

Approved 3-21-23

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING  
March 7, 2023**

Escanaba, Michigan

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

March 2, 2023

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 March 7, 2023, at 5:00 p.m. in the Boardroom of the Delta County Service Center.

Sincerely yours,  
Nancy J. Przewrocki  
Delta County Clerk

ROLL CALL

PRESENT: Commissioners Malnar, Viau, Barron, Moyle, and Petersen.

ABSENT: None.

The meeting was called to order at 5:00 p.m. in the Boardroom of the Delta County Service Center by Delta County Clerk, Nancy Przewrocki.

SPECIAL ORDERS OF BUSINESS

1. Commissioner Workshop.

Informational discussion regarding Courthouse Security. Sheriff Oswald presented information regarding single point of entry, metal detectors, additional security officer, ability to lockdown courtrooms, and bullet proof glass. Workshop session ended at 5:14 p.m.

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by Commissioner Barron and seconded by Commissioner Petersen to approve the minutes of the February 21, 2023 meeting. MOTION CARRIED.

VI. APPROVAL OF AGENDA

Moved by Commissioner Viau and seconded by Commissioner Malnar to add items 13. Courthouse Security. MOTION CARRIED.

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Moved by Commissioner Viau and seconded by Commissioner Malnar to add Item 14. Explanation of Reason for Termination of Administrator. MOTION CARRIED. Barron Opposed.

Moved by Commissioner Barron and seconded by Commissioner Malnar to approve the agenda, as amended. MOTION CARRIED.

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

- A. Received:
  - 1. Letter from Barbie Clairmont.
  - 2. Resolution from Cheboygan County.
  - 3. Resolution from Livingston County.
  
- B. Forwarded:
  - 1. Letter to Courtney Metzler.
  - 2. Letter to Benjamin Booker.
  - 3. Letter to Theresa Nelson.
  - 4. Letter to Dennis Wiltzius.
  - 5. Letter to Dana VanEnkevort.
  - 6. Letter to Cassidy Getzloff.
  - 7. Letter to Dylan Gauthier.

VIII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

- 1. Solid Waste Authority minutes of 10-25-22, 11-22-22, 1-24-23.
- 2. Pinecrest Board minutes of 11-17-22, 12-21-22.
- 3. Public Health minutes of 12-13-22.
- 4. Airport Advisory Board minutes of 1-16-23.
- 5. Human Services Board minutes of 1-26-23.
  
- 1. Township Association minutes of 1-26-23.

Moved by Commissioner Malnar and seconded by Commissioner Barron 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

Reid Hyken, Escanaba, addressed the Board with his concerns regarding Commissioner Viau.

Kelli vanGinhoven, Escanaba, addressed the Board with her concerns regarding hiring attorney Scott Graham. Does he specialize in municipal law, did he go through the RFP process, are Commissioners aware that he is Commissioner Moyle's personal attorney?

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Nate Chesebro, Escanaba, will address his concerns at public comment at the end of meeting.

Christine Pepin, Escanaba, former county employee, addressed the Board with her concerns thanking Commissioner Viau for adding Item 14.

Mike Glass, Nahma Township, addressed the Board regarding his concern that the Board consider holding meetings in other locations throughout the county to allow for more public participation.

### X. COMMITTEE REPORTS:

#### 1. Administrator's Report.

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

#### 2. Personnel minutes of 2-22-23 and 3-2-23.

Moved by Commissioner Barron and seconded by Commissioner Malnar to receive the Personnel minutes of 2-22-23 and 3-2-23 and place on file. MOTION CARRIED.

#### 3. Finance minutes of 3-1-23.

Moved by Commissioner Barron and seconded by Commissioner Viau to receive the Finance minutes of 3-1-23 and place on file. MOTION CARRIED.

#### 4. Department Updates.

- a. Airport:
- b. Building and Maintenance:
- c. Building and Zoning/Equalization:
- d. Courts/Clerk & Register of Deeds/Prosecutor:
- e. Emergency Management: Paul Geyer spoke on the volunteer firefighter cadet program for 16-18 year-olds. Bob Stuart has been a volunteer firefighter for 48 years.
- f. Parks and Recreation:
- g. Sheriff's Department:
- h. Treasurer's Office: Sherry Godfrey gave the Board an update that 911 Dispatch funds are now under Delta County. She is also looking at investing county funds.
- i. Veteran's Service Office:

### XI. GENERAL ORDERS OF BUSINESS

A. UNFINISHED BUSINESS

1. Process for Hiring a New Administrator.

Moved by Commissioner Viau and seconded by Commissioner Malnar to establish a nine-member Ad Hoc Committee to hire a new Administrator.

