

TUSCOLA COUNTY BOARD OF COMMISSIONERS
February 22, 2018 Minutes
H. H. Purdy Building

Commissioner 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 22nd day of February 2018, to order at 8:00 o'clock a.m. local time.

Prayer – Commissioner Kirkpatrick

Pledge of Allegiance – Commissioner Bardwell

Roll Call – Clerk Fetting

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 - Kim Vaughan (via Google Hangouts) (excused at 11:20 a.m.), District 4 - Craig Kirkpatrick (via Google Hangouts), District 5 – Matthew Bierlein

Commissioner Absent: None

Also Present: Mike Hoagland, Jodi Fetting, Eean Lee, Mike Miller, Tisha Jones, Clayton Johnson, Jim Matson, Dean Campbell, Susan Campbell, Nancy Laskowski, Chris Gusek, Ione Vyse, Ken Hecht, Mike Miller, Kim Green, Lisa Ozbat, Mark Trumbauer, Register John Bishop, Steve Anderson, Mike Behm, Angela Daniels, Shelly Lutz, Steve Anderson, Steve Erickson

Adoption of Agenda -
18-M-028

Motion by Young, seconded by Kirkpatrick to adopt the agenda as provided.
Motion Carried.

Action on Previous Meeting Minutes -
18-M-029

Motion by Bierlein, seconded by Young to adopt the meeting minutes from the February 8, 2018 meeting. Motion Carried.

Brief Public Comment Period for Agenda Items Only -

-Register Bishop asked the Board if the Economic Development Corporation (EDC) would be accepting payment to write the Wind Ordinance for Watertown Township as his concern is the EDC is not an attorney. Commissioner Bardwell stated he did not believe the EDC was going to pursue writing the ordinance.

Consent Agenda Resolution - None

New Business -

-Mr. Chris Gusek and Dr. Doug Link – Cattle Shelter Issue -
(Dr. Doug Link did not attend)

-Chris Gusek addressed the Board regarding the pending court cases against him and his wife. Commissioner Bardwell explained the case is pending in court and needs to proceed through the court system. Mr. Gusek asked the Board to intervene and it was explained unfortunately it is not at their discretion as separate branches of government. Mr. Gusek threatened the Board with litigation if action was not taken favorable to him. Commissioner Kirkpatrick expressed his empathy and said Mr. Gusek could keep in contact with Commissioner Vaughan.

-Potential Opioid Lawsuit – Behm & Behm -

-Attorney Mike Behm presented to the Board regarding the Opioid Lawsuit and the possibility of representing Tuscola County in the lawsuit. Tuscola County would be the only Plaintiff in this case filed to allow for any money awarded to come back directly to Tuscola County. If the lawsuit is unsuccessful, there would be no costs to Tuscola County. Attorney Behm discussed the options of the Plaintiff, who the planned Defendants would be and expected amount of personnel time to complete necessary research to gather the required information for the case.

Attorney Clayton Johnson stated the decision is up to the Board but does not see a stark downside to joining the lawsuit.

18-M-030

Motion by Bierlein, seconded by Young that the county join in the lawsuit against companies that manufacture and distribute opioid pain medication to pay for county and other damages caused by the opioid epidemic. Documents to enter into this lawsuit are authorized for signature contingent upon review and approval of county corporate council. Motion Carried.

-County Property and Liability Insurance Renewal -

Mike Hoagland provided an overview of the 2018 renewal presented by Michigan Municipal Risk Management Authority.

18-M-031

Motion by Young, seconded by Bierlein that per the February 19, 2018 communication from Tim McClorey (Michigan Municipal Risk Management Authority), that renewal of various county property, liability and other insurances for the 2018/2019 year be approved and all appropriate signatures are authorized. Motion Carried.

-Concur with Promotion of Missie Jaster from Property Appraiser I to Property Appraiser 2 -

Angie Daniels, Equalization Director, expressed her satisfaction that Missie Jaster completed her Level 2 Certification and is requesting her position be reclassified.

