

Approved 5-16-23

**DELTA COUNTY BOARD OF COMMISSIONERS MEETING
May 2, 2023**

Escanaba, Michigan

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

April 27, 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 May 2, 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.

IV. SPECIAL ORDERS OF BUSINESS

1. Commissioner Workshop.

The Work session ended at 5:58 p.m.

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by Commissioner Barron and seconded by Commissioner Malnar to approve the minutes of the April 18, 2023 meeting. MOTION CARRIED.

VI. APPROVAL OF AGENDA

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

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

A. COMMUNICATIONS RECEIVED:

1. Resolution from Eaton County
2. Resolution from Houghton County
3. Annual Report from Pathways
4. Letter from Michael O'Connor
5. Letter from Steven Parks
6. Letter from Susan Carlson
7. Letter from Federal Energy Regulatory Commission (2)
8. Letter from City of Escanaba
9. Resolution from Ontonagon County
10. Resolution from Alcona County
11. Letter from Shirley Gollach (22)
12. Letter from Teresa Ross (9)
13. Letter from Heidi Gartland (3)
14. Letter from Dale Gartland (3)
15. Letter from Tammy Kidd (3)
16. Letter from Danielle Winling (3)
17. Letter from Paula Hughes Jonsson (17)
18. Letter from Christine DeSalvo (12)
19. Letter from Judith DeGrand (2)

B. COMMUNICATIONS FORWARDED:

1. Letter to Sandra Dagenais

VIII. REPORTS OF STANDING AND STATUTORY COMMITTEES

1. Central Dispatch minutes of 10-12-22, 1-18-23
2. Human Services Board minutes of 12-21-22, 1-26-23, 3-2-23
3. Airport Advisory Board minutes of 1-9-23, 2-13-23, 3-13-23
4. Pinecrest Board minutes of 3-2-23
5. Public Health minutes of 3-14-23

VIII. REPORTS OF SPECIAL COMMITTEES AND OTHERS

1. Township Association minutes of 3-23-23

Moved by Commissioner Barron and seconded by Commissioner Petersen 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

Christine Williams, Ford River Township, addressed the Board with her concern regarding Administration fees the Conservation District charged the County, please have a legal review of any Conservation Contracts.

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Kaye Rowlands, Wells Township, addressed the Board with her concerns regarding solar farms, not agricultural - industrial or commercial, and the repercussions of moving township lines.

Joe Kaplan, Ford River Township, addressed the Board with his concerns regarding annexation.

Dave Adamini, Wells Township, addressed the Board with his concerns that Commissioner Barron should recuse himself for annexation vote.

Bob Van Damme, Baldwin Township, addressed the Board with his concerns regarding solar farms taxation uncapping will benefit the township and the schools. Delta County Rescue Task Force is up and running - thanked the County Board for their support on that.

X. COMMITTEE REPORTS:

1. Administrator's Report.

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

2. Personnel Committee meeting of 5-2-23.

Moved by Commissioner Viau and seconded by Commissioner Petersen to receive the Personnel minutes of 5-2-23 and place on file. MOTION CARRIED.

3. Department Updates.

- a. Airport:
- b. Building and Maintenance:
- c. Building and Zoning/Equalization:
- d. Courts/Clerk & Register of Deeds/Prosecutor:
- e. Emergency Management:
- f. Parks and Recreation: Rory Mattson, Delta Conservation District Director, gave a report on the Park Finances and the amount that went to the Conservation District.
- g. Sheriff's Department:
- h. Treasurer's Office:
- i. Veteran's Service Office:

The Board took a recess at 6:50 p.m. Reconvened at 6:58 p.m.

XI. GENERAL ORDERS OF BUSINESS

A. UNFINISHED BUSINESS

1. Airport Advisory Board Resolution Regarding Manager Compensation.

Moved by Commissioner Petersen and seconded by Commissioner Barron to compensate the Airport Manager \$180 per week retroactive from February 23, 2023 to June 1, 2023 or until the hiring of an Assistant Airport Manager, whichever comes first.