ROLL CALL MALNAR	YES
VIAU	YES
BARRON	NO
PETERSEN	NO
MOYLE	NO

MOTION FAILED.

2. Interim Administrator's Contract.

Moved by Commissioner Barron and seconded by Commissioner Petersen to approve the terms of the Interim Administrator's contract, as presented. MOTION CARRIED.

3. Hiring a Municipal Attorney.

Tabled.

4. New Finance Policy.

When an item is brought forward by the Finance Committee to the Board, it will be tabled until the next Board meeting for a vote.

5. Agreement to Terminate Parks Contract.

Moved by Commissioner Barron and seconded by Commissioner Viau to accept the Agreement to Terminate the Parks Contract, as presented. MOTION CARRIED. Malnar opposed.

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Barron and seconded by Commissioner Petersen to pay bills in the amount of \$ 468,210.52 and Commissioners expenses of \$ 294.56.

ROLL CALL MALNAR	YES
VIAU	YES
BARRON	YES
PETERSEN	YES
MOYLE	YES

MOTION CARRIED.

2. Bid Opening - Courthouse Utility Relocation.

Four bids were opened:

Roy Ness	\$713,600	
Prime Mechanical	\$639,950	(with 5% added \$671,947.50)
Berger & King	\$760,000	
Controls: Trane	\$ 71,000	

The bids were given to the Maintenance Director Cory Schroeder to review. Bid award is item 12.

3. General Liability and Property Insurance Request by UP State Fair Authority.

Moved by Commissioner Petersen and seconded by Commissioner Barron to look into including UP State Fairgrounds under county insurance with the UPSF Authority paying the difference. MOTION CARRIED.

4. Letter of Support for UPSF.

Moved by Commissioner Barron and seconded by Commissioner Petersen to send a Letter of Support for enhancements to the UP State Fairgrounds Emergency Operations Facility, as presented. MOTION CARRIED.

5. Ethics Committee.

Moved by Commissioner Viau and seconded by Commissioner Petersen to reaffirm the Ethics Standards Policy and Procedures as written. MOTION CARRIED.

6. Appointment to Pathways (1 opening).

Moved by Commissioner Barron and seconded by Commissioner Petersen to table the appointment to the Pathways Board. MOTION CARRIED.

7. Renew Administrative Assistant Stipend starting March 14th.

Moved by Commissioner Viau and seconded by Commissioner Malnar to approve \$2/hour stipend for the Administrative Assistant for another month.

ROLL CALL	MALNAR	YES
	VIAU	YES
	BARRON	NO
	PETERSEN	NO
	MOYLE	NO

MOTION FAILED.

Moved by Commissioner Barron and seconded by Commissioner Petersen to approve the \$350/week stipend until a new administrator is hired.

ROLL CALL	MALNAR	NO
	VIAU	NO
	BARRON	YES
	PETERSEN	YES
	MOYLE	YES

MOTION CARRIED.

8. Appointment of Ashleigh Young effective 2-14-23.

- a. Delta County Dispatch Advisory Board.
- b. Superior Trade Zone - 2<sup>nd</sup> alternate.
- c. Superior Watershed Partnership - Liaison.
- d. FOIA Coordinator.

Moved by Commissioner Barron and seconded by Commissioner Petersen to appoint Interim Administrator Ashleigh Young to the Delta County Dispatch Advisory Board, the Superior Trade Zone as 2<sup>nd</sup> alternate, the Superior Watershed Partnership as liaison and as the FOIA Coordinator. MOTION CARRIED.

9. Easements.

- a. Lyme Great Lakes Timberlands, LLC.
- b. Lyme Great Lakes Land Company, LLC.

Moved by Commissioner Barron and seconded by Commissioner Viau to approve the easements with Lyme Great Lakes Timberlands, LLC and Lyme Great Lakes Land Company, LLC, as presented. MOTION CARRIED.

10. Additional Temporary Corrections Officer Position.

Moved by Commissioner Malnar and seconded by Commissioner Viau to approve an additional Temporary Corrections Officer position, as presented. MOTION CARRIED.

11. Parks Manager Job Description Development.

Informational.

12. Bid Award - Courthouse Utility Relocation.

Moved by Commissioner Viau and seconded by Commissioner Malnar to award the bid to Prime Mechanical as the lowest bid for the Courthouse Utility Relocation and to Trane as the lowest bid for controls. MOTION CARRIED.