18-M-032

Motion by Young, seconded by Bierlein that per the February 12, 2018 correspondence from the Equalization Director, Missie Jaster be promoted from Appraiser 1 to Appraiser 2 effective February 12, 2018 because she has successfully passed the Michigan Certified Assessing Officer training and certification course. Motion Carried.

-Mosquito Abatement Requests

- Hiring of Staff for 2018 - Kim Green presented the staff roster for the 2018 Season.

18-M-033

Motion by Bierlein, seconded by Young that per the February 22, 2018 request of the Mosquito Abatement Director, that the following list of seasonal employees be authorized to be hired for the 2018 season. Actual hiring is contingent upon satisfactory physical, passage of state certification test and background check.

FIRST SHIFT 8:00 a.m. to 4:00 p.m.

- Kirk Bauer
- Matthew Downing
- Amos Perkins
- Mark Seelye
- Timothy Singer
- David Smith
- Warren Swackhamer
- Michael Westerby

LAB 8:00 a.m. to 4:30 p.m.

- Don Gohs
- Gavin Greer

FOREMAN 7:30 a.m. to 4:00 p.m.

- Thomas Perkins

ASSISTANT FOREMAN 7:30 a.m. to 4:00 p.m.

- Michael Sherman

OFFICE 8:00 a.m. to 4:30 p.m.

- Renee Raney
- Lisa Ozbatt

EQUIPMENT TECHNICIAN 8:00 a.m. to 4:00 p.m.

- Larry Zapfe

SECOND SHIFT 5:00 p.m. to 1:00 a.m.

- John Adamczyk
- Jack Clark
- Matthew Dixon
- Kevin Gainforth
- Scot Garlick
- Lee Garnsey
- Garret Greer
- Rodney Hood
- Richard Lester
- Richard Myers
- William Owensby
- Michael Priestley
- Michael Ryan

ASSISTANT FOREMAN 4:30 p.m. to 1:00 a.m.

- Patrick Webster

FOREMAN 4:30 p.m. to 1:00 a.m.

- Patrick Dennis

NEW HIRES

- Joseph Benjamin
- Larry Howell
- Conner Langenburg
- Edward Raymond
- Brian Jones

Motion Carried.

- Purchase of ULV's -
Kim Green explained the purchase of ULV mounted sprayers that was budgeted for this year.

18-M-034

Motion by Young, seconded by Bierlein that per the February 22, 2018 request of the Mosquito Abatement Director that authorization is given to purchase two budgeted Promist Dura ULV Truck Mounted Sprayers from Clarke for a total amount of \$32,620.88. Motion Carried.

- Purchase of Treatment Materials -
Kim Green explained the sealed bid process used by the districts to receive a group discount.

18-M-035

Motion by Young, seconded by Bierlein that per the February 22, 2018 request of the Mosquito Abatement Director, the following treatment materials for the 2018 season be authorized for purchase for a total amount of \$114,024.50:

- Evoluer 4-4 (ULV Permethrin)
- BTI Granular
- BVA Oil
- Liquid BTI
- Altosid Pellets
- BTI Briquettes

Motion Carried.

- Wage Adjustment Requests -

Kim Green explained her concerns with not receiving enough applications to fill her seasonal positions. She has completed a wage study in neighboring districts. She is requesting to increase the wages to retain seasoned employees and attract new employees.

18-M-036

Motion by Young, seconded by Bierlein that per the February 22, 2018 request of the Mosquito Abatement Director, that effective with the 2018 season the following wage and other compensation changes be implemented for all Mosquito Abatement employees except the Director.

- Increase hourly pay by \$1.50 per hour.
- All seasonal full-time employees may qualify for up to 40 hours of inclement weather pay to be used at the discretion of the Director. This is only paid in the case of inclement weather.
- All full-time seasonal employees receive equivalent annual percent pay increase that all other non-union employees receive.
- All full-time seasonal employees receive one personal day per season approved by the Director.

Motion Carried.

