

October 11, 2016

APPROVED on 10/25/16

Proceedings of a Regular Meeting of the Board of Commissioners in and for the County of Menominee and the State of Michigan were held at the Menominee County Annex, Stephenson, Michigan.

Chairman Meintz called the meeting to order at 6:00 P.M. followed by the Pledge of Allegiance.

A call of the roll indicated that the following Commissioners were present/absent:

**Present:** Com. Cech, Furlong, Hafeman, Lang, Meintz, Nelson, Piche, Schei and Williams.

**Absent:** None.

Moved by Com. Nelson, seconded by Com. Hafeman to approve the agenda. Motion was approved 9-0.

Moved by Com. Williams, seconded by Com. Hafeman to approve the minutes from the September 27, 2016 Regular County Board Meeting. Motion was approved 9-0.

**Public Comment:**

- Jim Voss – Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Dale Andersen – Commented against Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Cliff Nelson – Commented that Aquila Resources wants to work with the community. Passing this resolution will have a negative effect.
- Robin Bender – Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Tina Lesperance - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Glenda Curran - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Marla Tuinstra - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Nancy Douglas – Commented she is in favor of the mine and spoke on the economic benefits of the mine if it meets the environmental standards.
- Mike Spoda - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Laura Rowe - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Regina Chaltry - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Tom Dedamos - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Grace Chaltry - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.

- Nicholas Vieth - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Pat Curran - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Gary Schultz – Commented on approval of a pay increase for the Interim County Administrator and that it should go before the negotiating committee. Also asked about why they are adding a overtime line item.
- Lenny Algeyer - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.
- Tony Corey - Commented in support of Resolution 2016-12 ~ Environmental Protection of Air and Water Quality.

**Presentations:** None.

**Department Head/Elected Officials Reports:**

- County Treasurer Diane Lesperance stated that the \$1 million has been sent to MERS.

**Action Items:**

Moved by Com. Piche, seconded by Com. Nelson to approve waiving the building permit fee (\$467) for the “Open air extension & Kitchen” addition to the Nadeau Township Pavilion. Motion was approved 9-0.

Moved by Com. Nelson, seconded by Com. Hafeman to allow Probate Judge Hass to request a DMG reclassification via MGT for the Deputy Register of Probate position within his office. Discussion ensued. Com. Nelson would like to see a list of the things that have changed in this position requiring reclassification. Com. Schei commented that Judge Hass discussed these items in his letter. Motion was approved 8-1, Com. Nelson voted nay.

Moved by Com. Hafeman, seconded by Com. Cech to approve changes to the “Airport Committee” and added a “Security Committee within the County Bylaws ~ Charters of Standing Committees as submitted by the Executive Committee. Motion was approved 9-0.

Moved by Com. Cech, seconded by Com. Lang to approve a pay increase for Sherry DuPont while in the position of Interim County Administrator of \$3.15 per hour (over her current pay) plus overtime (1.5x) for any hours worked over 40 hrs/week. Discussion ensued about making this retroactive to when Sherry became Interim Administrator.

Moved by Com. Lang, seconded by Com. Furlong to amend the original motion to add making the pay raise retroactive of Sherry’s start date as Interim Administrator of September 28, 2016. Motion was approved 9-0.

Moved by Com. Cech seconded by Com. Lang to approve a pay increase for Sherry DuPont while in the position of Interim County Administrator of \$3.15 per hour (over her current pay) plus overtime (1.5x) for any hours worked over 40 hrs/week, effective September 28, 2016. Motion was approved 9-0.

Moved by Com. Hafeman, seconded by Com. Williams to approve a Budget amendment to add an account in the Administration budget for overtime 101-172-701.00. And to add \$6,000 to that account from the administration salary account (704.00). Motion was approved 9-0.

Moved by Com. Nelson, seconded by Com. Schei to approve payment in the amount of \$500,000 to MERS for unfunded liability for the Road Patrol division (#23). Payment to be paid from the Road Patrol fund balance. Motion was approved 9-0.

Moved by Com. Hafeman, seconded by Com. Williams to approve miscellaneous bills as paid on September 15, 21 & 22, 2016 in the combined amount of \$249,493.24. Motion was approved 9-0.

