

**BARAGA COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting Minutes**  
**March 11, 2024**  
**“OFFICIAL”**

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**CALL TO ORDER:**

Chairman Eilola called the Regular Meeting to order on Monday, March 11, 2024 at 5:00 p.m., Baraga County Courthouse, 16 N. Third Street, L’Anse, MI 49946.

**PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:**

Chairman Eilola led us in the Pledge of Allegiance to the United States of America.

**ROLL CALL:**

Clerk Goodreau took roll call with the following results:

Present: Gale Eilola, District 1, Brad Dakota, District 2, Craig Kent, District 3, William Menge, District 4 and Chad Cichosz, District 5.

Absent: None.

**APPROVAL OF AGENDA:**

Commissioner Menge made a motion, supported by Commissioner Dakota to approve the Agenda, as presented. On Voice Vote, the motion carried.

**APPROVAL OF MINUTES:**

Commissioner Kent made a motion, supported by Commissioner Dakota to approve the minutes for the Regular meeting held on February 12, 2024. On Voice Vote, the motion.

**PUBLIC COMMENT:**

Chairman Eilola opened the meeting up for public comment on Agenda Items. No public comment was received.

**TREASURERS REPORT:**

As presented by Treasurer, Jill C Tollefson.

Commissioner Menge made a motion, supported by Commissioner Dakota to approve the Budget Amendments as follows:

**BARAGA COUNTY**

**BUDGET AMENDMENTS**

For the Fiscal Year Ending 09/30/2024

Account Name	Account Number	Revenue Increase - (Decrease)	Expense - Increase- (Decrease)
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**GENERAL FUND - REVENUES**

Swampland Tax	101-000-429.00	\$ 8,275.00	
Transfer in	101-000-699.99	\$ 32,787.00	

**GENERAL FUND -  
EXPENDITURES**

Judicial Information System	101-131-978.00	\$ 1,245.00
BIS Recording Maintenance	101-136-805.00	\$ 865.00
Judicial Information System	101-136-978.00	\$ 1,645.00
Health Insurance Expense	101-229-716.00	\$ (8,450.00)
Payment in Lieu of Health Insurance	101-229-716.01	\$ 6,000.00
Printing and Binding	101-261-728.00	\$ 4,150.00
Per Diem	101-295-710.00	\$ 50.00
Travel	101-295-860.00	\$ (50.00)
Longevity	101-301-708.00	\$ 1,351.00
HSA Expense	101-301-716.05	\$ 2,450.00
New Vehicle	101-301-980.00	\$ 32,787.00
Longevity	101-333-708.00	\$ 378.00
Longevity	101-351-708.00	\$ (1,729.00)
Social Security & Medicare	101-850-960.37	\$ 320.00
Post Employment Insurance	101-850-960.72	\$ 50.00

**GENERAL FUND – JOURNAL TOTALS**

**\$ 41,062.00    \$ 41,062.00**

**BARAGA COUNTY**

**BUDGET AMENDMENTS**

For the Fiscal Year Ending 09/30/2024

Account Name	Account Number	Revenue Increase - (Decrease)	Expense - Increase- (Decrease)
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**SPECIAL REVENUE FUNDS - REVENUES**

**SPECIAL REVENUE FUNDS -  
EXPENDITURES**

Veteran's Assistance	293-000-841.00	\$ (1,871.02)
Veteran's Outreach	293-000-842.00	\$ 1,871.02

**SPECIAL REVENUE FUND TOTALS**

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\$	-	\$	-
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On Voice Vote, the motion carried.

**REVIEW OF CLAIMS AND ACCOUNTS:**

Commissioner Menge made a motion, supported by Commissioner Cichosz to approve the BCMH Trustee Per Diem for February 2024 (\$1,020.00). On Voice Vote, the motion carried.

Commissioner Menge made a motion, supported by Commissioner Cichosz to approve the payment of the Claims and Accounts for the period of February 13, 2024 through March 11, 2024 in the amount of \$52,267.33. On Voice Vote, the motion carried.

Commissioner Kent made a motion, supported by Commissioner Cichosz to approve the payment of the Prepaid Bills and Trust and Agency Accounts for the period of February 13, 2024 through March 11, 2024 in the amount of \$545,740.00. On Voice Vote, the motion carried.

Commissioner Dakota made a motion, supported by Commissioner Kent to approve the Sheriff's Dept. Checking Account expenditures for February 2024 in the amount of \$7,111.50. On Voice Vote, the motion carried.

**UNFINISHED BUSINESS:**

Commissioner Dakota made a motion, supported by Commissioner Menge to table the KBIC appointment to the Baraga County Veterans' Affairs Committee. On Voice Vote, the motion carried.

