

Approved 4-12-22  
As corrected on 4-19-22

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING**  
**April 5, 2022**

Escanaba, Michigan

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

March 31, 2022

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 April 5, 2022, at 5:15 p.m. in the Boardroom of the Delta County Service Center.

Sincerely yours,  
Nancy J. Przewrocki  
Delta County Clerk

ROLL CALL

PRESENT: Commissioners Malnar, Johnson, Nelson, Moyle, and Barron.

ABSENT: None.

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

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by Commissioner Moyle and seconded by Commissioner Barron to approve the minutes of the March 15, 2022 meeting. MOTION CARRIED. Moved by Commissioner Moyle and seconded by Commissioner Barron to approve the Committee of the Whole minutes of the March 28, 2022 meeting. MOTION CARRIED.

VI. APPROVAL OF AGENDA

Moved by Commissioner Moyle and seconded by Commissioner Barron to approve the agenda, as presented. MOTION CARRIED.

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

- A. Received:
1. Letter from Escanaba Public Library.
  2. Letter from Pathways.
  3. Resolution from Grand Traverse County(2).
  4. Resolution from Iron County.

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- B. Forwarded:
1. Letter to Liza Plourde.
  2. Letter to Jesse DeBacker.
  3. Letter to Joshua Syverson.
  4. Letter to Julie Moker.

VIII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

1. CAA/HRA minutes of 11-11-21, 1-13-22.
2. Airport Advisory Board minutes of 1-10-22, 2-14-22.
3. Public Health minutes of 1-11-22, 2-8-22.
4. Solid Waste Authority minutes of 1-25-22.
5. Pinecrest Board minutes of 1-27-22, 2-24-22.
6. Human Services minutes of 1-27-22, 2-24-22.
7. Central Dispatch minutes of 2-9-22, 3-9-22.

1. Township Association minutes of 10-28-21.

Moved by Commissioner Malnar and seconded by Commissioner Moyle 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.

IX. PUBLIC COMMENT ON AGENDA ITEMS

Pete Dehaan, Baldwin Township, addressed the Board with his concerns regarding the Conservation District running the Parks.

Robert Van Damme, Baldwin Township, addressed the Board with his concerns regarding the Solar Ordinance - it's a \$200,000,000 project.

Greg Stevenson, Baldwin Township Supervisor, addressed the Board with his concerns regarding repealing the Zoning Ordinance causing the townships unnecessary hardships.

Rory Mattson, Escanaba Township and Cornell Township, addressed the Board with his concerns regarding the Zoning Ordinance - the Counties have no enforcement powers - only the cities and townships have enforcement powers.

Curtis Larsen, Bay de Noc Township and Planning Commission, addressed the Board with his concerns regarding repealing the Zoning Ordinance and members from townships covered in County Zoning.

Chris Williams, Ford River Township and Planning Commission Chair, addressed the Board with the zoning repeal and recommends that the Board outline specific concerns with the Solar Ordinance if they send it back to the Planning Commission.

Dan Hall, St. Nicholas, addressed the Board with his strong support of the solar project.

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Theresa Hall, St. Nicholas, addressed the Board with her concerns regarding the solar ordinance - solar farms will send electricity to 20,000 homes.

Dennis Maufort, Brampton Township Supervisor, addressed the Board with his concerns regarding repealing the Zoning Ordinance.

Tony Van Damme, Baldwin Township, addressed the Board with his concerns regarding the Solar Ordinance - solar farms will bring a lot of money to the township and county.

Tammy Hanson, Cornell Township, addressed the Board with her concerns regarding the Solar Ordinance. Has not received enough information about the project.

X. COMMITTEE REPORTS:

1. Administrator's Report.

Administrator DeSalvo gave the Board a verbal and written Administrator's report.

Moved by Commissioner Moyle and seconded by Commissioner Barron to receive the Administrator's Report and place on file. MOTION CARRIED.

2. Department Updates.

a. Airport:

b. Building and Maintenance: Cory Schroeder - projects at the Service Center are nearly complete, will be starting Airport project in front of terminal. Preventive maintenance program, will be bar coding equipment to make it easier to track preventative maintenance. Will be receiving information from a roofing supply company to put out an RFP for the courthouse roof.

c. Building and Zoning/Equalization: To clarify for the townships and public - zoning is optional for the townships and county - zoning is not required. Bad zoning is worse than no zoning and right now we have bad zoning.

d. Courts/Clerk & Register of Deeds/Prosecutor:

e. Emergency Management:

f. Parks and Recreation:

g. Sheriff's Department:

h. Treasurer's Office:

i. Veteran's Service Office:

j. Administration:

XI. GENERAL ORDERS OF BUSINESS

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A. UNFINISHED BUSINESS

1. Conflict of Interest Regarding Solar Ordinance.

Moved by Commissioner Moyle and seconded by Commissioner Nelson to table until the Ethics Committee receives more information.

2. Solar Ordinance.

Moved by Commissioner Moyle and seconded by Commissioner Barron to remove the property study and the 1.5 mile overlay from the Solar Ordinance.

ROLL CALL	MALNAR	YES
	NELSON	YES
	MOYLE	YES
	BARRON	YES
	JOHNSON	YES

MOTION CARRIED.

Moved by Commissioner Barron and seconded by Commissioner Moyle to table the Solar Ordinance. MOTION CARRIED.

3. Zoning Ordinance Repeal.

Moved by Commissioner Moyle and seconded by Commissioner Barron to schedule a Committee of the Whole meeting with the townships and MSUE to discuss the Zoning Ordinance Repeal including the costs of the County to continue zoning including updating zoning maps. MOTION CARRIED.

