

BARAGA COUNTY BOARD OF COMMISSIONERS
Regular Meeting Minutes - AMENDED
March 13, 2023

CALL TO ORDER:

Chairman Eilola called the Regular Meeting to order on Monday, March 13, 2023 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, with the addition of Action Item (k) BCMH Board of Trustee appointment. On Voice Vote, the motion carried.

APPROVAL OF MINUTES:

Commissioner Kent made a motion, supported by Commissioner Cichosz to approve the minutes for the Regular meeting held on February 13, 2023. On Voice Vote, the motion.

PUBLIC COMMENT:

Chairman Eilola opened the meeting up for public comment. *There were five members of the public in attendance. The application for the MDNR Trust Fund Grant in the amount of \$300,000.00 for Phase III of the Point Abbaye Park was on the agenda and placed for public comment. A description of the proposed project was presented. The public and commissioners were asked for public comment. None was received.*

TREASURERS REPORT:

As presented by Treasurer, Jill C Tollefson.

REVIEW OF CLAIMS AND ACCOUNTS:

Commissioner Menge made a motion, supported by Commissioner Dakota to approve the BCMH Trustee Per Diem for February 2023 (\$960.00). On Roll Call Vote, the motion carried. Roll Call was as follows: Yeas; Commissioner Dakota, Commissioner Kent, Commissioner Menge, Commissioner Cichosz and Commissioner Eilola. Nays; None. Absent; None.

Commissioner Kent made a motion, supported by Commissioner Cichosz to approve the payment of the Claims and Accounts for the period of February 14, 2023 through March 13, 2023 in the amount of \$43,083.85. On Roll Call Vote, the motion carried. Roll Call was as follows: Yeas; Commissioner Dakota, Commissioner Kent, Commissioner Menge, Commissioner Cichosz and Commissioner Eilola. Nays; None. Absent; None.

Commissioner Cichosz made a motion, supported by Commissioner Dakota to approve the payment of the Prepaid Bills and Trust and Agency Accounts for the period of February 14, 2023 through March 13, 2023 in the amount of \$269,444.07. On Voice Vote, the motion carried.

Commissioner Dakota made a motion, supported by Commissioner Menge to approve the Sheriff's Dept. Commissary Account expenditures for February 2023 in the amount of \$13,216.91. On Roll Call Vote, the motion carried. Roll Call was as follows: Yeas; Commissioner Dakota, Commissioner Kent, Commissioner Menge, Commissioner Cichosz and Commissioner Eilola. Nays; None. Absent; None.

UNFINISHED BUSINESS:

There was no unfinished business.

ACTION ITEMS:

The Board received a presentation from Kate Beer and Tanya Rule on the proposed updated Upper Peninsula Environmental Health Code. Commissioner Dakota made a motion, supported by Commissioner Menge to approve the Upper Peninsula Environmental Health Code as presented by the Western Upper Peninsula Health Department, by Resolution:

**RESOLUTION ADOPTING
UPPER PENINSULA ENVIRONMENTAL HEALTH CODE**

WHEREAS, Michigan law, being 1978 PA 368, Sec. 244(1), requires that a regulation of a district health department be approved by the governing entity of each of its members;

WHEREAS, this county is a member of the Western Upper Peninsula Health Department which is a district health department and the Board of Commissioners is the governing entity of this county;

WHEREAS, this county has the right to determine whether the proposed regulation will apply to this county; and

WHEREAS, this county does not wish to deprive other members of the district health department from deciding whether the proposed regulation should apply in their own counties.

BE IT RESOLVED that the attached regulation adopted by the Board of Health of the Western Upper Peninsula Health Department known as the Upper Peninsula Environmental Health Code is approved and further the Superior Environmental Health Code shall apply to this county.

On Voice Vote, the motion carried.

Upon the recommendation of the Finance Committee, Commissioner Dakota made a motion, supported by Commissioner Cichosz to approve the following wage increases, retroactive to 10/1/2023: Dawn Howe from \$46,700/annual to \$54634.08/annual, Madeline Barnett from \$18.50/hour to \$19.50/hour, Suzanne Mayo from \$16.50/hour to \$17.50/hour. On Voice Vote, the motion carried.