**ACTION ITEMS:**

Commissioner Dakota made a motion, supported by Commissioner Kent to authorize the Clerk to advertise for bids for replacing the current florescent lighting fixtures with LED fixtures. On Voice Vote, the motion carried.

Commissioner Kent made a motion, supported by Commissioner Dakota to clarify that the tasers that were approved at the February 12, 2024, in the amount of \$5,074.40/annually for five years will be paid from the LATCF funds for 2024, 2025, 2026 and 2027, which is the term of the LATCF grant. Year 2028 will have to be paid from the General Fund. On Voice Vote, the motion carried.

Commissioner Cichosz made a motion, supported by Commissioner Kent to approve the purchase of records management software from CORE Technology for the jail and Sheriff Deputies in the amount of \$98,318.00, with the funds coming from the LATCF grant. On Voice Vote, the motion carried.

Commissioner Dakota made motion, supported by Commissioner Menge to reappointment Cathryn Beer and Carole LaPointe to the BCMH Board of Trustees for a 6-year term expiring December 31, 2024. On Voice Vote, the motion carried.

**REPORTS OF STANDING COMMITTEES:**

Commissioner Kent discussed the Covington Township land acquisition and the possibility of the land being used for a connector trail for the Trails Authority.

**INFORMATIONAL ITEMS:**

**RESOLUTIONS:**

Commissioner Kent made a motion, supported by Commissioner Cichosz to adopt the following resolution:

**OPPOSING LEGISLATION  
PREEMPTING LOCAL CONTROL FOR  
SOLAR AND WIND DEVELOPMENTS**

WHEREAS, Executive Directive 2020-10 aims to achieve 100 percent carbon neutrality in Michigan by 2050; and

WHEREAS, industry leaders have pledged to reduce carbon emissions to help achieve this goal; and

WHEREAS, efforts to expand renewable energy projects will continue to increase in this state; and

WHEREAS, the governor has proposed the Michigan Public Service Commission be the sole regulate authority for solar and wind projects to expedite these efforts; and

WHEREAS, by granting the Michigan Public Service Commission be the sole regulating authority, local control will be preempted; and

WHEREAS, should local control be preempted, a county, township, city or village would be unable to determine the location, size, setback distance, decibel level or any other criteria for a solar or wind facility; and

WHEREAS, should local control be preempted, a county, township, city or village would be unable to determine requirements for construction, operation, use, or maintenance of a solar or wind facility; and

WHEREAS, if a county already has a solar or wind policy, practice, regulation, rule or ordinance on record it would be null and void; and

WHEREAS, all other types of energy facilities, while regulated by the Michigan Public Service Commission, must adhere to local zoning; and

WHEREAS, this proposal grants far more regulating authority to the Michigan Public Service Commission than for any other energy source; and

WHEREAS, the Baraga County Board of Commissioners oppose any legislative action that may grant the Michigan Public Service Commission this power.

THEREFORE, BE IT RESOLVED, that the Baraga County Board of Commissioners opposes the pre-emption of local control in solar and wind siting and zoning.

On Voice Vote, the motion carried.

Commissioner Kent made a motion, supported by Commissioner Menge to adopt the following resolution:

**A RESOLUTION FROM BARAGA COUNTY EXPRESSING SUPPORT FOR THE  
CITIZENS FOR LOCAL CHOICE BALLOT INITIATIVE WHICH SEEKS TO  
AMEND THE CLEAN AND RENEWABLE ENERGY AND ENERGY WASTE  
REDUCTION ACT TO REPEAL PART 8  
AS ADDED BY PUBLIC ACT 233 OF 2023, IN AN EFFORT TO  
RESTORE LOCAL CONTROL FOR WIND AND SOLAR OPERATIONS**

WHEREAS, the ability of local jurisdictions to determine for themselves which projects should and should not be in their local communities; what plans are best and reasonable for each neighborhood rather than these decisions be forced onto Townships without their best interest at hand; and

WHEREAS, the legislature of the State of Michigan has passed and the Governor has signed House Bill 5120, now Public Act 233 of 2023, that strips away local community control on these issues and places the control within the Michigan Public Service Commission (MPSC), and

WHEREAS, Baraga County will protect our communities land from the MPSC and special interests trying to strip away local control within legal limits; and

WHEREAS, the Board of Commissioners of Baraga County feel strongly that our local government is best able to assess the needs of our community;

THEREFORE, BE IT RESOLVED, THAT Baraga County is vehemently opposed to the State of Michigan Legislature's passage of legislation that takes away local control and places it within the authority of the MPSC; and

BE IT FURTHER RESOLVED, that Baraga County is opposed to corporation-prioritized action such as building utility-scale wind and solar projects in our community; and

BE IT FURTHER RESOLVED, that Baraga County supports the statewide ballot initiative, Citizens for Local Choice, a grassroots coalition of local officials and community organizers across Michigan working to amend the Clean and Renewable Energy and Energy Waste Reduction Act to, among other things, repeal Part 8 as added by Public Act 233 of 2023 which will restore local control of land use to ensure reasonable regulation in our widely diverse communities.

