

**CHIPPEWA COUNTY
BOARD OF COMMISSIONERS**

Regular Session
February 13, 2020

The Chippewa County Board of Commissioners met in regular session on Thursday, February 13, 2020, at 4:30 p.m. in the 91st District Courtroom of the Chippewa County Building.

Chairman Scott Shackleton called the meeting to order at 4:30 p.m. Commissioner Martin led the Pledge of Allegiance.

PRESENT: Commissioners Jim Martin, Don McLean, Robert Savoie and Chairman Scott Shackleton

ABSENT: Commissioner Conor Egan

ALSO, PRESENT: Please note: *This list does not include all that were present as some names were illegible.* Sheriff Mike Bitnar, Karen Senkus, Lana Forrest, Vivian Sova, Jaime Chimner, Robert Shiez, Jim & Michelle Traynor, Michael Willett, Christina Hogan, Tracy, Ty and Jessy Baron, Joan Reinfelder, Tim Moher, Michael Bruce, Warren Hetrick, Catherine and Angelena Szymanski, Shawna Jesse, Ray Baker, Ben Hunt, Marta LaLonde, Brian Henry, Garry Stan, John Odell, Jim Smith, Mike Pins, Kaye Leazier, Robert Laitinen, Dylan Floyd, Robert Stratton III, Chuck Kruch, David Satchell, Leo Joutsie, Thomas Adams, John Kehoe Robert Peltier II, Michael and Amy Hjerstedt, Mike Buriak, Paul Buriak, Damon Lieurance, Bill Munsell, Tom Walker, Sharon Kennedy, Debra LeBlanc, Randy Bishop, Deputy Administrator Kelly Church, Administrator Jim German and Cathy Maleport, Clerk

ADDITIONS AND DELETIONS TO THE AGENDA

It was moved by Commissioner McLean, seconded by Commissioner Martin, to approve the agenda as presented.

On a voice vote, the motion carried.

APPROVAL OF COUNTY BOARD MINUTES

It was moved by Commissioner McLean, seconded by Commissioner Savoie, to approve the regular Board meeting minutes of December 19, 2019 together with the January 2, 2020 Organizational meeting minutes, as presented.

On a voice vote, the motion carried.

CORRESPONDENCE RECEIVED IN THE CLERK'S OFFICE

It was moved by Commissioner McLean, seconded by Commissioner Martin, to acknowledge the correspondence received in the clerk's office and forward as appropriate.

On a voice vote, the motion carried.

PUBLIC COMMENTS

Chairman Scott Shackleton reminded everyone of the rules the Board adheres to, and noted the maximum time for public discussion by way of addressing the Board on only one topic is three minutes per speaker, with a fifteen minute maximum on any one topic.

- **Rob Laitinen** appeared before the Board and read a prepared heavy-hearted statement before announcing his Notice of Resignation from the EUPTA Board effective immediately.
- **Chippewa County Prosecutor Robert Stratton** addressed the Board on two separate issues;
 - 1) He explained that Chippewa County is already a Sanctuary County for the Second Amendment.
 - 2) Mr. Stratton also referenced a high-profile case receiving a lot of media attention. After noting that the media is only providing a small portion of the evidence, and his obligation to the Sixth Amendment Right to a fair trial, he invited everyone to the courtroom.

In an effort to get a unanimous vote for the passing of Resolution 2020-05, the following citizens spoke to declare support for their Second Amendment Rights.

- **Randy Bishop**
- **Damon Lieurance**
- **Anthony Stackpoole**, *Chairman of the Chippewa County Republican Party*
- **Todd Roe**
- **David Law**
- **John Lucas**

ADMINISTRATOR'S REPORT

Jim German, given for informational purposes only - *no action items*.

NEW BUSINESS

2020-05 **Second Amendment Sanctuary County Resolution**

It was moved by Commissioner McLean, seconded by Commissioner Martin, to approve Resolution 2020-05, as presented below. A brief discussion followed, which included Commissioner Savoie stating, "that if we're going to protect our rights in the future, we have to recognize there is a problem in this country with gun violence and it's not the people sitting here."