Moved by Com. Hafeman, seconded by Com. Cech to approve commissioner per diems and expenses as recently submitted. Motion was approved 9-0.

Moved by Com. Williams, seconded by Com. Hafeman to approve miscellaneous boards/committees/commission reports be placed on file in the office of the County Clerk. Motion was approved 9-0.

### **New Business (discussion only)**

#### **Personnel Items:**

- a. Elected Official Salaries for FY 2017. – Per Act 154 of 1879, the salaries of county officers is to be fixed by the county board before November 1 of each year. The FY 2016/17 Budget does have a 2% increase included for these officers. The annual salaries in the board packet are incorrect. It list the Sheriff's salary after 2% increase at \$63,000, it should be \$66,300. Com. Hafeman asked why the board is increasing the salary of the Drain Commissioner? Com. Schei asked why the County Board is not receiving a 2% raise. Com. Nelson commented that the State of Michigan only gave the Probate Judge a less than 1% raise. Com. Nelson is not in favor of give 2% raises. Com. Cech commented about what the board has done in the past by not giving the Elected Officials raises. This has caused problems with the Undersheriff being paid more than the Sheriff. This was corrected last year and by not giving the raises when the rest of the county employees will be receiving a 2% raise we will be right back to the same problem. The consensus of the board is to move forward with a 2% raise for all Elected Officials except the Chairman of the Board and the County Board members. This item will be on the next agenda for approval.
- b. County Administrator vacancy. – Com. Meintz discussed what the next steps the board needs to take. He asked if the board should have the Personnel Committee look at the job description. Com. Nelson discussed the job description and that he feels the county should hire an IT person that can also have Administrative responsibilities. He feels this would free up Sherry DuPont to handle more administrative responsibilities. He stated that at one time the County Clerk was the administrator to the County Board. Com. Williams thinks that the county needs a part-time IT person instead of using UES. Com. Lang commented that he was on the board when they hired the first County Administrator. He was against doing it at the time, but now he knows he was so wrong. The county needs to have a full-time Administrator. Com. Meintz stated that Com. Nelson has a good idea, but would like to see his plan outlined. Com. Schei stated that we need to know what we are looking for and maybe we should get a search firm involved. Com. Meintz stated that there needs to be a go to person at all times in the courthouse. Com. Furlong believes that we should have a Committee of the Whole meeting to discuss this. Com. Nelson will not be here for the meeting on the 25<sup>th</sup>. He would like to know what the previous County Administrator was actually doing compared to the job description. Com. Meintz stated that he is calling for a Committee of the Whole

meeting to be held prior to the next County Board meeting on Tuesday, October 25, 2016 at 4:30 p.m.

**Building and Grounds/Parks Items:**

- a. None.

**Miscellaneous Items:**

- a. 2016 Apportionment Report – Equalization. – Equalization Director Peggy Schroud stated the 2016 Apportionment Report was not complete because she was missing the L4029 report for Faithorn, Mellen and Menominee townships when she was compiling the report. She has since received the report from Faithorn and Menominee Township, but Menominee Township’s report was incorrect. The millage reduction fraction was incorrect for Menominee Township, even though the township does not actually levy a township millage. She hopes to have all reports for the next meeting for approval. The consensus of the board is to move this item forward for approval at the next meeting.
- b. Resolution 2016-12 ~ Environmental Protection of Air & Water Quality. – Com. Piche has submitted a resolution to address the mines. He would like the board to reconsider this resolution taking an environmental position. Com. Williams believes this does not fall in the purview of the County Board to do. Com. Piche commented that many people have worked hard on this resolution. The resolution does not state opposition to the mine. Com. Cech discussed that many citizens are concerned. Com. Meintz discussed that the DEQ is looking for scientific evidence only in opposition to the mine. Com. Hafeman is not opposed to clean water and air, but she does not feel it is the place of this County Board to pass this resolution. Com. Nelson commented on the resolution the board passed at the last meeting. That resolution was regarding a law that was pending. Local units of government shall not regulate or control mining. He has read the law in detail regarding this. This resolution means nothing and falls on deaf ears. He stated if the citizens want to see changes and want to stop the mine from starting they need to talk to their legislators. They are the only ones with the power to change the laws regarding mining, not the County Board. Com. Piche again discussed that there has never been a mine in operation that did not pollute. Com. Meintz discussed how we all change the environment every day. Com. Lang asked if we are trying to bring this resolution forward. He is not in favor of the mine, but he does not feel this resolution is going to do anything. Com. Schei asked about inviting the DEQ to a meeting to discuss the mine. There is not enough support to move this motion forward.
- c. Northwoods Rail Transit Commission. – Administration received an email in reference to the Northwoods Rail Transit Commission (NRTC). They are asking for the county appointments to the NRTC. The County Board approved a resolution previously. Com. Hafeman stated that she has been attending these meetings with Brian Bousley and is willing to continue to do so. The consensus of the board is to have Com. Hafeman continue to attend the NRTC meetings.

