioner Johnson to close the Public Hearing at 6:35 p.m. MOTION CARRIED.

X. COMMITTEE REPORTS:

1. Administrator's Report.

2. Jail Committee minutes of 10-29-15.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to receive the Jail Committee minutes of 10-29-15 and place on file. MOTION CARRIED.

3. Personnel Committee minutes of 11-3-15.

2. Veteran's Affairs Position.

Moved by Commissioner Moyle and seconded by Commissioner Johnson to accept the Veteran's Affairs Position job description as presented. MOTION CARRIED.

Moved by Commissioner Moyle and seconded by Commissioner Johnson to approve the interview committee to include Administrator Bergman, Michael Bushon, 2 Veteran's Affairs Directors from other counties, Commissioner Rivard as a Veteran and Board representative with the County paying for mileage and lodging if necessary. MOTION CARRIED.

3. Retirement of Director of Maintenance.

The Director of Maintenance, Steve Carlson, will be retiring IN December.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to receive the Personnel minutes of 11-3-15 and place on file. MOTION CARRIED.

X. GENERAL ORDERS OF BUSINESS

A. UNFINISHED BUSINESS

1. Jail.

a. Jail Planner RFP.

Moved by Commissioner Malnar and seconded by Commissioner Rivard to approve the RFP, as presented. The RFP's will be opened December 7, 2015. MOTION CARRIED.

2. Wind Turbine.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to reject all the zoning amendment language adopted at the October 20<sup>th</sup> meeting.

ROLL CALL	MALNAR	YES
	JOHNSON	YES
	MOYLE	YES
	RIVARD	NO
	HARRINGTON	YES

MOTION CARRIED.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to change the amendment to the Zoning Ordinance, 76-2 regarding wind turbine setbacks to 2 times the height of the turbine from the leased boundary line in Residential zoned districts.

ROLL CALL	MALNAR	YES
	JOHNSON	YES
	MOYLE	YES
	RIVARD	YES
	HARRINGTON	YES

MOTION CARRIED.

Moved by Commissioner Johnson and seconded by Commissioner Harrington to change the amendment to the Zoning Ordinance, 76-2 regarding wind turbine setbacks from State Parks to 1.5 times the height of the turbine.

ROLL CALL	MALNAR	YES
	JOHNSON	YES
	MOYLE	YES
	RIVARD	YES
	HARRINGTON	YES

MOTION CARRIED.

Moved by Commissioner Malnar and seconded by Commissioner Harrington to change the amendment to the Zoning

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Ordinance, 76-2 regarding wind turbine setbacks from Roadways and Rightaways to 1.1 times the height of the turbine.

ROLL CALL	MALNAR	YES
	JOHNSON	YES
	MOYLE	YES
	RIVARD	NO
MOTION CARRIED	HARRINGTON	YES

Moved by Commissioner Johnson and seconded by Commissioner Harrington to change the amendment to the Zoning Ordinance, 76-2 regarding wind turbine setbacks in Agricultural Districts to 1.5 times the height of the turbine from the non-participating lease line.

ROLL CALL	MALNAR	NO
	JOHNSON	YES
	MOYLE	NO
	RIVARD	NO
	HARRINGTON	NO

MOTION FAILED.

Moved by Commissioner Moyle and seconded by Commissioner Johnson to hold a Committee of the Whole joint session with the Planning Commission, the Building and Zoning Director and the Administrator and the public. MOTION CARRIED.

Moved by Commissioner Harrington and seconded by Commissioner Johnson to hold the meeting with the Planning Commission on Tuesday November 10 at 6:00 p.m. in the conference room of the Service Center.

ROLL CALL	MALNAR	YES
	JOHNSON	YES
	MOYLE	YES
	RIVARD	YES
	HARRINGTON	YES

MOTION CARRIED.

## B. NEW BUSINESS

### 1. Payment of Bills.

Moved by Commissioner Moyle and seconded by Commissioner Johnson to approve payment of the bills in the amount of \$1,864,976.32 and Commissioners expenses of \$767.23. MOTION CARRIED.

2. Building and Zoning Vehicle.

Moved by Commissioner Rivard and seconded by Commissioner Moyle to authorize the purchase of a 4 wheel drive vehicle for Building and Zoning from the Building and Zoning Fund. MOTION CARRIED.

3. Property Assessed Clean Energy Bill.

Moved by Commissioner Harrington and seconded by Commissioner Moyle to to adopt the Resolution Establishing ~~move forward with~~ the PACE (Property Assessed Clean Energy ~~Bill~~ Program in Delta County, as presented. MOTION CARRIED.

XII. PUBLIC COMMENT

Janet Daasch, Garden Township, addressed the Board with her concerns regarding the Wind Turbine Ordinance.

Benny Herioux, Chairman Planning Commission, addressed the Board with his concerns regarding the Wind Turbine Ordinance.

XIII. COMMISSIONERS CONCERNS

Commissioner Johnson: It's a process.

Commissioner Malnar: None.

Commissioner Moyle: Has listened to everyone, can call him at 906-235-8427.

Commissioner Rivard: None.

Commissioner Harrington: It's been a difficult process.

XIV. MEETING SCHEDULE

November 17 <sup>th</sup>	5:15 p.m.	Board meeting.
November 23 <sup>rd</sup>	1:00 p.m.	Building and Grounds meeting.
December 1 <sup>st</sup>	5:15 p.m.	Board meeting.
December 15 <sup>th</sup>	5:15 p.m.	Board meeting.

XV. NOTICES

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30 day Notice of Appointments.

XVI. ADJOURNMENT

Moved by Commissioner Johnson and seconded by Commissioner Moyle to adjourn at 8:26 p.m.

Respectfully Submitted,

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Nancy J. Kolich, County Clerk

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Mary K. Harrington, Chairperson