CHIPPEWA COUNTY BOARD OF COMMISSIONERS COUNTY OF CHIPPEWA 2020-05 RESOLUTION TO DECLARE SUPPORT FOR SECOND AMENDMENT RIGHTS

THE COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF CHIPPEWA,
STATE OF MICHIGAN, STATES:

WHEREAS, the County Board of Commissioners of the County of Chippewa, State of Michigan, pursuant to Michigan statute, is vested with the authority of administering the affairs of the County government of Chippewa County, Michigan, and is organized as a body corporate with powers and immunities provided by law, and to protect the health, safety, and welfare of the residents of Chippewa County and the employees of the Chippewa County government; and

WHEREAS, the Second Amendment to the United States Constitution, ratified in 1791 as part of the Bill of Rights, protects the right of the people to keep and bear arms; and

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S.570 (2008), affirmed an individual's right to possess a firearm, unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated to the States by the Due Process Clause of the Fourteenth Amendment; and

WHEREAS, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), opined that possession or use of a firearm that has some reasonable relationship to the preservation of a well-regulated militia is protected by the Second Amendment; and

WHEREAS, Article I, Section 6 of the Michigan Constitution (1963) provides that "Every person has a right to keep and bear arms for the defense of himself and the state."

WHEREAS, it is the desire of this Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect Chippewa County citizens' individual rights to keep and bear arms; and

WHEREAS, each Chippewa County Commissioner, the County Sheriff, and the Prosecuting Attorney took an oath to support the United States Constitution and the Michigan Constitution.

WHEREAS, due to introduced legislation at state and federal levels and heightened discussions regarding the second amendment, many people have concerns about the future of laws and enforcement of laws that may encroach on those rights.

WHEREAS, many counties in the United States have passed "Second Amendment Sanctuary Resolutions" the Chippewa County Board of Commissioners also wish to state strong support and willingness to act to protect its citizens Constitutional rights.

NOW THEREFORE, IT IS HEREBY RESOLVED, the Chippewa County Board expresses its strong support for the rights of law-abiding citizens to keep and bear arms and urges all branches of state and federal governments take no action which would violate the freedoms guaranteed by either the Michigan or United States Constitutional provisions regarding the right to keep and bear arms.

This Resolution was adopted by the Chippewa County Board of Commissioners at a regular meeting held at the Chippewa County Board Chambers, Chippewa County Courthouse, Chippewa County, Michigan, by an affirmative vote of no less than three of the members of the County Board of

Commissioners who are elected and serving, on this 13th day of February, 2020.

A VOTE WAS TAKEN AS FOLLOWS

AYES: Commissioners Martin, McLean, Savoie and Chairman Shackleton

NAYS: None

THE RESOLUTION WAS DECLARED ADOPTED.

RECESS

Chairman Shackleton called for a five-minute recess at 4:55 p.m. to allow those that did not want to sit through the entire meeting to leave.

The Board reconvened at 5:00 p.m.

A) Chippewa County Veterans Affairs resignation ~ Nicholas Huyck

Commissioner Savoie noted that he serves on the Veterans Board with Nicholas Huyck, and he is very dedicated to the Veterans' and has done a remarkable job.

There were no action items.

B) 2020-02 Proclamation League of Women voters 100th Anniversary

It was moved by Commissioner Savoie, seconded by Commissioner McLean, to adopt the below referenced proclamation. A brief discussion followed.