13. Courthouse Security.

Moved by Commissioner Viau and seconded by Commissioner Malnar to direct the Sheriff to work with the Administrator to move forward with Courthouse Security. MOTION CARRIED.

14. Explanation of Administrator Termination.

Discussion.

XII. PUBLIC COMMENT

Christine Pepin, Escanaba, addressed the Board with her concerns regarding what is county looking for in Administrator and what is the pay? Do we have a county attorney now? Pay increase for Administrative Assistant - we were prevented from receiving additional compensation just because of an increase in work load.

Kelli vanGinhoven, Escanaba, addressed the Board with her concerns regarding frivolous lawsuits, FOIA and municipal attorney.

Kaye Rowlands, Wells Township, addressed the Board with her concerns regarding Reid Hyken making disgusting sexual gestures in front of women in the audience.

Ed Fluery, Cornell Township, addressed the Board with his concerns regarding the good old boys' club.

Marilyn Henderson, Escanaba, addressed the Board with her concerns changing times of the meeting.

Gary Gustafson, Ensign Township, addressed the Board with his concerns regarding Open Meetings Act violation, make a complaint with the Michigan State Police.

Mike Segorski, Escanaba, addressed the Board with his concerns regarding the Board has gone off the rails.

Christine Williams, Ford River Township, addressed the Board with her concerns regarding Commissioner Moyle stated he would meet with anyone - isn't that what Ms. DeSalvo asked of Moyle and Barron? County purchased 1400 acres for under \$40,000 - contributed to a grant for \$1,000,000 that purchased the property.

Nate Chesebro, Escanaba, addressed the Board with his concerns regarding high moral standards and Cornell property - surrounding property owned by Rory Mattson.

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Sandy Sovey, Ford River Township, addressed the Board with her concerns regarding not getting an answer to her emails, three commissioners always vote together, the firing of Emily for personal reasons.

Bjorne vanGinhoven, Schaffer, addressed the Board with his concerns that they are not listening to the people.

Ann Fix, Escanaba, addressed the Board with her concerns regarding YouTube video, Reid Hyken - be respectful - stop disgusting behavior.

Norman Fleury, Escanaba Township, addressed the Board with his concerns regarding temporary position, policy of the State of Michigan.

Rory Mattson, Director of the Delta Conservation District, addressed the Board with his concerns regarding the County purchase of 1400 acres with \$36,000 out of the general fund, Commissioners Rivard and Malnar and Administrator Bergman asked him to find forest land for timber harvest for the county. He bought his land after the county purchased their 1400 acres, as it was open to anyone from the public to purchase.

Reid Hyken, Escanaba, addressed the Board with his concerns regarding involve the public, moving towards democracy, we are a democratic republic.

Kathy Scott, Ford River Township, addressed the Board with her concerns regarding that there are reasons why an employer would not list reasons why an employee was terminated, especially in public.

#### XIII. COMMISSIONERS CONCERNS

Commissioner Malnar: None.

Commissioner Viau: Attended Escanaba Township Planning Commission meeting - no parks east of the Escanaba River. Number one issue is health insurance increase. He's trying to solve problems, vote and move forward. IT person should be given stipend for doing the Zoom and YouTube for the Board meetings - extra time spent after hours.

Commissioner Barron: Billerud will be using biomass for power. That is huge, our forests are aging - infected with insects and disease.



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Commissioner Petersen: Billerud expansion will employ additional 2000 people for 2-5 years - we need to facilitate housing. Short term economic impact. Sewer and water by Bay View.

Commissioner Moyle: Need legal counsel, thanked Prosecuting Attorney for writing opinions when asked by the Board. Conflict of Interest on the next agenda.

XIV. MEETING SCHEDULE

March 21 <sup>st</sup>	5:15 p.m.	Board meeting.
April 4 <sup>th</sup>	5:00 p.m.	Board meeting.
April 11 <sup>th</sup>	5:15 p.m.	Statutory Board meeting.
April 18 <sup>th</sup>	5:15 p.m.	Board meeting.

XV. NOTICES

30 day notice of appointments: Jury Commission.

XVI. ADJOURNMENT

Moved by Commissioner Barron and seconded by Commissioner Viau to adjourn at 8:37 p.m.

Respectfully Submitted,

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Nancy J. Przewrocki, County Clerk

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David Moyle, Board Chair