

Approved 6-21-22

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING
June 14, 2022**

Escanaba, Michigan

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

June 9, 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 June 14, 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 Chief Deputy Clerk Susanne Dubord.

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by Commissioner Moyle and seconded by Commissioner Malnar to approve the minutes of the May 17, 2022 meeting. MOTION CARRIED. Moved by Commissioner Malnar and seconded by Commissioner Barron to approve the Committee of the Whole minutes of May 27, 2022 and table the Committee of the Whole minutes of June 10, 2022. MOTION CARRIED.

VI. APPROVAL OF AGENDA

Moved by Commissioner Moyle and seconded by Commissioner Malnar to approve the agenda, as amended, removing Unfinished Business Item 1. MOTION CARRIED.

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

A. Received: No communications were received.

B. Forwarded: No communications were forwarded.

VIII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

None.

IX. PUBLIC COMMENT ON AGENDA ITEMS

Bob Van Damme, Baldwin Township, questioned the need for both screening and set backs on solar ordinance that was posted online.

Tony Van Damme, Maple Ridge Township, echoed Bob Van Damme's comments.

Tim Barron, Maple Ridge Township, in regards to the Invenergy project, hoping for a resolution on the solar ordinance tonight.

Sam Heagney, Invenergy, is concerned about changing from permitted use to conditional use.

Theresa Hall, St. Nicholas, questioned the setbacks for solar panels being different than setbacks for buildings.

Christine Williams, Planning Commission Chair, June 7, 2022 version of the solar ordinance was passed unanimously by the Planning Commission. She also addressed setbacks and explained the differences between them and that they are standard in most solar ordinances.

Bob Peterson, Wells Township, commented on setbacks and stated that screening should be required by a neighbor who doesn't want to see the panels.

Rory Mattson, Cornell Township, in regards to set backs, none should be required if there is a screen installed. If there is no screen, then a setback should be required. Also spoke regarding removal of panels when useful life is done.

Dan Hall, Baldwin Township, also questioned the extra footage required for setbacks.

X. COMMITTEE REPORTS:

1. Administrator's Report.

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

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

2. Finance Committee minutes of 5-23-22, 6-13-22.

Moved by Commissioner Moyle and seconded by Malnar to receive the Finance Committee minutes of 5-23-22 and 6-13-22 and place on file. MOTION CARRIED.

3. Department Updates.

- a. Airport:
- b. Building and Maintenance:
- c. Building and Zoning/Equalization: Sandy Caron, Building and Zoning, reminded the Board that permitted use would allow the Zoning Administrator to have more control over solar permits, just like other county issued permits.
- 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

A. UNFINISHED BUSINESS

1. Removed.

2. Solar Ordinance.

Moved by Commissioner Barron and seconded by Commissioner Moyle to remove the 75 foot and 125 foot setback requirements from the proposed solar ordinance.

ROLL CALL	MALNAR	NO
	NELSON	NO
	MOYLE	YES
	BARRON	YES
	JOHNSON	YES

MOTION CARRIED.

Moved by Commissioner Malnar and seconded by Commissioner Nelson to accept the rest of the solar ordinance as presented.

ROLL CALL	MALNAR	YES
	NELSON	YES
	MOYLE	NO
	BARRON	NO
	JOHNSON	NO

MOTION FAILED.

Moved by Commissioner Moyle and seconded by Commissioner Johnson to strike out "less than four (4') feet below ground" from subparagraph C, part o, section ii of 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 strike conditional use and change to permitted use throughout the solar ordinance.

ROLL CALL	MALNAR	NO
	NELSON	NO
	MOYLE	YES
	BARRON	YES
	JOHNSON	YES

MOTION CARRIED.

Moved by Commissioner Moyle and seconded by Commissioner Barron to accept the solar ordinance as amended.

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

MOTION CARRIED.

3. Zoning Ordinance Repeal.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to form a committee comprised of Commissioner Malnar, Commissioner Barron and two township representatives, to research the costs to the townships to do their own zoning. MOTION CARRIED.

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to pay bills in the amount of \$ 0 and Commissioners expenses of \$ 1337.41.

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

MOTION CARRIED.

2. 2022 Taxable Value Reports.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to approve submission of the Taxable Valuations report for Delta County to the Michigan Department of Treasury, as presented. MOTION CARRIED.

3. 2022 Summer Tax Rate.

Moved by Commissioner Moyle and seconded by Commissioner Barron to approve submission of the 2022 Tax Rate Request, Millage Request Report, as presented. MOTION CARRIED.

4. Bid Opening - Building and Zoning Remodel.

Only one bid was received and it was from Roy Ness Contracting in the amount of \$11,940.00. Bid will be forwarded to Cory Schroeder, Maintenance Supervisor, for review.

5. Airport Grant Contract and Authorization - Expand Building and Acquire Snow Removal Equipment.

Moved by Commissioner Barron and seconded by Commissioner Malnar to approve Andrea Nummilien, Airport Manager, and Board Chair Patrick Johnson, to sign and submit the grant application. MOTION CARRIED.

6. MEI Contracts.

Moved by Commissioner Moyle and seconded by Commissioner Barron to accept the Medical Examiner Investigator Agreement as presented. MOTION CARRIED.