Proclamation 2020-02

Celebrating the 100th Anniversary of the League of Women Voters of the United States

Whereas, the League of Women Voters was founded in 1920 as a “mighty political experiment” by the foremothers of the suffragist movement at the National American Woman Suffrage Association, and;

Whereas, their goal was to help the 20 million women who were granted the right to vote by the 19th Amendment understand and carry out their new responsibility as voters, and;

Whereas, with the success of this effort and the tireless efforts over the last 100 years to strengthen and uphold its mission to empower voters and defend democracy, the League has become a trusted

nonpartisan, grassroots organization, and;

Whereas, the League has sponsored legislation and fought in the courts to protect and strengthen voting rights and access, and for free and fair elections, civil rights, children, community health, and education, and;

Whereas, the League has consistently been noted for its nonpartisan election information, including sponsorship of candidate forums and information on state and local ballot issues, as well as its commitment to register, educate, and mobilize voters, and;

Whereas, the League champions government systems that are open, transparent, inclusive, and equitable, and;

Whereas, the League believes that active and engaged citizens, irrespective of gender, ethnicity, or political affiliation, are the hallmark of democracy;

Now therefore be it proclaimed February 14 as League of Women Voters Day.

We honor and congratulate the League of Women Voters on its 100th Anniversary and commend the League for its significant contributions to empowering voters and making democracy work.

A VOTE WAS TAKEN AS FOLLOWS

AYES: Commissioners Martin, McLean, Savoie and Chairman Shackleton

NAYS: None

THE LEAGUE OF WOMENTS VOTERS' PROCLAMATION WAS DECLARED ADOPTED.

C) 2020-03 Special Recognition Trooper Daniel D. Bergsma

It was moved by Commissioner McLean, seconded by Commissioner Savoie, to adopt resolution 2020-03 as follows:

RESOLUTION NO. 20-03

**RESOLUTION IN APPRECIATION AND SPECIAL RECOGNITION
OF TROOPER DANIEL D. BERGSMA**

WHEREAS, *Trooper Daniel D. Bergsma* was accepted and graduated from the Michigan State Police 111TH Trooper Recruit School in 1995; *Trooper Bergsma* has served on the Security Detail for the National Governor's Association Conference, Secure Cities Partnership Details, Hometown Security Team, and was selected and served on Mackinac Island Detail; and

WHEREAS, *Trooper Daniel D. Bergsma* has worked exhaustively and diligently at upholding and representing the highly professional image of the Michigan State Police; *Trooper Daniel D. Bergsma's* work ethic, his integrity and his attention to detail have earned him the uppermost regard by all his fellow Troopers, his peers and his supervisors; and

WHEREAS, Trooper Daniel D. Bergsma will retire from service with the Michigan State Police, effective February 2020 after 25 years of service to the Michigan State Police, received a Lifesaving Award in September 2015; Professional Excellence Awards in both 2012 and 2018 and was named Sault Ste. Marie Post Trooper of the Year twice, in 2006 and 2011; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Chippewa County Board of Commissioners respectfully dedicates this document to honor and thank **Trooper Daniel D. Bergsma** for his many years of public service with the State of Michigan and especially for his work in Chippewa County and the Eastern Upper Peninsula.
2. That the Chippewa County Board of Commissioners extends their best wishes to **Trooper Daniel D. Bergsma** for many years of enjoyment in his retirement.

A VOTE WAS TAKEN AS FOLLOWS

AYES: Commissioners Martin, McLean, Savoie and Chairman Shackleton

NAYS: None

THE RESOLUTION WAS DECLARED ADOPTED.

D) 2020-04 Special Recognition Douglas Graham

It was moved by Commissioner Savoie, seconded by Commissioner Martin, to adopt Resolution 2020-04 as follows:

**RESOLUTION 2020-04
SPECIAL RECOGNITION**

DOUGLAS GRAHAM

LET IT BE KNOWN, that it is with great pride that the Chippewa County Board of Commissioners join together with the employees and residents of Chippewa County, to express their wishes of health and happiness upon his retirement from the Chippewa County Sheriff's Office.

DOUGLAS GRAHAM. has served not only the citizens of Chippewa County, but also its visitor's in a manner above reproach, and for this we extend our thanks.

DOUGLAS GRAHAM. has provided outstanding service to thousands of individuals for over the past twenty-five (25) years. Holding various positions within the Chippewa County Sheriff's Office.

DOUGLAS GRAHAM. Has brought recognition to the County, the office and the community. The Chippewa County Board of Commissioners, on behalf of the

residents of Chippewa County, extends their appreciation to a gentleman who is thoughtful, caring, involved and dedicated, and who made a favorable impact on the betterment of life in Chippewa County.

