

**OFFICIAL PROCEEDINGS
OF THE
ALPENA COUNTY BOARD OF COMMISSIONERS**

October 27, 2020
1:00 p.m.

The Alpena County Board of Commissioners met in the Merchants' Building at the Alpena County Fairgrounds and was called to order by Chairman Robert Adrian on Tuesday, October 27, 2020 at 1:00 p.m.

Prayer

Prayer was offered by Pastor Marlon Smith of Huron Shores Fellowship of Alpena.

Pledge of Allegiance

Board Chairman Robert Adrian called for the Pledge of Allegiance to the Flag of the United States of America.

Roll Call

Roll was called, the following Commissioners were present: Commissioners Adrian, McRoberts, Karschnick, Fournier, Osbourne, Thomson, and Kozlowski. Commissioner Peterson was on the phone. Absent: None.

Agenda

Moved by Commissioner Thomson and supported by Commissioner McRoberts to approve the agenda with the addition of: 1) IT request by IT Director Steve Mousseau and 2) Grant Application Request by Deputy/Animal Control Officer Michelle Reid. Roll call vote was taken: AYES: Commissioners McRoberts, Karschnick, Fournier, Osbourne, Thomson, Kozlowski and Adrian. NAYS: None. Commissioner Peterson was on the phone. Motion carried.

Public Comment

None.

Consent Calendar

- A) **Approval of the Official Proceedings of the Alpena County Board of Commissioners**
- Regular Session – September 29, 2020
- Special Session – October 6, 2020

- B) **Building Maintenance & Recreation Committee – October 7, 2020**
- C) **Airport Committee – October 8, 2020**

ACTION ITEM #AC-1: The Committee recommends approval of the Land Contract for Building 1445 for a 25 year renewal, be presented to the Chairman of the Board for his signature upon it and any pertinent documents.

- D) **Personnel Committee - October 13, 2020**

ACTION ITEM #PM-1: The Committee recommends that District Court be authorized to advertise and fill the position for a court reporter due to retirement of an employee.

ACTION ITEM #PM-2: The Committee recommends that we use the original hire date as the basis for step raises for employees.

ACTION ITEM #PM-3: The Committee recommends that all employees hourly and salary employees who did not receive the \$1,000 hazard pay receive an additional 24 hours of PTO to be used this year and if not able to, they must be used by 12/31/21.

- E) **Ambulance Committee – October 14, 2020**
- F) **Finance/Building Maintenance and Recreation Committee – October 21, 2020**

ACTION ITEM #FM-1: The Committee recommends we authorize the treasurer to transfer \$12,906.01 from revenue line item #211-325-677 (Reimbursement and Refunds) to expense line item #211-325-970 (E-911 Improvement). The Committee further recommends to pay invoice to KS State Bank – Governmental Financing Department in the amount of \$12,906.01, lease payment for 115 voice pagers as part of the 7500-console project, from line item #211-325-970 (E-911 Improvement), as presented.

ACTION ITEM #FM-2: The Committee recommends we authorize the Office of Emergency Management to accept the donation of an Emergency Response Trailer from the City of Alpena Fire Department, as presented.

ACTION ITEM #FM-3: The Committee recommends we approve the \$3,000.00 expenditure to SBA Structure, LLC, for rental of the 911 Manning Hill Tower covering the time period from October 1, 2020 through December 31, 2020 with budgeted monies coming from line item #211-325-946.

ACTION ITEM #FM-4: The Committee recommends we approve the FY2020 Coronavirus Emergency Supplemental Funding Grant in the amount of \$36,252.62 with no County match. The Revenue line item #101-301-528.000 and Expenditure line item #101-301-998.019 are for 2021 Budget purposes.

ACTION ITEM #FM-5: The Committee recommends we approve the 2020-2021

Secondary Road Patrol Grant Contract (October 1, 2020 through September 30, 2021) in the amount of \$94,322.59 with State Funds of \$33,524.00 and County Funds of \$60,798.59, as presented.

ACTION ITEM #FM-6: The Committee recommends we authorize the Treasurer to create line item #101-301-954 for Storage Bay/Facility Rental for the Sheriff's Office, and that a budget adjustment be made reducing Vehicle Maintenance #101-301-934 by \$3,000.00 and, in turn, increasing the new line item, #101-301-954, \$3,000.00, as presented.