Clerk Goodreau provided a description of the proposed project. The total project is \$430,000.00 with the MDNR Trust Fund Grant application being \$300,000.00. The project will include a parking lot, vault toilet, trail and boardwalk construction, camping structures, and picnic areas. Commissioner Menge made a motion, supported by Commissioner Dakota to adopt the following resolution authorizing the MDNR Trust Fund Grant application for the Point Abbaye Park Phase III project:

NATURAL RESOURCES TRUST FUND GRANT PROGRAM
RESOLUTION OF AUTHORIZATION

WHEREAS, the County of Baraga supports the submission of an application titled, "Point Abbaye Improvements" to the Natural Resources Trust Fund Program for the of accessible trails, picnic sites, rustic camping shelters, parking, and vault toilet; and,

WHEREAS, the proposed application is supported by the Community's 5-Year Approved Parks and Recreation Plan; and,

WHEREAS, the County of Baraga is hereby making a financial commitment to the project in the amount of \$130,000.00 matching funds, in cash and/or force account; and,

NOW THEREFORE, BE IT RESOLVED that the County of Baraga hereby authorizes submission of a Natural Resources Trust Fund grant application for \$ 300,000.00, and further resolves to make available its financial obligation amount of \$130,000.00 (30%) of a total \$430,000.00 project cost, during the 2024-2025 fiscal year.

On Voice Vote, the motion carried.

Commissioner Dakota made a motion to authorize, by resolution, the service credit purchase as submitted by Carrie Forcia. The cost of the service credit purchase will be the responsibility of Ms. Forcia. On Voice Vote, the motion carried.

Commissioner Cichosz made a motion, supported by Commissioner Dakota to continue allocating \$5,000.00 to UPSET West through the Portage Health Foundation. On Voice Vote, the motion carried.

Commissioner Cichosz made a motion, supported by Commissioner Kent to approve \$200.00 for advertising for the Baraga County Lake Trout Festival. On Voice Vote, the motion carried.

Commissioner Dakota made a motion, supported by Commissioner Menge to approve the contracts for the 2023 Remonumentation Grant as follows: CHN Surveying; 19 corners-\$24,391.54 and UPEA; 23 corners-\$29,526.46. On Voice Vote, the motion carried.

Commissioner Dakota made a motion, supported by Commissioner Cichosz approving a Letter of Support to Senator Debbie Stabenow for the FY2024 Congressionally Designated Spending Request to be submitted by the Baraga County Road Commission for the proposed Baraga Plains Connector Route (from US41 to M38) to provide federal funding under the Transportation/HUD, Highway Infrastructure Program (HIP) Account. On Voice Vote, the motion carried.

Commissioner Menge made a motion, supported by Commissioner Cichosz approving a Letter of Support to Senator Gary Peters for the FY2024 Congressionally Designated Spending Request prepared by the Baraga County Road Commission which would provide federal funding for a new Transportation Maintenance Facility/Service Center to support the Road Commission Operations. On Voice Vote, the motion carried.

Commissioner Kent made a motion, supported by Commissioner Cichosz approving a Letter of Support for the FY 2024 Community Project Funding application prepared by the Baraga County Road Commission for Skanee Road Improvements (from Jentoft Road to Town Road) for funding consideration under the Transportation/HUD, Highway Infrastructure Program (HIP) Account. On Voice Vote, the motion carried.

Commissioner Cichosz made a motion, supported by Commissioner Dakota approving a Letter of Support to Senator Debbie Stabenow for the FY2024 Congressionally Designated Spending Request to be submitted by the Village of L’Anse for the Broad and Main Street Corridor Improvement Project (from US41 to Jentoft Road) in the Village to provide federal funding under the Transportation/HUD, Highway Infrastructure Program (HIP) Account”. On Voice Vote, the motion carried.

Commissioner Dakota made a motion, supported by Commissioner Cichosz to adopt the Resolution authorizing Chairman Eilola to sign the lease agreement for the office space at the Administration Building with the State of Michigan. The resolution is as follows:

**RESOLUTION
AUTHORIZING SIGNER OF LEASE AGREEMENT**

WHEREAS, the Baraga County Board of Commissioners has the authority to enter into a lease agreement for office space at the Baraga County Administration Building, 2 S. Main Street, L’Anse, MI 49946; and,

NOW, THEREFORE, be it resolved that Gale Eilola, Chairman of the Baraga County Board of Commissioners, be hereby authorized and directed to execute said agreement for and on behalf of the Baraga County Board of Commissioners.