IN SPECIAL TRIBUTE, therefore, upon his leaving Chippewa County, this document is signed and dedicated to honor **DOUGLAS GRAHAM**, for his countless contributions to Chippewa County, and the individuals he served so well. For his efforts in improving the safety and well-being of the citizens of this County, we join together to extend **DOUGLAS GRAHAM**, a gracious thank you for a job well done, and wish him continued success in which he so richly deserves.

A VOTE WAS TAKEN AS FOLLOWS

AYES: Commissioners Martin, McLean, Savoie and Chairman Shackleton

NAYS: None

THE RESOLUTION WAS DECLARED ADOPTED.

STANDING COMMITTEE REPORT:

FINANCE, CLAIMS AND ACCOUNTS COMMITTEE MEETING MINUTES
Commissioner Martin, Chairman – February 6, 2020

AGENDA ITEMS

Health Department

Medical Examiner Annual Insurance Renewal - \$5,426.80

2019-2022 Community Health Improvement Plan approval

The committee reviewed the medical examiner annual insurance renewal and the Health Department's request to approve the Chippewa County Community Health Improvement Plan 2019-2022.

It was moved by Commissioner Martin, seconded by Commissioner McLean, to approve and authorize the Medical Examiner's annual Insurance Renewal with Admiral Insurance Company in the amount of \$5,426.80 and to approve the Chippewa County Community Health Improvement Plan 2019-2022, as presented. On a voice vote, the motion carried.

Administration - Increase Security – Camera quote \$9,883.70

The Committee was updated on the current lack of security cameras in the County basement, the tunnel, stairwells and the discussion lead to cameras in the elevators; There is a need to update the camera systems; a RAP Grant through MMRMA has been submitted, with 25% reimbursement possible. The quotes will come back to the Finance Committee for final approval. Discussion also included liability and monitoring.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to have Administration get three quotes, to updated the security cameras to include the blind spaces noted, and to include quotes for including the elevators. On a voice vote, the motion carried.

Administration - Northern Transitions, Inc and County of Chippewa Recycling Property Lease

renewal

The Committee reviewed the updated property lease between Northern Transitions and the County of Chippewa Recycling Committee; the lease is currently \$36,000, presented with an effective date of March 1, 2020 until February 28, 2024. Discussion followed with regards to changing the lease to match the dates of the Recycling Program Proposition Millage dates; the millage fund 2018,2019,2020 and 2021; so, funding is collected until 2022.

It was moved by Commissioner Martin, seconded by Commissioner McLean, to approve and authorize the Property Lease between Northern Transitions and the County of Chippewa Recycling Committee, for \$36,000.00; and to change the end date of the lease to match the millage, that date being December 31, 2022. On a voice vote, the motion carried.

Administration – Remonumentation Office Rent Agreement \$3,900.00

The Committee reviewed the Rent Agreement to William and Carol Karr to be paid from the Remonumentation Program in the amount of \$3,900.00; which is an increase due to added utilities.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to approve and authorize the Rent Agreement from William and Carol Karr, in the amount of \$3,900.00 to be paid from the Remonumentation Program. On a voice vote, the motion carried.

Administration – Road Sheriff Deputy re-hire at 3-year rate request

The Committee reviewed a request to re-hire Deputy Justin Fruchey at the 3-year rate of pay, as he is fully trained and certified for Road Deputy duties. Deputy Fruchey has previously been employed with Chippewa County for over 8 years, and resigned in May of 2019, for family reasons and would like to return to work with the County.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to re-instate Deputy Justin Fruchey at the 3-year rate, including vacation and sick time. On a voice vote, the motion carried.

Administration – War Memorial Hospital Appointment

The Committee was updated on the War Memorial Hospital Nominee not being accepted by the WMH Nominating Committee; and the need to re-advertise for the position. Discussion followed.