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Moyle and seconded by Commissioner Barron to pay bills in the amount of \$ 633,579.19 and Commissioners expenses of \$ 356.95.

ROLL CALL	MALNAR	YES
	NELSON	YES
	MOYLE	YES
	BARRON	YES
	JOHNSON	YES

MOTION CARRIED.

2. UP Detachment #444 Convention - Art Menard.

The Marine Corps will hold their state convention at the Island Resort and Casino on June 3, 4, 5, 2022. The Veterans Council will also be helping to get information out to veterans regarding services available in Delta County. A request was made for a \$1,000

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one-time donation from the County to cover refreshment expenses. A 2% Hannahville Grant was applied for and they are awaiting approval. Moved by Commissioner Moyle and seconded by Commissioner Malnar to send to the Finance Committee. MOTION CARRIED.

3. Out of County Travel - UPACC Conference.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to approve out of county travel for the Commissioner to attend the Upper Peninsula Association of County Commissioners Spring Conference at on May 5<sup>th</sup> and 6<sup>th</sup> at the Island Resort and Casino. MOTION CARRIED.

4. Retirement of J. Thibeault, Request for Lump Sum Payout and to Fill Corrections Lt. Position, Request for Overlap.

Moved by Commissioner Moyle and seconded by Commissioner Malnar retirement of J. Thibeault, request for lump sum Payout and to send a letter of appreciation for his service to Delta County and authorize filling the Corrections Lt. position and request for overlap up to four weeks. MOTION CARRIED.

5. Resignation of R. Herlik, Request for Lump Sum Payout and to Fill Corrections Position.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to resignation of R. Herlik, request for lump sum Payout and to send a letter of appreciation for his service to Delta County and authorize filling the corrections position. MOTION CARRIED.

6. Resignation of C. DeMenter, Request for Lump Sum Payout and to Fill Criminal Clerk and Account Clerk Positions and Overlap.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to approve a Lump Sum Payout as requested to C. DeMenter, send a letter of appreciation for her service to Delta County and authorize filling the Criminal Clerk and Account Clerk positions and 2 week overlap. MOTION CARRIED.

7. Attorney Fees.

Moved by Commissioner Moyle and seconded by Commissioner Barron to authorize the Treasurer to enter into a contract with attorney Lucas Middleton for civil litigations for foreclosures. MOTION CARRIED.

8. Communications Procedure for County Departments & Agencies.

No action taken.

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### XII. PUBLIC COMMENT

Robert Van Damme, Baldwin Township, addressed the Board with his concerns regarding the Solar Ordinance - thanked the Board.

Greg Stevenson, Baldwin Township Supervisor, addressed the Board with his concerns thanked them for listening and tabling.

Chris Williams, Ford River Township and Planning Commission Chair, addressed the Board with the Zoning and Building is in dire need of modernization, please take into consideration.

Rory Mattson, Escanaba Township and Cornell Township, addressed the Board with his concerns regarding the Solar Ordinance - thanked them for getting rid of two items. Can the current Solar Ordinance be put on the website and dated?

Joseph Kaplan, Ford River Township, addressed the Board with his concerns regarding the Solar Ordinance and wildlife.

Mike Lang, Fairbanks Township Supervisor, addressed the Board with his concerns regarding Zoning Ordinance repeal - would like at least

Kelli van Ginhoven, Bark River Township, addressed the Board and invited the public to participate in the Escanaba city wide clean up that will be held May 16 - 21, 2022.

Theresa Hall, St. Nicholas, addressed the Board with her concerns regarding the solar ordinance and property owners rights.

Dan Matthys, property owner in Maple Ridge, Baldwin and Escanaba Townships, addressed the Board with his concerns regarding the Solar Ordinance, has been an electrician for 40 years - all power comes off the grid.

Mary Van Damme, Baldwin Township, addressed the Board with her concerns regarding the Solar Ordinance.

Dan Hall, St. Nicholas, addressed the Board with his concerns regarding the Solar Ordinance.

### XIII. COMMISSIONERS CONCERNS

Commissioner Malnar: Thanked the people in the audience for coming out.

Commissioner Nelson: Pinecrest mediation will be held on April 13, hopes they get a contract settlement.

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Commissioner Moyle: Stated if the Planning Commission adopts a requirement to be within the townships being represented, he would comply and resign from the Planning Commission.

Commissioner Barron: Thankful for everyone who attended. He is a third generation farmer. Wildlife will adapt to the solar farms.

Commissioner Johnson: Thanked the audience. Apologized to Cory Schroeder for interrupting. 2/3 of the state is not county zoned.

#### XIV. MEETING SCHEDULE

April 11 <sup>th</sup>	9:30 a.m.	Finance Committee meeting Courthouse #222.
April 12 <sup>th</sup>	5:15 p.m.	Statutory meeting at Service Center & Zoom.
April 19 <sup>th</sup>	5:15 p.m.	Board meeting at the Service Center & Zoom.
May 3 <sup>rd</sup>	5:15 p.m.	Board meeting at the Service Center & Zoom.
May 17 <sup>th</sup>	5:15 p.m.	Board meeting at the Service Center & Zoom.

#### XV. NOTICES

30 day notice of appointments:

#### XVI. ADJOURNMENT

Moved by Commissioner Moyle and seconded by Commissioner Barron to adjourn at 7:40 p.m.

Respectfully Submitted,

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Nancy J. Przewrocki, County Clerk

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Patrick Johnson, Board Chair