7. Resignation of Jennifer Harris, Request to Fill Part time Clerks Office Position.

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Moved by Commissioner Moyle and seconded by Commissioner Nelson to send a letter of thanks to Ms. Harris and fill the position. MOTION CARRIED.

8. Resignation of J. Budkis, Request for Lump Sum Payout and to Fill Friend of the Court Position.

Moved by Commissioner Moyle and seconded by Commissioner Nelson to send a letter of thanks, approve the lump sum payout, and fill the position. MOTION CARRIED.

9. Resignation of R. Hall, Request for Lump Sum Payout and to Fill Domestic Relations Referee Position.

Moved by Commissioner Moyle and seconded by Commissioner Nelson to send a letter of thanks, approve the lump sum payout and to fill the position. MOTION CARRIED.

10. Resignation of G. Chenier, Request for Lump Sum Payout and to Fill Corrections Position.

Moved by Commissioner Moyle and seconded by Commissioner Nelson to send a letter of thanks, approve the lump sum payout and to fill the position. MOTION CARRIED.

11. AFSME LOAs - Courts Holiday.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to accept and sign the Letter of Agreement regarding the Juneteenth Federal and State holiday with the 47th Circuit Court, 94th District Court and Delta County Probate Court chapters of Local #2755. MOTION CARRIED.

12. Update to Delta County Electronic Mail and Internet Access Policy.

Moved by Commissioner Malnar and seconded by Commissioner Moyle to approve the updated Delta County Electronic Mail and Internet Access Policy as presented. MOTION CARRIED.

13. Acting Prosecutor Wage Increase.

Moved by Commissioner Malnar and seconded by Commissioner Nelson to accept Administration's recommendation for setting the wage of Acting Prosecutor Lauren Wickman at \$113,044.29. MOTION CARRIED.

14. CAC EIFS Stucco.

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Moved by Commissioner Moyle and seconded by Commissioner Malnar to accept the Finance Committee's recommendation to replace the crumbling stucco on the Child Advocacy Center Building. MOTION CARRIED.

15. Attorney Contract for County Land Sale - Old Jail Property.

Moved by Commissioner Moyle and seconded by Commissioner Barron to retain the services of Cummings, McClorey, Davis & Acho, PLC to assist with the sale of the Old Jail Property. MOTION CARRIED.

16. Gregory Fey v Delta County Treasurer.

Moved by Commissioner Moyle and seconded by Commissioner Barron to disperse excess proceeds from foreclosure sale to Gregory Fey. MOTION CARRIED.

17. Ken and Shelly Rose v Delta County Treasurer.

Moved by Commissioner Moyle and seconded by Commissioner Barron to disperse excess proceeds from foreclosure sale to Ken and Shelly Rose. MOTION CARRIED.

18. Resolution Rulemaking on Wagner-Peyser Act Staffing.

Moved by Commissioner Moyle and seconded by Commissioner Nelson to approve the signing of the resolution opposing the proposed changes regarding Wagner-Peyser Act Employment Services and forward to the appropriate lawmakers. MOTION CARRIED.

19. Resolution Supporting SB1029/972/97/974.

Moved by Commissioner Moyle and seconded by Commissioner Barron to approve the resolution supporting SB1029/0972/0973/0974 as amended with correct SB numbers and forward to the appropriate lawmakers. MOTION CARRIED.

20. Road Patrol Budget.

Moved by Commissioner Malnar and seconded by Commissioner Nelson to approve the amended road patrol budget as presented. MOTION CARRIED.

XII. PUBLIC COMMENT

Sandy Caron, Building and Zoning, thanks to the Planning Commission for all their hard work in regards to the solar ordinance and thanks to the Board for their input.

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Rory Mattson, Cornell Township, in response to all the school shootings, suggested a millage to pay for school security officers for all Delta County schools.

XIII. COMMISSIONERS CONCERNS

Commissioner Nelson: Attended the last 911 Committee meeting and learned about their Critical Incident Stress Management (CISM) staff that helps our first responders deal with stress resulting from scenes they respond to. Encourages everyone to learn more and support CISM.

Commissioner Malnar: None.

Commissioner Johnson: Thanks to the Planning Commission for all their hard work and apologies for any public frustrations that were encountered during the process. Also likes the idea of a millage to support security staff and training in Delta County schools.

Commissioner Moyle: Seconds Commissioner Johnson's comments.

Commissioner Barron: Thanks for moving forward on the solar ordinance, it will be a positive for Delta County. Also, thanks to the Planning Commission for all their work.

Susanne Dubord: Delta County has amazing first responders. At a family emergency last year, everyone who showed up was very caring and respectful of the situation and CISM to help our first responder's cope with scenes such as that is very important.

Emily DeSalvo: CISM does a wonderful job supporting our first responders. Also, talks are already beginning with Doug Leisenring and the Delta Schoolcraft ISD in regards to school security options.

XIV. MEETING SCHEDULE

June 21st 5:15 p.m. Board meeting at the Service Center & Zoom.

July 5th 5:15 p.m. Board meeting at the Service Center & Zoom.

July 19th 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 7:15 p.m.

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Respectfully Submitted,

Susanne Dubord, Chief Deputy Clerk

Patrick Johnson, Board Chair