

DICKINSON COUNTY BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
Monday, July 27, 2020 - 6:00 p.m.
Courthouse - Circuit Courtroom
TAPE 440

1. The meeting was called to Order by Chairman Wender at 6:00 PM.
2. Pledge of Allegiance to the Flag of the United States of America was said by all.
3. Roll Call was taken by Chief Deputy Clerk Dan Miller and a quorum was present.
Present: Chairman Henry Wender, Vice Chairman Barb Kramer and Commissioners Joe Stevens, John Degenauer and Kevin Pirlot. (5)
Absent None
Also Present: Chief Deputy Dan Miller, Controller Brian Bousley, Sheriff Scott Rutter and Asst Prosecutor Carl Downing.
4. Motion by Commissioner Degenauer seconded by Commissioner Kramer to accept the agenda as written. All Ayes, Motion Carried
5. Motion by Commissioner Pirlot seconded by Commissioner Degenauer to approve the following meeting minutes:
Finance – June 18th
Regular – July 13th All Ayes, Motion Carried
6. **COMMUNICATIONS AND LEGISLATION:**
 - A. Citizens' Time: (Limited to five minutes per person)
Chairman Wender opened the floor to Citizens' Time and there was no participation.
 - B. Resolutions and Legislation –Commissioner Degenauer
 1. Motion by Commissioner Degenauer seconded by Commissioner Pirlot to approve Dickinson County Resolution 2020-14, Resolution and Intergovernmental Agreement Between the City of Norway and Dickinson County to Manage Floodplain Development for The National Flood Insurance Program. All Ayes, Motion Carried.

Dickinson County Resolution 2020-14
Resolution and Intergovernmental Agreement Between the City of Norway and Dickinson County to Manage Floodplain Development for The National Flood Insurance Program

WHEREAS, the CITY OF NORWAY currently participates in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community;
and,

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply

for the purposes of this resolution:

1. Flood or Flooding means:

a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and

b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.

2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may

have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.

3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).

4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.

6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act”, Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and,

WHEREAS, by the action dates of this document or an existing historical agreement dated July 27, 2020, DICKINSON COUNTY affirms on behalf of CITY OF NORWAY to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, and the Michigan Rehabilitation Code for Existing Buildings to all development within CITY OF NORWAY’S political boundaries, and,

WHEREAS, CITY OF NORWAY and DICKINSON COUNTY enforce floodplain regulations of the construction code act, and CITY OF NORWAY wishes to ensure that the administration of that code complies with requirements of the NFIP, and,

NOW THEREFORE BE IT RESOLVED, to maintain eligibility and continued participation in the NFIP,

1. CITY OF NORWAY and DICKINSON COUNTY agree that the DICKINSON COUNTY’S officially designated enforcing agency for the construction code act, DICKINSON COUNTY CONSTRUCTION CODE COMMISSION ADMINISTRATOR, be directed to administer, apply, and enforce on CITY OF NORWAY’S behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations, by:

a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and

b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan EGLE under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and

c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, DICKINSON COUNTY shall implement the following applicable codes according to their terms:

i) All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Residential Code.

ii) All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Building Code.

iii) Appendix G of the current Michigan Building Code.

iv) All appropriate portions and specifically the floodplain management regulation

portions and referenced codes and standards of the current Michigan Rehabilitation Code for Existing Buildings.

d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.

e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.

f. Advising FEMA of any changes in community boundaries, including appropriate maps, and

g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.

2. CITY OF NORWAY and DICKINSON COUNTY assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure CITY OF NORWAY'S compliant participation in the program.

3. CITY OF NORWAY further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

FURTHER BE IT RESOLVED, both communities declare their understanding that, until this resolution is rescinded or CITY OF NORWAY makes other provision to enforce the construction code act:

1. DICKINSON COUNTY must administer and enforce the construction code act in accordance with the terms and the conditions contained herein, and

2. For CITY OF NORWAY to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.

<u>CITY OF NORWAY:</u>	<u>Date Passed:</u>
<u>Officer Name:</u>	<u>Title:</u>
<u>Signature:</u>	<u>Date:</u>
<u>Witness Name:</u>	<u>Title:</u>
<u>Signature:</u>	<u>Date:</u>

<u>DICKINSON COUNTY:</u>	<u>Date Passed:</u>
<u>Officer Name:</u>	<u>Title:</u>
<u>Signature:</u>	<u>Date:</u>
<u>Witness Name:</u>	<u>Title:</u>
<u>Signature:</u>	<u>Date:</u>

7. **REPORTS OF STANDING COMMITTEES:**

A. **Finance Committee** – Finance Chairperson Kramer

1. Motion by Commissioner Kramer seconded by Commissioner Pirlot to approve monthly bills from the July 16th finance meeting in the amount of \$2,059,453.57. Roll Call Vote:

Commissioners:

Degenauer Aye

Kramer Aye

Pirlot Aye

Stevens Aye

Wender Aye Motion Carried.

B. **A-95 Review** – Commissioner Kramer-None

C. **Six County Employment Alliance** – Commissioner Stevens-None

D. **Planning and Zoning Committee** – Commissioner Kramer-None

E. **DHHS / DICS**A – Commissioner Kramer

1. Motion by Commissioner Kramer seconded by Commissioner Degenauer to approve the third quarter payment request from DICS

A in the amount of \$66,244.00. Roll Call Vote:

Commissioners:
Kramer Aye
Pirlot Aye
Stevens Aye
Wender Aye
Degenaer Aye Motion Carried.