ACTION ITEM #FM-7: The Committee recommends we approve the PIE&G Communities First Fund Grant and Application in the amount of \$2,790.00 with no County match towards the purchase of a Sand Bagging machine for the Office of Emergency Management, and authorize the Chairman of the Board to sign all necessary paperwork. This has Grant Review Committee approval.

Action Item #FM-8 was rescinded.

ACTION ITEM #FM-9: The Committee recommends we approve the FY2021 County Veterans Service Fund Grant for the Veterans Office in the amount of \$30,900.00. The Letter of Intent for the Grant Application was approved at the August Full Board and has been reviewed by the Grant Review Committee.

ACTION ITEM #FM-10: Recommendation to approve removal of Hazardous Material at the old jail monitoring site in an amount not to exceed \$1500.00 with monies to be taken out of line item 101-265-801.001, as presented.

ACTION ITEM #FM-11: Recommendation to approve removal of Hazardous Material at the Fairgrounds in an amount not to exceed \$3,500.00 with money to be taken out of line item #101-265-801.001 and moved to line item 101-268-801.001 (Professional Services Hazardous Waste Removal) to pay the bill and that the Fair Board be invoiced for half the cost of this bill.

ACTION ITEM #FM-12: The Committee recommends we accept the FY21 Byrne Justice Assistance HUNT Byrne JAG Grant Award in the amount of \$141,175.00 as presented and authorize the Chairman of the Board to sign all pertinent documents.

ACTION ITEM #FM-13: The Committee recommends we approve the appraisal of county facilities with MidAmerica Appraisal in the amount of \$1,650.00 with monies coming out of line item #101-200-966 as presented.

ACTION ITEM #FM-14: The Committee recommends we approve the Clark Hill Invoice #1028275 in the amount of \$1,182.50 for legal services relating to COVID-19 for the new Jail with monies coming out of line item #466-301-975 (Jail Construction Costs) as presented.

ACTION ITEM #FM-15: The Committee recommends we approve the Huron

Engineering Invoice #3939 in the amount of \$2,160.00 for the new Jail with monies coming out of line item #466-301-975 (Jail Construction Costs) for concrete testing as presented.

ACTION ITEM #FM-16: The Committee recommends we approve the Thunder Bay Electric invoice in the amount of \$6,380.00 for installation of three new flag poles for the new Jail with monies coming out of line item #466-301-975 (Jail Construction Costs) as presented.

ACTION ITEM #FM-17: The Committee recommends we authorize the Prosecutor to hold Law Enforcement Training at a cost up to \$1,000.00 with monies to be taken out of the Prosecutor's Office Travel Line Item, #101-229- 860.

ACTION ITEM #FM-18: The Committee recommends we approve the Third Quarter Budget Adjustments as presented.

ACTION ITEM #FM-19: The Committee recommends we approve the FY2020 Coronavirus Emergency Supplemental Funding Grants for all three courts, as follows:

Circuit Court: \$18,619.05

District Court: \$22,081.04

Probate Court: \$13,322.59

For a total grant to the Courts of \$54,022.68 with no County match, as presented. This has had Grant Review Committee approval.

- G) Budget Committee – 1) October 6, 2020
2) October 9, 2020
3) October 13, 2020

ACTION ITEM #BC3-1: The Committee recommends approving moving \$126,624 from the Base Security Fund and put into the General Fund for 2020.

- 4) October 23, 2020

ACTION ITEM #BC4-1: The Committee recommends we transfer the entire fund balance (approximately \$282,000) out of the Budget Stabilization Fund into the General Fund for 2020.

ACTION ITEM #BC4-2: The Committee recommends that we move \$60,000 out of the 677 Health Fund for the 2021 budget and put money in the General Fund for seed money for the HSA.

Moved by Commissioner Karschnick and supported by Commissioner McRoberts to approve the Consent Calendar which includes actions as listed above and filing of all reports. Roll call vote was taken: AYES: Commissioners McRoberts, Karschnick, Fournier, Osbourne, Thomson, Kozlowski and Adrian. NAYS: None. Commissioner Peterson was on the phone. Motion carried.

POLL #1 – Replace Heating and Air-Conditioner Unit at Great Lakes Air Building

Chairman Adrian presented the following POLL Action Item for approval.

POLL ACTION ITEM #1: Recommendation to approve emergency replacement of the heating and air-condition unit in the Great Lakes Air Building at the Airport (a County-owned building) in the amount of \$10,700.00 with monies coming from the Building and Grounds Fund.