Recessed at 10:05 a.m.

Reconvened at 10:17 a.m.

-Economic Development Corporation (EDC) Writing Wind Ordinance for Watertown Township - (continued below)

Commissioner Kirkpatrick attended the Watertown Township meeting and they were discussing the need to write a wind ordinance and solar ordinance. Vicky Sherry was at the meeting and offered assistance from EDC along with the opportunity to rewrite the master plan. Commissioner Kirkpatrick expressed his concern with the EDC becoming involved in writing the ordinances as the County needs to remain neutral. Board did discuss that if assistance is provided with the master plan that is a separate issue. Board would like to send a letter to the EDC advising to not partake in writing the wind ordinance.

-Debit/Credit Card System for Vanderbilt Park -

Commissioner Vaughan expressed his desire to have a card system available. Mike Hoagland would like to set up a meeting with Commissioner Vaughan and Eean Lee to develop a plan to move forward.

-Recycling Building Bids & Electrical, Windows and Roofing -

Mike Miller explained that due to not receiving any bids for the recycling project that he has decided to be the General Contractor. He has applied for the permits through SCMCCI and has been approved.

18-M-037

Motion by Bierlein, seconded by Young that the bid for electrical work at the recycling building be awarded to Ken Martin Electric who was the low bidder for an amount of \$34,700.00. Motion Carried.

18-M-038

Motion by Young seconded by Bierlein that the bid for windows at the recycling building be awarded to Dave's Glass who was the low bidder for an amount of \$6,750.00. Motion Carried.

18-M-039

Motion by Bierlein, seconded by Young that the bid for carpet replacement at the Sheriff's Office (jail) be awarded to Warju Carpeting who was the low bidder for an amount of \$3,609.19. Motion Carried.

-Building and Grounds Director Update Regarding Gasoline Purchases -

Mike Miller explained that Speedway Corporation has contacted him regarding setting up an account for gas purchases. Speedway has been awarded the MiDeal contract and can offer a discount on each gallon of gas purchased. Board agreed to proceed with implementation of the program.

-Millage Renewal Planning -

Mike Hoagland, Angie Daniels and Jodi Fetting are planning to meet and look at what millages need to be placed on upcoming elections.

-Behavioral Health Recommended Reappointment of Board Members -

Letter of request for reappointment of Board Members was received.

18-M-040

Motion by Young, seconded by Bierlein that per the February 15, 2018 letter of request from Behavioral Health Systems that the following individuals be re-appointed to the Behavioral Health Systems Board for three year terms ending March 31, 2021:

- Thomas Bardwell
- Marianne Harrington
- Janet Huff
- Brenda Ryan

Motion Carried.

- EDC Writing Wind Ordinance for Watertown Township - (see above)
 - Steve Erickson assured the Board that the EDC is not interested in writing ordinances. The EDC will continue to assist with master plans.

Old Business -

- Medical Examiner Grant Application - Mike Hoagland updated the Board that they have backed off from the grant as more preparation is needed. There is a possibility that the morgue in Genesee County could be used.
- Wind Energy Stakeholder Committee Report - Mike Hoagland distributed to the Board prior to the meeting.
- Indigent Defense Update - Mike Hoagland updated the Board regarding a letter received from Judge Gierhart as to how the State is looking to fund the program. A watch will need to be kept on proposed legislation.
- MCDC Dental - Mike Hoagland has updated Ann Hepfer and Ann agreed to move forward.
- Update Regarding Airport Zoning Board of Appeals (AZBA) - Mike Hoagland updated the Board from the meeting last week. He expressed his appreciation to Clerk Fetting for assisting in organizing the meeting. Also, the Board expressed their appreciation to Clerk Fetting for assisting William Campbell and the AZBA with the secretarial duties.

Correspondence/Resolutions -

- Tuscola Stars nominations are due.
- Region VII Area on Aging - Dues invoice was received.
- Beverly Kulkusky - Juniata Township resident submitted a letter to the Board.
- Nextera - Postcards from various residents were received by the Board.