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

MOTION CARRIED.

2. Appointment of Recording Secretary for the Planning Commission and for the Construction and Zoning Board of Appeals.

Moved by Commissioner Malnar and seconded by Commissioner Viau to appoint Kelli van Ginhoven Recording Secretary of the Planning Commission and the Construction and Zoning Board of Appeals.

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

MOTION FAILED.

Moved by Commissioner Petersen and seconded by Commissioner Barron to appoint Holly Harris Recording Secretary of the Planning Commission and the Construction and Zoning Board of Appeals.

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

MOTION CARRIED.

3. Contract with the Delta Conservation District.

Moved by Commissioner Barron and seconded by Commissioner Petersen to move into closed session at 6:56 p.m. for the purpose of discussing written Attorney Opinion under OMI Section 15.268(8)(h).

ROLL CALL	MALNAR	YES
	VIAU	YES
	BARRON	YES
	PETERSON	YES
	MOYLE	YES

MOTION CARRIED.

Moved by Commissioner Barron and seconded by Commissioner Petersen to reconvene into regular session at 7:16 p.m. MOTION CARRIED.

No actions were taken during executive session.

Moved by Commissioner Barron and seconded by Commissioner Petersen to accept the contract as amended making the Old Contract Appendix A and eliminating the last paragraph of Appendix A.

ROLL CALL	MALNAR	YES
	VIAU	YES
	BARRON	YES
	PETERSON	YES
	MOYLE	YES

MOTION CARRIED.

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Barron and seconded by Commissioner Petersen to pay bills in the amount of \$ 360,916.36 and Commissioners expenses of \$ 548.75.

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

MOTION CARRIED.

2. Pioneer Trail Park Monument Restoration.

Ivy Netzel of the Onagominkway Chapter of the National Society of the Daughters of the American Revolution. Moved by Commissioner Petersen and seconded by Commissioner Barron to accept

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the DAR offer to clean and renovate the monument at Pioneer Trail Park, as presented. MOTION CARRIED.

3. Investment Report.

Moved by Commissioner Barron and seconded by Commissioner Malnar to receive the 2023 Investment Report and place on file. MOTION CARRIED.

4. Zoning Case No 1-23-PC.

Case 1-23-PC, Days River Development, LLC., Brampton Township. Moved by Commissioner Petersen and seconded by Commissioner Malnar to approve the request to rezone from Rural Residential to Residential 1, as recommended by the Planning Commission.

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

MOTION CARRIED.

5. Zoning Case No 2-23-PC.

Case 2-23-PC, Jeff Pascoe, Wells Township. Moved by Commissioner Malnar and seconded by Commissioner Petersen to approve the request to rezone from Residential 2 to Commercial 3, as recommended by the Planning Commission.

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

MOTION CARRIED.

6. Trane - Service Agreement Renewal.

Moved by Commissioner Malnar and seconded by Commissioner Petersen to approve the 3 year contract for \$7,000 per year, as presented. MOTION CARRIED.

7. Trane - Connected Mechanical Proposal.

Moved by Commissioner Petersen and seconded by Commissioner Barron to table for more information. MOTION CARRIED.

8. Bid Opening - RFP Legal Services - Municipal Attorney.

One bid was received. Moved by Commissioner Barron and seconded by Commissioner Petersen to retain Scott Graham as municipal attorney. MOTION CARRIED. Malnar and Viau opposed.

9. Appointment to Pathways Board.

Moved by Commissioner Viau and seconded by Commissioner Petersen to appoint Steven Howes to the Pathways Board. MOTION CARRIED.

XII. PUBLIC COMMENT

Josiah Lawrence, Escanaba, addressed the Board with his concerns regarding comments addressed to the audience.

Deb Abrahamson, addressed the Board with her concerns regarding Commissioner Viau - his notes are from constituents.