Moved by Commissioner Osbourne and supported by Commissioner McRoberts to approve the above Poll Action Item as presented. AYES: Commissioners McRoberts, Karschnick, Fournier, Osbourne, Thomson, Kozlowski and Adrian. NAYS: None. Commissioner Peterson was on the phone. Motion carried.

POLL #2 – Spending Freeze

Chairman Adrian presented the following POLL Action Item for approval.

POLL ACTION ITEM #2: Recommendation to approve a spending freeze for the rest of 2020 effective immediately.

Moved by Commissioner Fournier and supported by Commissioner Thomson to approve the above Poll Action Item as presented. Roll call vote was taken: AYES: Commissioners McRoberts, Karschnick, Fournier, Osbourne, Thomson, Kozlowski and Adrian. NAYS: None. Commissioner Peterson was on the phone. Motion carried.

2020 Alpena County Apportionment Report

Ted Somers, Equalization Director, presented the 2020 Alpena County Apportionment Report.

**ALPENA COUNTY BOARD OF COMMISSIONERS
RESOLUTION #20-25 APPROVING THE 2020 APPORTIONMENT REPORT
PURSANT TO MICHIGAN COMPILED LAW 211.37**

WHEREAS, Michigan Compiled Law 211.36 requires each township clerk to submit to the County Clerk on or before September 30 each year a statement which sets forth the amount of money to be raised in the Township by Taxation;

WHEREAS, Michigan Compiled Law 211.37 requires the County Board of Commissioners to hold an apportionment session and approve an Apportionment Report in October of each year;

WHEREAS, at the annual apportionment session, the County Board of Commissioners must examine documents and records submitted to the Board that show the amount of money to be raised by ad valorem levies in each Township for schools, highway, drains, township operations,

and all other purposes as authorized by law and required the correction of any defects or omissions with regard to those levies; and

WHEREAS, the action of the County Board of Commissioners concerning the spread of these levies is final, except in situations where a change is made to the equalization of the County through an equalization appeal to the Michigan Tax Tribunal or a Levy passed at the November elections; and

WHEREAS, the action of the County Board of Commissioners for 2020 will be the official authorization for 16 taxing authorities within the County to levy property taxes for 2020, and

WHEREAS, the Alpena County Equalization Department has prepared an Apportionment Report for consideration by the County Board of Commissioners; and

WHEREAS, the proposed Apportionment Report, if approved, will provide final authorization for the levy of property taxes upon which taxing authorities depend to provide educational, health, economic development, public safety, and other services which are important to the well-being of the county's economy and Alpena County Residents; and

NOW, THEREFORE, BE IT RESOLVED that the attached 2020 Apportionment Report showing the millage levies apportioned to various taxing authorities in Alpena County for the year 2020 is hereby approved in accordance with Michigan Compiled Law 211.37; and

BE IT FURTHER RESOLVED that the Alpena Board of Commissioners, under the authority of Michigan Compiled Law 211.37, directs that the millage rates specified in the attached 2020 Apportionment Report for Township, school, highway, drain, and all other purposes as authorized by law shall be spread against the taxable value of properties on the proper assessment rolls of the Townships and Cities in the County.

Moved by Commissioner Thomson and supported by Commissioner Osbourne to approve the above Action Item as presented. Roll call vote was taken: AYES: Commissioners McRoberts, Karschnick, Fournier, Osbourne, Thomson, Kozlowski and Adrian. NAYS: None. Commissioner Peterson was on the phone. Motion carried.

Request to Accept Sealed Bids for Airport Hangar

Mick Higgins, Assistant Airport Manager, presented the request to accept sealed bids for the sale of the Hangar at 1435 Airport Road.

ACTION ITEM #3: Recommendation to approve accepting sealed bids until November 17, 2020 for the sale of the Hangar at 1435 Airport Rd at the Alpena County Regional Airport as presented.

Moved by Commissioner Thomson and supported by Commissioner McRoberts to approve the above Action Item as presented. Roll call vote was taken: AYES: Commissioners

McRoberts, Karschnick, Fournier, Osbourne, Thomson, Kozlowski and Adrian. NAYS: None. Commissioner Peterson was on the phone. Motion carried.

Commissioner Attendance and Voting

Prosecutor Cynthia Muszynski explained to the Board that a Commissioner could be on virtually as long as they stated their location. At this time, Commissioner Peterson stated he was located at the Detroit Metropolitan Wayne County Airport in Wayne County, Michigan.