On Voice Vote, the motion carried.

Commissioner Dakota made a motion, supported by Commissioner Cichosz to set the hourly wage of the Jail Administrator to be congruent with the Undersheriff at \$26.89/hour. This increase is effective 3/14/2023. On Voice Vote, the motion carried.

Commissioner Dakota made a motion, supported by Commissioner Cichosz to appoint, by recommendation of the BCMH Board of Trustees, Burt Mason to the BCMH Board of Trustees to complete the term vacated by the resignation of William Menge. On Voice Vote, the motion carried.

Clerk Goodreau requested the Board take formal action on the Budget Amendments #01-2023 and #02-2023. The Budget Amendments cover the approved wage increases for Probate Court and the County Jail. Commissioner Dakota made a motion, supported by Commissioner Cichosz to approve BA #01-2023 and #02-2023:

**BARAGA COUNTY
BUDGET AMENDMENTS**
For the Fiscal Year Ending
09/30/2023

BA # 01-2023

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

Local Community Stabilization	101-000-441.00	\$ 12,273.00
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Donation From Private Source - GOTM	101-000-674.04	\$ 2,100.00
Election Reimbursement	101-000-677.02	\$ 3,284.00
Remonumentation Grant	101-000-576.00	\$ 5,514.00

**GENERAL FUND -
EXPENDITURES**

Salary and Wages	101-136-703.00	\$ 11,820.00
Social Security and Medicare	101-136-715.00	\$ 1,000.00
Salary and Wages	101-148-703.00	\$ (1,000.00)
CJO Grant	101-148-705.04	\$ 6,864.00
GOTM	101-148-957.00	\$ 2,100.00
Operating and Office Supplies	101-191-727.00	\$ 3,284.00
Contractual Services	101-295-704.00	\$ 400.00
Per Diem	101-295-710.00	\$ 150.00
Operating and Office Supplies	101-295-727.00	\$ 50.00
Professional and Contractual Services	101-295-801.00	\$ 4,044.00
Travel Expense	101-295-860.00	\$ 150.00
Equipment	101-295-950.00	\$ 720.00
Salary and Wages	101-301-703.00	\$ 5,000.00
Social Security and Medicare	101-301-715.00	\$ 500.00
HSA	101-301-716.05	\$ 10,300.00
Salary and Wages	101-351-703.00	\$ 7,300.00
Social Security and Medicare	101-351-715.00	\$ 560.00
MERS	101-351-718.00	\$ 1,265.00
Longevity	101-351-708.00	\$ 145.00
Post Employment Buyout	101-850-960.76	\$ (31,481.00)

GENERAL FUND – JOURNAL TOTALS **\$ 23,171.00** **\$ 23,171.00**

\$ 23,171.00 **\$ 23,171.00**

BARAGA COUNTY
BUDGET AMENDMENTS
For the Fiscal Year Ending 09/30/2023

BA # 02-2023

Account Name	Account Number	Revenue Increase - (Decrease)	Expense - Increase- (Decrease)
SPECIAL REVENUE FUNDS - REVENUES			
SPECIAL REVENUE FUNDS - EXPENDITURES			
Salary and Wages	292-662-703.00		\$ 3,220.00
Salary and Wages - RTA	292-662-704.00		\$ 520.00
Social Security and Medicare	292-662-715.00		\$ 290.00
MERS	292-662-718.00		\$ 790.00
Other County Institution Placement	292-663-830.02		\$ (4,820.00)
JOURNAL TOTALS		\$ -	\$ -
		<hr/>	<hr/>
		\$ -	\$ -

On Voice Vote, the motion carried.

REPORTS OF STANDING COMMITTEES:

Commissioner Dakota reported that the Baraga County Trails Authority will hold an open house at the CVB on April 15, 2023.

Commissioner Menge reported on all the programs that UPCAP is doing.

Chairman Eilola recommended the Board hold open office hours from 2-4 on the Monday of Board meetings. The Board members could take turns being present. Commissioner Menge made a motion, supported by Commissioner Cichosz for Commissioner office hours to be held. On Voice Vote, the motion carried.

