

Tuscola County Board of Commissioners
December 29, 2010 Minutes
H. H. Purdy Building

Chairman Thomas Bardwell called the meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building in the City of Caro, Michigan, on the 29th day of December, 2010 to order at 8:35 o'clock a.m. local time.

Prayer by Commissioner Roggenbuck
Pledge by Commissioner Kern

COMMISSIONERS PRESENT:

District #1 Amanda Roggenbuck, District #2 Thomas Bardwell, District #3 Tom Kern, District #4 Roy Petzold, District #5 Gerald Peterson

COMMISSIONERS ABSENT:

10-M-270

Motioned by Roggenbuck seconded by Petzold to adopt the agenda as amended. Motion carried.

10-M-271

Motioned by Peterson seconded by Roggenbuck to approve the minutes of the 12/9/10 regular meeting. Motion carried.

Brief Public Comment – Crystal Pitcher appeared on behalf of the Caro Chamber of Commerce

10-M-272

It was moved by Peterson and supported by Roggenbuck that the following Consent Agenda resolution be adopted:

CONSENT AGENDA

Agenda Reference: A

Entity Proposing: COMMITTEE OF THE WHOLE 12/9/10

Description of Matter: Move that per the request of several departments that the county imprest cash limit be increased from \$150 to \$300. It is the responsibility of each department to maintain accurate ledgers for proper accounting of this cash and to supply this accounting

information at the request of the Controller/Administrator's Office and/or county auditors.

Agenda Reference: B

Entity Proposing: COMMITTEE OF THE WHOLE 12/9/10

Description of Matter: Move that per the December 8, 2010 memo from the Sheriff that authorization is given to purchase accident reconstruction equipment from the 2010 Sheriff Department operating budget for an amount of \$1,288.

Agenda Reference: C

Entity Proposing: COMMITTEE OF THE WHOLE 12/9/10

Description of Matter: Move that the County Road Commission request for an increase in compensation be denied based on the extremely restricted financial ability of federal, state and county government and to avoid a precedent that could force increases in compensation and per diem payments to many other county boards and commissions.

Agenda Reference: D

Entity Proposing: COMMITTEE OF THE WHOLE 12/9/10

Description of Matter: Move that per the December 7, 2010 letter of request from the Dispatch Director that Tyler Woidan be appointed to fill the part-time vacant dispatcher position at Central Dispatch beginning in January of 2011.

Agenda Reference: E

Entity Proposing: COMMITTEE OF THE WHOLE 12/9/10

Description of Matter: Move that the two personnel commissioners attend Department Head meetings and other commissioners to attend as alternates in the absence of personnel commissioners.

Agenda Reference: F

Entity Proposing: COMMITTEE OF THE WHOLE 12/9/10

Description of Matter: Move that a legal opinion be obtained regarding establishing a moratorium regarding the sale and distribution of medical marijuana until a county ordinance can be prepared and adopted.

Agenda Reference: G

Entity Proposing: COMMITTEE OF THE WHOLE 12/9/10

Description of Matter: Move that a legal opinion be obtained to determine solutions to the county credit card problem which currently requires a personal financial guarantee from a county official.

Agenda Reference: H

Entity Proposing: COMMITTEE OF THE WHOLE 12/9/10

Description of Matter: Move that per the November 22, 2010 memo of request from the Sheriff that out of state travel for two officers to obtain training regarding Smith and Wesson armor be approved.

IT IS FURTHER RESOLVED that any motion, resolution, or other act of Tuscola inconsistent with this Resolution is hereby rescinded, modified, replaced or superseded by this Resolution.

YEAS: all

NAYS: none

ABSTENTIONS: none

RESOLUTION ADOPTED.

Airport Zoning Administrator Interviews
 Scott and Dave Romain with S & D Aviation, LLC
 Paul Hoose
 Ione Vyse, Vyse Administrative Services LLC

10-M-273

Motion by Kern seconded by Peterson Move that Tuscola Area Airport Zoning Administrator services be awarded to Vyse Administrative Services LLC who shall be responsible for administering the Tuscola Area Airport Zoning

Ordinance for the County when local units of government have chosen not to administer the ordinance themselves. Motion carried.

10-M-274

Motion by Kern seconded by Roggenbuck that per the request of South Central Michigan Construction Code Incorporated (SCMCCI) that effective January of 2011 a temporary reduction of annual rent payment of \$5000 be implemented. Also, amend the 2011 County Budget by increasing the use of reserves. (A request was made by SCMCCI to temporarily reduce the office space rent paid to the county by 50% from \$25,000 to \$12,500 annually. Previously the SCMCCI rent payment was reduced from \$50,000 to \$25,000.). Motion carried.

10-M-275

Motion by Kern seconded by Roggenbuck that per the December 17, 2010 letter of request from the Sheriff, install an electronic locking mechanism on the door in the security garage for an estimated cost of \$1,150. Also, said expense be paid from the Building and Grounds Budget. Motion carried.