On Voice Vote, the motion carried.

Commissioner Menge made a motion, supported by Commissioner Cichosz to adopt the following resolution:

**A RESOLUTION SUPPORTING THE PROTECT MY KIDS BILL  
PACKAGE IN THE MICHIGAN LEGISLATURE**

WHEREAS, tobacco use is the leading cause of preventable death and disability in Michigan and contributes greatly to heart disease, cancer, and stroke; and

WHEREAS, tobacco retail licensing is an effective tobacco control measure that requires every store that sells tobacco products to have a license and Michigan is one of only 10

states that does not require retailers to obtain a license to sell tobacco making effective enforcement almost impossible; and

WHEREAS, Senate Bills 651 and 652 seek to establish a statewide Tobacco Retail Licensing (TRL) program, requiring all establishments selling nicotine or tobacco products to obtain a license, thereby enhancing compliance with existing tobacco sales regulations and reducing youth initiation to nicotine and tobacco; and

WHEREAS, Michigan state law prohibits local governments from enacting policies that regulate the sale and licensure of tobacco and nicotine products, keeping local communities from protecting kids' health; and

WHEREAS, 79% of Baraga County residents are concerned about young people using tobacco products; and

WHEREAS, Senate Bill 647 aims to repeal preemption provisions that prohibit local governments from enacting ordinances and regulations pertaining to the sale or licensure of tobacco products, empowering local communities to implement tailored tobacco control measures to protect their residents, particularly youth; and

WHEREAS, Michigan currently has no state tax on e-cigarettes or vaping products that contain nicotine and has not increased its tax on cigarettes in nearly 20 years; and

WHEREAS, The U.S Surgeon General has called raising prices on cigarettes "one of the most effective tobacco control interventions because increasing the price is proven to reduce smoking, especially among kids; and

WHEREAS, Michigan spends less than 10% of the Centers for Disease Control recommendation on tobacco prevention programs; and

WHEREAS, Senate Bill 648 proposes to establish a new tax on e-cigarettes and increase taxes on cigarettes and other tobacco products, with revenue generated dedicated to tobacco prevention and cessation programs, tax enforcement, and enforcement of smoke-free air laws, aligning with evidence-based strategies to reduce tobacco use, especially among youth; and

WHEREAS, flavored tobacco products play a key role in youth initiation and continued use of tobacco. More than 80 percent of 12-17-year-olds who have ever used a tobacco product start with a flavored product. Two-thirds of youth have reported using these products

“because they come in flavors [they] like.” More than 72 percent of current tobacco users surveyed have reported using a flavored tobacco product in the past month; and

WHEREAS, many states and over 360 localities have ended the sale of flavored tobacco products to protect kids and reduce health disparities. If Michigan takes this step, it would be a leader in protecting the health of its residents; and

WHEREAS, 77% of Baraga County residents support ending the sale of flavored tobacco products, including menthol cigarettes; and

WHEREAS, Senate Bills 649 and 650 aim to prohibit the sale of flavored tobacco products, including flavored e-cigarettes and menthol-flavored cigarettes, recognizing the significant role flavors play in driving youth initiation to tobacco and nicotine products and addressing health disparities within communities disproportionately targeted by the tobacco industry; and

WHEREAS, Michigan laws prohibiting and penalizing the possession, use, and purchase of tobacco products by minors, are ineffective as deterrents to youth smoking are often enforced inequitably and currently retailers are not held accountable for selling to minors; and

WHEREAS; Minors could be criminally charged for attempting to purchase, use, or possess tobacco products and research shows penalizing children is not an effective strategy for reducing youth smoking; and

WHEREAS, Senate Bills 653 and 654 repeal provisions in the Youth Tobacco Act that impose civil and criminal penalties on minors for purchasing, using or possessing tobacco products.

NOW THEREFORE BE IT RESOLVED. that the Baraga County Board of Commissioners support the Protect MI Kids Bill Package and urge the Michigan Legislature to swiftly pass these critical bills to protect the health and well-being of Michigan's children and youth.