Theresa Ross, Ford River Township, addressed the Board with her concerns regarding Zoom and written comments being read at meeting with no inflection.

Ed Fleury, Cornell Township, addressed the Board with his concerns regarding annexation.

Curt Larsen, Planning Commission, addressed the Board with his concerns regarding appointing an inexperienced recording secretary as opposed to one with experience.

Christine Pepin, Escanaba, addressed the Board with her concerns regarding annexation, property rights, Board packets and not appointing Kelli van Ginhoven as recording secretary.

Christiana Reynolds, Escanaba, addressed the Board with her concerns regarding the Delta County Citizens for Ethical Leadership - political activists.

Dave Adamini, Wells Township, addressed the Board with his concerns that Commissioner Barron should recuse himself for annexation vote.

Steve Benoit, Wells Township, addressed the Board with his concerns regarding will Soil and Erosion come back to the County, who did the books?

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Christine Williams, Ford River Township, addressed the Board stating she has great appreciation for what the Conservation District has done for the parks and her concerns for monies not accounted for.

Cheryl Corbiere, Escanaba, addressed the Board with her concerns regarding wants respect from Commissioner Moyle.

Joe Kaplan, Ford River Township, addressed the Board with his concerns regarding that Rory could have taken it all - bonuses?

Sandy Caron, Building and Zoning, addressed the Board with her concerns regarding recording secretary Holly Harris - stand behind her recommendation - she is very eager to learn.

Bob Van Damme, Baldwin Township, addressed the Board with his concerns regarding uncapped was the wrong word to use for solar farms taxation.

Barbie Clairmont, Escanaba Township, addressed the Board with her concerns regarding annexation.

Susan Carlson, Wells Township, addressed the Board with her concerns regarding violation of the Open Meetings Act.

Reid Hyken, Escanaba, addressed the Board with his concerns regarding admirable that the Commissioners take what is dished out.

XIII. COMMISSIONERS CONCERNS

Commissioner Malnar: Attended Highline ribbon cutting ceremony, Business After Hours, MAC (Michigan Association of Counties) meeting was good but not as many breakout sessions. Official Certified Commissioner.

Commissioner Viau: Reminder that there will be an Honor Flight tomorrow, Zoom is not a requirement but it is a nice thing to do, seating capacity - being handled, agenda packet - 1 ½ - 2 hours before meeting doesn't do justice for it. May 14 American Queen will be having an opening ceremony. Highline ribbon cutting. Township fire signs - Townships are looking at organizing. Policy for answering questions asked at the podium. Best part of the meeting is the interaction with the public.

Commissioner Barron: Quote from C. S. Lewis "If you look for truth you may find comfort in the end, if you look for comfort, you

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will not get either comfort or truth only softsoap and wishful thinking to begin and in the end despair.

Commissioner Petersen: Annexation is not something he takes lightly, spent a lot of time looking into, not a rubber stamp - huge responsibility.

Commissioner Moyle: Brandon from IT did tell him to do Zoom right it will cost about 75,000. Trying to be more reflective and less reactive. Will offer to have coffee with you and will bring sincerity.

Ashleigh Young: Did attend the Planning Commission meeting, her email was brought up but she has to be invited to speak. If the Commissioner would like to discuss Zoom again, Brandon from IT will be gone for the next meeting.

XIV. MEETING SCHEDULE

May 3rd	8:30 p.m.	Committee of the Whole meeting.
May 9 th	5:15 p.m.	Special Board meeting.
May 16 th	5:15 p.m.	Board meeting.
June 6 th	5:00 p.m.	Board meeting.
June 20 th	5:15 p.m.	Board meeting.

XV. NOTICES

30 day notice of appointments:

XVI. ADJOURNMENT

Moved by Commissioner Barron and seconded by Commissioner Moyle to adjourn at 8:49 p.m.

Respectfully Submitted,

Nancy J. Przewrocki, County Clerk

David Moyle, Board Chair