F. **Dickinson-Iron Health Department** – Commissioner Stevens-None

G. **Northpointe** – Commissioner Pirlot-None

H. **Pinecrest** – Commissioner Degenaer
1. Pinecrest meeting minutes of March 19th.
2. Pinecrest meeting minutes of April 23rd.
3. Pinecrest meeting minutes of May 28th.

I. **Equalization Committee** – Commissioner Degenaer-None

J. **Building & Supply/Real Estate-Remodeling** – Commissioner Degenaer

1. Motion by Commissioner Degenaer seconded by Commissioner Kramer to approve the proposal from The Markell Company to cover remainder of the built-in gutter system at the Dickinson County Courthouse. Project not to exceed \$26,800.00. Roll Call Vote: Commissioners:
Pirlot Aye
Stevens Aye
Wender Aye
Degenaer Aye
Kramer Aye Motion Carried.

2. Motion by Commissioner Degenaer seconded by Commissioner Stevens to approve the solicitation for bids to complete the water and sewer line project at the Dickinson County Ford Airport. This project is for the installation of new water and sewer hook ups for the new hangars and future hangars. Roll Call Vote: Commissioners:
Stevens Aye
Wender Aye
Degenaer Aye
Kramer Aye
Pirlot Aye Motion Carried.

K. **Public Safety and Judiciary** – Commissioner Wender-None

Pete Schlitt reported on the COVID testing. 588 were tested in Kingsford and 2389 in the U.P.
Scott Rutter reported on the jail repairs and water rescue.

L. **Parks Committee** – Commissioner Stevens-None

M. **Airport Committee** – Commissioner Wender

1. Motion by Commissioner Pirlot seconded by Commissioner Kramer to approve the sale of hangar # 11 by Debonaire, Inc. to Robert C. Dillman MMST, LLC. Roll Call Vote: Commissioners:
Wender Aye
Degenaer Aye
Kramer Aye
Pirlot Aye
Stevens Aye Motion Carried.

N. **Fair Board** – Commissioner Degenaer-None

Commissioner Degenaer stated that the Fair has been canceled, but they will still hold the livestock sale on Aug 15 with fair food drive thru 10am to 8 pm.

O. **Library Board** – Commissioner Pirlot-None

P. **Employee Relations** - Commissioner Degenaer

1. Motion by Commissioner Degenaer seconded by Commissioner Kramer to approve Judge LaCost to fill an upcoming vacancy of the Deputy District Court

Magistrate/District Court Clerk position. All Ayes, Motion Carried.

2. Motion by Commissioner Degenauer seconded by Commissioner Pirlot to approve Judge LaCost to fill an upcoming vacancy of a District Court Probation Officer position.
All Ayes, Motion Carried.

Q. **Dickinson County Hospital Committee** – Commissioner Stevens-None

R. **Dickinson County Road Commission** – Commissioner Wender

1. DCRC meeting minutes of June 9th.

S. **Construction Code Commission** – Commissioner Degenauer-None

T. **Bay West Advisory Committee** - Commissioner Degenauer-None

U. **Veterans' Affairs Committee** – Commissioner Stevens-None

8. **UNFINISHED BUSINESS & OLD BUSINESS:** Commissioner Degenauer-None

9. **PETITIONS AND NEW BUSINESS:** - Commissioner Degenauer

A. Motion by Commissioner Degenauer seconded by Commissioner Pirlot to approve the 2020 U.P. RC&D Council Dues of \$350.00. Roll Call Vote: Commissioners:

Degenauer	Aye	
Kramer		Nay
Pirlot	Aye	
Stevens	Aye	
Wender	Aye	Motion Carried.

B. Motion by Chairman Wender to appoint Barb Kramer as Dickinson County's representative to serve on the 2020 U.P. RC&D Council.

C. Motion by Chairman Wender to appoint Brian Bousley as Dickinson County's alternate to serve on the 2020 U.P. RC&D Council.

D. Motion by Commissioner Degenauer seconded by Commissioner Stevens to approve the Michigan Association of Counties Annual dues in the amount of \$6,723.84 Roll Call Vote: Commissioners:

Kramer	Aye	
Pirlot	Aye	
Stevens	Aye	
Wender	Aye	
Degenauer	Aye	Motion Carried.

E. Motion by Commissioner Degenauer seconded by Commissioner Kramer to approve Dickinson County acting as the Fiduciary agent on behalf of, and as part of, Michigan Homeland Security Region 8. All Ayes, Motion Carried.

10. Motion by Commissioner Kramer seconded by Commissioner Degenauer to accept the Committee Reports and Correspondence and place on file. All Ayes, Motion Carried.

11. Controller's Report.
Boat Launch location.
The Playground equipment will be arriving tomorrow.
Safety grant for Hanger Project.
Dr. Zevitz has resigned.
The Senior Center floor repairs.

12. Citizen's Time (Limited to five minutes per person)
Chairman Wender opened the floor to Citizens' Time and there was no participation.

13. Commissioners' Personal Privilege.
Commissioner stated "Go Tigers".
Commissioner Pirlot stated that there should be election viewing for citizens.
Commissioner Degenauer stated he received very good care at DCH for his surgery.
Commissioner Kramer stated the Gold Star Picnic-Dave Stahl? Wants to know if US 2 will be closed?
Commissioner Stevens stated that NO US 2 will not be closed.

Commissioner Wender stated that he is in favor of purchasing the property near the airport. He asked Carl Downing if the sales agreement is ready for the Senior Center? Carl Downing stated no it may have to be surveyed.

14. Motion by Commissioner Kramer seconded by Commissioner Degenauer to adjourn, Subject to Call of Chairman at 6:37 PM.

Chairman Henry Wender

Chief Deputy Dan Miller