BE IT FURTHER RESOLVED that Baraga County Board of Commissioners directs the County Clerk to send a copy of this resolution to the Baraga County delegation of both the Michigan Senate and House of Representatives; Governor Gretchen Whitmer; and as a communication to other Michigan Counties.

On Voice Vote, the motion carried.

Commissioner Dakota made a motion, supported by Commissioner Menge to adopt the following resolution:

## **RESOLUTION**

### **ESTABLISHMENT OF COUNTY APPROVAL AGENCY, MULTI-COUNTY APPROACH, AND DESIGNATED PLANNING AGENCY FOR MATERIALS MANAGEMENT PLANNING UNDER PART 115, PUBLIC ACT 451 OF 1994, AS AMENDED**

WHEREAS, the State of Michigan, with the intent to modernize the Solid Waste Management statute, has enacted amendments to Part 115, Public Act 451 of 1994 (“Part 115”), which, among other components, will require development of county materials management plans (“MMP”); and

WHEREAS, the Department of Environment, Great Lakes and Energy (“EGLE”) issued a call for MMPs effective January 8, 2024; and

WHEREAS, Part 115 requires that, within 180 days of the call for MMPs, each county board of commissioners (“county board”) for a county with a population of less than 250,000 conduct several actions, the first of which is to submit to EGLE a notice of intent indicating whether the county board will prepare a MMP and act as county approval agency (“CAA”); and

WHEREAS, if the county board opts to prepare a MMP and act as CAA, Part 115 requires that the county board consult with each of its adjacent counties regarding the option of preparing a multicounty MMP pursuant to the urban cooperation act, Public Act 7 of 1967, and that the county board provide to EGLE documentation of both this consultation and the outcome of the consultations; and

WHEREAS, Baraga County Board has consulted with adjacent counties through multiple mechanisms, including engagement with other counties’ governing officials facilitated by the Western Upper Peninsula Planning and Development Region Commission (“WUPPDR”); and

WHEREAS, Part 115 requires that, if the county board opts to become part of a multicounty MMP, the county board provide to EGLE a copy of an interlocal agreement identifying the process for creating a multicounty MMP; and

WHEREAS, Part 115 requires that, if the county board opts to prepare a MMP and act as CAA, the county board designate a planning agency (“DPA”) and an individual within the DPA who shall serve as the DPA’s contact person for the purpose of Part 115; and

WHEREAS, Part 115 requires additional actions before preparation of a MMP can proceed, including but not limited to appointment of a planning committee, oversight of creation and implementation of the DPA’s work program, and various submittals and public notices.

NOW, THEREFORE, BE IT RESOLVED that all of the following:



Baraga County's CAA is the Baraga County Board.

Baraga County intends to prepare a multicounty MMP in conjunction with Gogebic, Houghton, Iron, Keweenaw, and Ontonagon counties.

Baraga County's DPA is WUPPDR, with its executive director, currently Jerald Wuorenmaa, as the contact person.

Baraga County Board intends to enter into a multicounty interlocal agreement as soon as practicable.

Baraga County Board will meet other requirements of Part 115 as needed at appropriate times.

On Voice Vote, the motion carried.

Commissioner Menge made a motion, supported by Commissioner Cichosz to not adopt a resolution supporting SB 228 – Repeal the Law Preventing Local Ordinances to Ban Plastic Bags. On Voice Vote, the motion carried.

Commissioner Kent made a motion, supported by Commissioner Cichosz to not adopt a resolution Supporting Statewide Water Affordability Legislation. On Voice Vote, the motion carried.

#### **COMMISSIONERS COMMENTS:**

#### **PUBLIC COMMENTS:**

Catherine Andrews thanked the Board for adopting a resolution supporting the ballot initiative to amend the Clean and Renewable Energy and Energy Waste Reduction Act. She said she is still circulating petitions for the ballot initiative.

Rob Stowe, CEO, BCMH, reported that there are health benefits available for veterans. Encourage the Board if they know of anyone to reach out to Doug Gray, Baraga County Veterans Service Officer.

Dawn Howe, Juvenile Caseworker, said the Girls on the Move program has begun at the Baraga Area Schools. She said that the Baraga County Probate Court is partnering with Houghton County Probate Court in a case management system that is required by the State. She has also partnered with Houghton County for tether use. Ms. Howe asked the Board to consider utilizing a County vehicle for employee travel and transports for Juvenile. No action was taken.

#### **ADJOURNMENT:**

There being no further business to come before the County Board, Commissioner Menge made a motion, supported by Commissioner Dakota to adjourn the meeting until Tuesday, April 10, 2024. On Voice Vote, the motion carried.

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Gale Eilola, Chairman

Wendy J. Goodreau, Clerk