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to re-advertise and seek new applications of interest for the WMH position, as well as, any other open positions not filled previously; to accept the nominations at the March Finance Committee meeting and to make the appointments at the March regular meeting. On a voice vote, the motion carried.

Future Contract Negotiations

It was moved by Commissioner Martin, seconded by Commissioner Savoie, to authorize Administration to offer a wage re-opener with the Local 406 (Teamsters) County Health Department Unit. On a voice vote, the motion carried.

Finance - Claims and Accounts

The Committee reviewed the bills and payroll presented for approval.

It was moved by Commissioner Martin, seconded by Commissioner McLean, to recommend the approval of January bills and payroll as follows: the general claims totaling \$465,644.49 other fund claims \$1,664,949.17, payroll of \$1,141,889.65, Health Department claims of \$221,330.40 and Health Department payroll of \$201,653.62 total claims of \$3,695,467.33. On a voice vote, the motion carried.

It was moved by Commissioner Martin, seconded by Commissioner McLean, to accept the February 6, 2020 Finance Claims and Accounts Meeting Minutes as presented. On a voice vote, the motion carried.

COMMISSIONER REPORT ON MEETINGS AS BOARD REPRESENTATIVE AND GENERAL COMMENTS

Among some of the comments were the following:

- **Commissioner McLean** reported on a meeting he attended last month, where Judge Blubaugh, Undersheriff Greg Posta, and Chippewa County Prosecutor Rob Stratton were looking at medically assisted addiction treatment in the jail, and further noted that the State and Federal Government are moving in this direction. Commissioner McLean expressed his appreciation that they're looking at these issues, and to possibly make some adjustments in the way we handle people in the jail is impressive.

Commissioner McLean also referenced the Community Action Senior Millage.

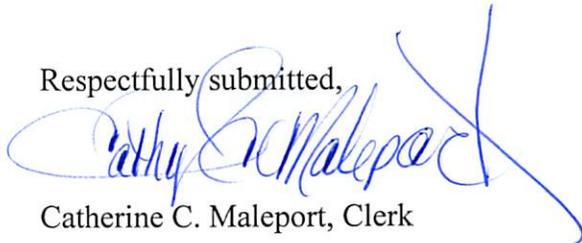
- **Chairman Scott Shackleton**, referenced a newspaper article he came across the other day that reflected that he was first Chairman ten years ago in January and stated, "It's been a pleasure to be Chairman, but I'm going to resign as of the end of February the Chairmanship; I'm staying on the Board, I hope to be re-elected to the Board, I'm not going anywhere by choice, but ten years is long enough to be the Chair." He explained that there is no other reason, don't speculate, don't guess, don't wonder, no other reason, ten years is enough. He went on to say that he looked at their By-Laws, and the Vice-Chair automatically takes the position, noting that will be Commissioner Martin, who is more than capable of taking over. He further indicated that his resignation is active at the end of the month, and he did not think it's prohibitive for Commissioner Martin to be the Finance Chair and the Chair. However, he assumed Mr. Martin would probably want to leave that position, and that will be up to the Chairman to appoint a new Finance Chair. The Board will then vote for Vice-Chair.

Chairman Shackleton further shared his reflection as Chair; "I think my only observation is that in 10 years we got some good stuff done. I'm most proud of the fact that our finances are in very good shape, much better than they were ten years ago. The other thing that I'm most proud of is that this Board plays a more appropriate role in county government than the County Board did historically. Historically, the County Board was very involved in the day to day operations of everything, lots of micromanagement going on. We're doing much, much better in that capacity. There may be a little more room for improvement yet, but we've come a long way. "

- **Administration German** announced that it was his pleasure to serve with Mr. Shackleton as Chairman of this Commission. He further noted, “You have been there for guidance and advice for the administration that is second to none, and I want to thank you for those ten years that you have given us.”

Having completed the agenda items, it was moved by Commissioner Savoie, seconded by Commissioner McLean to adjourn. The Board adjourned at 5:19 p.m.

Respectfully submitted,



Catherine C. Maleport, Clerk



Scott Shackleton, Chairman