Older Persons Committee Allocations

Craig Zelazny, Chairman of the Older Persons Committee, presented to the Board regarding the Committee's proposed Budget Allocations for 2021.

Youth & Recreation Committee Allocations

Tony Suszek, Chairman of the Youth & Recreation Committee, presented to the Board regarding the Committee's proposed Budget Allocations for 2021.

Animal Control Grant Application

Michelle Reid, Animal Control Officer, reported to the Board regarding a grant through MDARD for which she has applied. Due to a tight application deadline, the application has not yet been provided to Grant Review Committee. She was asked to submit the application through the normal process, to the Grant Review Committee followed by presentation to the Finance Committee in November. Kim Ludlow, County Treasurer, recommended a budget adjustment be performed if/when the grant funds are awarded. Officer Reid also informed the Board of Commissioners the new storage building for Animal Control was delivered today.

IT Department Upgrades

Steve Mousseau, IT Director, presented the request to the Board to transfer \$10,000.00 from the Technology Reserve to Software Purchases, line item #101-958-728, for IT updates.

ACTION ITEM #4: Recommendation to approve the transfer of \$10,000.00 from Technology Reserve to Software Purchases, line item #101-958-728 for IT updates as presented.

Moved by Commissioner McRoberts and supported by Commissioner Karschnick to approve the above Action Item as presented. Roll call vote was taken: AYES: Commissioners McRoberts, Karschnick, Fournier, Osbourne, Thomson, Kozlowski and Adrian. NAYS: None. Commissioner Peterson was on the phone. Motion carried.

Commissioner Questions

Commissioner Kozlowski commented on base security funds.

Resolution #20-24

Chairman Robert Adrian presented Resolution #20-24 Confirming Actions Approved by The Board of Commissioners During Remote Meetings.

**RESOLUTION TO RATIFY AND CONFIRM ACTIONS APPROVED BY
THE BOARD OF COMMISSIONERS DURING REMOTE MEETINGS**

RESOLUTION #20-24

WHEREAS, in response to the COVID-19 pandemic, the Governor declared a State of Emergency by Executive Order 2020-4 on March 10, 2020 and extended the State of Emergency by subsequent Executive Orders; and

WHEREAS, in conjunction with the State of Emergency, on March 18, 2020 the Governor issued Executive Order 2020-15 which authorized remote participation in public meetings and specifically allowed public bodies to hold meetings electronically, either by telephonic or video conferencing; and

WHEREAS subsequent Executive Orders extended the authorization to hold remote meetings and ultimately, on July 17, 2020, through Executive Order 2020-154, extended the authority to hold remote meetings through the remainder of the State of Emergency; and

WHEREAS, in reliance on the Executive Orders authorizing remote meetings, the Alpena County Board of Commissioners, has conducted some meetings electronically since March 31, 2020.

WHEREAS, on October 2, the Michigan Supreme Court issued an opinion in which a majority of the Justices agreed that Executive Orders issued after April 30, 2020 are invalid as the law under which they were issued allowed an unconstitutional delegation of authority to the Governor; and

WHEREAS, in response to the October 2, 2020 Michigan Supreme Court Opinion, 2020 Public Act 228 was adopted by the state legislature and signed by the Governor. This Act is effective immediately and retroactively and modifies the Open Meetings Act authorizing remote meetings through the December 31, 2020 for any circumstance and through December 31, 2021 for certain qualifying reasons.

THEREFORE BE IT RESOLVED that in light of the October 2, 2020 Michigan Supreme Court Opinion and 2020 Public Act 228 amending the Open Meetings Act, the Alpena County Board of Commissioners affirms and ratifies all actions approved by the Alpena County Board of Commissioners and its Committee meetings from March 31, 2020 through October 27, 2020.

Moved by Commissioner Fournier and supported by Commissioner Thomson to approve the above Action Item as presented. Roll call vote was taken: AYES: Commissioners

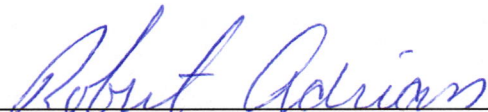
McRoberts, Karschnick, Peterson, Fournier, Osbourne, Thomson, Kozlowski and Adrian.
NAYS: None. Motion carried.

Public Comment

None

Adjournment

Moved by Commissioner Osbourne and supported by Commissioner Kozlowski to adjourn.
Motion carried. The meeting adjourned at 1:54 p.m.



Robert Adrian, Chairman of the Board



Bonnie Friedrichs, County Clerk

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