INFORMATIONAL ITEMS:

- Portage Health Foundation, UPSET West Funds
- Gogebic County BOC, UP Environmental Health Code

RESOLUTIONS:

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

RESOLUTION SUPPORTING DARK STORE LEGISLATION

WHEREAS, Representative of Michigan's 38th Senate District, Senator Ed McBroom, seeks to introduce two bills, Senate Bill Numbers 19 and 20, intended to address the method by which the Michigan Tax Tribunal values certain properties, including big box and junior box stores, commonly referred to as the "Dark Store" theory of value; and

WHEREAS, the Tax Tribunal, on numbers occasions, has valued such properties through comparisons to sales of other big box or junior box stores that have "gone dark", i.e., have failed to produce retail sales due to their location in the market; and

WHEREAS, the Tax Tribunal has also valued box stores by comparisons to sales of other box stores that were sold with a private deed restriction in place, which precluded the use of the sold box store for use as a box store; and

WHEREAS, these Tax Tribunal decisions across the state have resulted in artificially reduced values for thriving box stores due to comparisons to stores that either failed or were sold for some other secondary purpose, such as redevelopment for some other commercial use; and

WHEREAS the legislation seeks to remedy these issues by requiring the Tax Tribunal to assure that box stores are valued according to their "highest and best use" by excluding the use of sale comparables sold with private restrictions in place if those restrictions substantially impair the comparable's highest and best use as compared to the property being valued; and

WHEREAS, the legislation seeks to require the use of sale comparables that are adequately comparable to the property being valued.

THEREFORE, the Board of Commissioners of Baraga County, Michigan, resolves as follows:

1. The Baraga County Board of Commissioners hereby supports the legislation to be introduced by Senator McBroom, Senate Bill Numbers 19 and 20.
2. Any resolutions that are inconsistent with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

On Voice Vote, the motion carried.

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

RESOLUTION SUPPORTING COUNTY BOARD OF REVISIONS LEGISLATION

WHEREAS, Representative of Michigan's 38th Senate District, Senator Ed McBroom, seeks to introduce two bills, Senate Bill Numbers 19 and 20, intended to respond to criticisms of the Michigan Tax Tribunal and to create County Boards of Revision with jurisdiction over certain property tax disputes; and

WHEREAS, the Tax Tribunal is comprised of a chairperson and four members. The members include an appraiser member, an assessor member, an attorney member, and an at-large member. The purpose of these different members was to ensure that appropriate expertise (in the fields of assessing, appraising, and the law) was applied to all Tribunal cases and proceedings. Each member is appointed by the Governor; and

WHEREAS, due to an increase in the Tribunals' case load, a single member now presides over a case instead of a panel of all members; and

WHEREAS, the Tribunal's current operations have resulted in criticisms, not limited to delays in case processing, a growing backlog of cases, a lack of transparency in decision-making, and members presiding over complex cases without any legal training or experience in property tax matters; and

WHEREAS, Senate Bill Numbers 19 and 20 provide for the creation of County Boards of Revision, which would obtain jurisdiction over larger, more complex property tax matters that involve over \$1.2 million in dispute; and

WHEREAS, Senate Bill Numbers 19 and 20 are intended to provide a neutral and competent adjudicatory process that is driven by standard legal processes, overseen by experienced legal professionals and tax professionals certified by the Michigan State Tax Commission; and

WHEREAS, County Boards of Revision provide for greater input from local units on property tax matters and the ultimate review for County Board of Revision decisions by Judges in local County Circuit Courts.

THEREFORE, the Board of Commissioners of Baraga County, Michigan resolves as follows:

1. The Board of Commissioners hereby supports the legislation to be introduced by Senator McBroom, Senate Bill Numbers 19 and 20.
2. Any resolutions that are inconsistent with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

On Voice Vote, the motion carried.

COMMISSIONERS COMMENTS:

PUBLIC COMMENTS:

Fran Whitman appreciated the idea of commission office hours.

ADJOURNMENT:

There being no further business to come before the County Board, Commissioner Menge made a motion, supported by Commissioner Kent to adjourn the meeting until Tuesday, April 11, 2023. On Voice Vote, the motion carried.

Gale W. Eilola, Chairman

Wendy J. Goodreau, Clerk