10-M-276

Motion by Kern seconded by Peterson to implement a new system to replace the former county credit card system with Northstar Bank with a limited number of debit cards issued with draw downs from a separate county checking account at Northstar Bank that does not require personal guarantees from county management. Motion carried.

10-M-277

Motion by Kern seconded by Petzold that per the recommendation of the Board of Health to approve the 2011 Tuscola County Health Department fee schedule with the changes as provided by the Board of Health and said changes effective January 1, 2011. Motion carried.

10-M-278

Motion by Peterson seconded by Petzold to approve the three year auditing services engagement letter dated December 16, 2010 with Anderson, Tuckey, Bernhardt and Doran and authorize all appropriate signatures. Motion carried.

10-M-279

Motion by Kern seconded by Roggenbuck to lift the hiring freeze and approve the posting and refilling of the full-time Court Records Clerk II position in the County Clerk's office. Motion carried.

10-M-280

Motion by Peterson seconded by Roggenbuck to approve the supplemental auditing services engagement letter dated December 16, 2010 and authorize all appropriate signatures. Motion carried.

10-M-281

Motion by Kern seconded by Roggenbuck to concur with the hiring of James Freeman as the Domestic Violence Investigator (full-time), Rebecca Gokey as the Domestic Violence Advocate (full-time) and Michael Kwarcinski as the Domestic Violence Prosecutor (part-time) (all grant-funded positions). Motion carried.

Recess at 10:15 a.m.

Reconvene at 10:25 a.m.

Commissioner Roggenbuck left the room

10-M-282

Motion by Kern seconded by Petzold that staff prepare information and put notification in the newspaper and on the county website informing the public that the Board of Commissioners will be accepting and reviewing applicants for possible appointment to the vacant District 1 Commissioner position (appointment must be made within 30 days of the commissioner resignation and an election must be held within a reasonable period of time whether a person is appointed by the Board of Commissioners or not). Motion carried.

10-M-283

Motion by Kern seconded by Petzold to authorize 2010 year-end budgetary amendments for compliance with the Uniform and Accounting Act per the December 2010 information provided by the Controller/Administrator. Motion carried.

10-M-284

Motion by Kern seconded by Petzold to concur with the agreement for legal representation of indigents in the 54th Judicial Circuit Court for the period of January 1, 2011 to December 31, 2011 with the law offices of Kohl, Nolan, Turkelson & Ogden P.C. for an annual amount of \$165,000 and authorize all appropriate signatures. Motion carried.

10-M-285

Motion by Kern seconded by Peterson to concur with the contract for legal representation of juveniles in delinquency case filed in the 54th Judicial Circuit Court for the period of December 1, 2010 until December 31, 2012 with the law offices of Duane E. Burgess for the sum of \$15,600 for 2011 and \$16,000 for 2012 and authorize all appropriate signatures. Motion carried.

10-M-286

Motion by Kern seconded by Peterson to concur with the contract for legal representation of guardian ad litem on behalf of children in abuse and neglect cases assigned to the 54th Judicial Circuit Court for the period of December 1, 2010 until December 31, 2012 with the law offices of Tara J. Hofmeister for the sum of \$49,000 (total for two years) and authorize all appropriate signatures. Motion carried.

10-M-287

Motion by Kern seconded by Petzold to concur with the contract for legal representation of parents involved in petitions alleging child neglect/abuse cases filed in the 54th Judicial Circuit Court – Family Division for the period of December 1, 2010 until December 31, 2012 with the law offices of Kohl, Nolan, Turkelson & Ogden P.C. for the sum of \$29,300 annually and authorize all appropriate signatures. Motion carried.

Commissioner Roggenbuck re-entered the meeting

10-M-288

Motion by Petzold seconded by Peterson to concur with the contract between Tuscola County Recycling and Valley City Environmental Services, Inc. for recycling of consumer electronics for residents and small businesses for the period of January 1, 2011 through December 31, 2011 and authorize all appropriate signatures. Motion carried.

10-M-289

Motion by Peterson seconded by Kern to accept with regret and place on file the resignation of District 1 Commissioner Amanda Roggenbuck. Motion carried.

10-M-290

Motion by Roggenbuck seconded by Kern to authorize the purchase of 32 ballot containers at a cost of \$2,683.54 including shipping costs and authorize the county clerk take the necessary steps to distribute to the local units and retrieve the approval stickers affixed to containers currently being used. Direct the costs be recouped from the local units for the ballot containers

Extended Public Comment

Roger Allen appeared to express his interest in being appointed District #1 County Commissioner

Zygmunt Dworzecki appeared to express his interest in being appointed District #1 County Commissioner

Meeting adjourned at 11:20 a.m.

Margie A. White, Tuscola County Clerk