COMMISSIONER LIAISON COMMITTEE REPORTS

BARDWELL

- Economic Development Corp/Brownfield Redevelopment - Meeting was yesterday and update provided on 26 proposed projects.
- Caro DDA/TIFA - Cancelled.
- MAC Finance - Next Month.
- MAC 7th District - Date Needed.
- Local Unit of Government Activity Report - No Report.
- TRIAD - Phone scams are still very prevalent.
- Behavioral Health Systems Board - Meets tonight.
- MAC Workers Comp Board

YOUNG

Dispatch Authority Board - Meets in March
County Road Commission Liaison - Meets today.
Board of Public Works - Cancelled.
Senior Services Advisory Council - Meets in March.
Saginaw Bay Coastal Initiative - No Report.
Local Unit of Government Activity Report - Attending the upcoming Village of Cass City meeting to provide a report on behalf of the Board.
MAC Agricultural/Tourism Committee
Strategic EDC Planning Committee
Jail Planning Committee
Genesee Shiawassee Thumb Works
Region VI Economic Development Planning
Tuscola 2020 - Meets in April.

VAUGHAN - No Report

Board of Health
Planning Commission
Economic Development Corp/Brownfield Redevelopment
Local Unit of Government Activity Report
Mid-Michigan Mosquito Control Advisory Committee
Parks and Recreation Commission
Tuscola County Fair Board Liaison

BIERLEIN

Genesee Shiawassee Thumb Works
Human Development Commission (HDC)
Recycling Advisory Committee
Local Emergency Planning Committee (LEPC)
Great Start Collaborative Council - March 8, 2018, 6:00 p.m. Imagination Library Fundraiser
Local Unit of Government Activity Report
MAC Board of Directors - Attending the NaCO Conference in Washington D.C.
Human Services Collaborative Council
MAC Judiciary Committee - Meets Monday.
Tuscola County College Access Network
MAC Agricultural/Tourism Committee
MEMS All Hazards - Get your flu shot.

KIRKPATRICK

Board of Health

Community Corrections Advisory Board

Dept. of Human Services/Medical Care Facility Liaison

MI Renewable Energy Coalition

MAC Environmental Regulatory – Vice Chair

Cass River Greenways Pathway - Provided an update to the clean-up efforts to the Cass River. There have been clean-up locations scheduled for 2018. Tom Lounsberry is planning a multi-day kayaking trip on the Cass River this summer.

Local Unit of Government Activity Report

NACO- Energy, Environment & Land Use

Jail Planning Committee - Sheriff Skrent is looking to do a jail evaluation.

Saginaw Bay Coastal Initiative

Tuscola In-Sync

Region VI Tourism Discussions

Commissioner Vaughan excused at 11:20 a.m.

Other Business as Necessary - None

Extended Public Comment -

-Nancy Laskowski, Juniata Township - FAA has denied the applications as they are not completed and have not been paid for. Would like the ordinance to be further reviewed.

-Ione Vyse - There has been no change at the airport in regards to the map. Our airport map uses arcs and tangents not circles. The proposed runway has been in the plan for 15 or 20 years but has not been acted upon. It is still included in the plan.

-Mark Trumbauer - Addressed the Board regarding the recent article that referenced the presumed hazards. He explained his experience with why a presumed hazard is issued and how it can be cleared up.

-Susan Campbell - Expressed her concern as to how rudely she was treated at the Juniata Township Planning Commission meeting. She would still like the option of a moratorium explored.

-Register John Bishop - Expressed his concern with the opioid lawsuit team that has been hired and for the county to keep track of the amount of time the attorney works on our case. He also asked if the rate for the attorney could be negotiated.

-Clerk Jodi Fetting, with two fellow County Clerks, met with the MAC General Government Committee. Clerk Fetting reported the meeting went well and the various topics that were discussed.

Meeting adjourned at 11:48 a.m.

Jodi Fetting
Tuscola County Clerk