**Finance Items:**

- a. Commissioner Per Diems and expenses. - The consensus of the board is to move this item forward to the next meeting for approval.
- b. Miscellaneous bills as paid on July September 30 & October 3, 4 & 6, 2016 in the combined amount of \$1,247,181.97. Com. Hafeman asked about the Merit Network and if Abilita was working with them. Sherry commented that Abilita just works

with the phone bills. The consensus of the board is to move this item forward to the next meeting for approval.

**Misc. Boards/Committees/Commissions Reports:**

The consensus of the board is to move this item forward for approval at the next meeting.

**Public Comment:**

- Bob Desjarlais – Commented that Com. Nelson is wrong that the local units of government have no control over mining. Lake Township has control over light, air, dust, noise and water.
- Andrea Piontek – Commented that 98% of the people are not in favor of the mine. The commissioners are not representing the people that they are elected to represent.
- Tom Dedamos – Commented that the DEQ wants scientific evidence, but they also want a social component. This resolution would fall under the social component.
- Nancy Douglas – Commented that the 98% is not 98% of the people living in Menominee County. The letters in opposition to the mine have come from places outside of Menominee County.
- Regina Chaltry – Commented on a video of Aquila Resources addressing a mineral conference. She also commented about the water crisis in Flint, Michigan and what could happen here in Menominee County.
- Cliff Nelson – Commented that there is a lot of misinformation out there regarding the mine.
- Glenda Curran – Commented that the resolution was not for or against the mine.
- Dale Andersen – Commented that the he was on the committee that wrote 632 and any resolution that exceeds the state law will be unlawful and result in the County facing a lawsuit.
- Robin Quigley – Commented that there will be an Open House at the Back 40 project on Saturday and invited everyone to attend.
- Jim Voss – Commented on the fact that the commissioners are influential people.
- Lenny Algeyer – Commented that not passing the resolution because the board doesn't think it will make a difference is not a good reason and it doesn't represent the people.
- Tony Corey – That he is in favor of the resolution.
- Bob Desjarlais – Commented on Cliff Nelson's public release for the public hearing. He also commented that there are also people that support the mine that are not from Menominee County.

**Commissioner Comment:**

- Com. Nelson – Commented that local ordinances can't be in conflict with State Law.
- Com. Schei – Thanked everyone for coming out and voicing their opinions at the meeting.
- Com. Piche – Commented that the county is losing their Ag Educator from MSU. She had to resign for family reasons.
- Com. Williams – Commented that he agreed with Com. Schei. He also stated that the commissioners represent ALL people of Menominee County.
- Com. Hafeman – Thanked everyone for coming out and voicing their opinions at the meeting. She stated that we all personally have concerns about the mine. She also congratulated Sherry DuPont on the position of Interim Administrator, and her raise.

- Com. Meintz - Thanked everyone for coming out and voicing their opinions at the meeting. He also discussed the Ag Educator position and the Committee of the Whole meeting on October 25<sup>th</sup>.

Moved by Com. Nelson, seconded by Com. Cech to adjourn at 8:05 p.m. Motion was approved 9-0.

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Charlie Meintz, Chairman

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Marc Kleiman, County Clerk