

TUSCOLA COUNTY BOARD OF COMMISSIONERS
January 17, 2019 Minutes
H. H. Purdy Building

Commissioner 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 17th day of January 2019, to order at 8:00 o'clock a.m. local time.

Prayer – Pastor William Sanders, Watrousville United Methodist Church

Pledge of Allegiance – Commissioner Young

Roll Call – Clerk Jodi Fetting

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell (excused at 8:52 a.m.), District 3 - Kim Vaughan (excused at 9:53 a.m.), District 4 - Mark Jensen, District 5 – Daniel Grimshaw (arrived at 8:04 a.m.)

Commissioner Absent: None

Also Present: Mike Hoagland, Clerk Jodi Fetting, Eean Lee, Tisha Jones-Holubec, Register John Bishop, Pastor William Sanders, Drain Commissioner Bob Mantey, Patty Witkovsky, Charlie Witkovsky, Dara McGarry, Clayette Zechmeister, Angie House, Shelly Lutz, Renee Francisco, Sandy Nielsen, Leigh Nacy, Chris Graff

Adoption of Agenda -
19-M-009

Motion by Young, seconded by Vaughan to adopt the agenda as presented.
Motion Carried with Grimshaw opposing.

Action on Previous Meeting Minutes -
19-M-010

Motion by Vaughan, seconded by Jensen to adopt the meeting minutes from the December 27, 2018 Regular Board and Statutory Finance meetings as presented and the January 2, 2019 Organizational Meeting as corrected. Motion Carried.

Brief Public Comment Period for Agenda Items Only - None

Consent Agenda Resolution -
19-M-011

Motion by Grimshaw, seconded by Jensen to move Consent Agenda items to the regular agenda as Commissioner Grimshaw was not presented the agenda.
Motion Carried.

New Business -

-Resolution Honoring Retiring Deputy Drain Commissioner - Chairman Bardwell presented the resolution to Patty Witkovsky on behalf of the Board of Commissioners..

-Closed Session-Written Legal Opinion from County Attorney -

19-M-012

Motion by Young, seconded by Vaughan that the Board meet in Closed Session under Section 8h of the Open Meetings Act, to discuss the written legal opinion issued by the county attorney with Mike Hoagland, Bob Mantey, Shelly Lutz and Jamie Hecht Nacidis to be allowed to attend the Closed Session at 8:21 a.m..

Roll Call Vote: Young - yes; Vaughan - yes; Jensen - yes; Grimshaw - no; Bardwell - yes. Motion Carried.

Commissioner Bardwell excused at 8:52 a.m. during the closed session.

Board Meeting reconvened at 9:06 a.m.

-Resolution Honoring Retiring Deputy Drain Commissioner - continued from above.

19-M-013

Motion by Vaughan, seconded by Grimshaw that the resolution honoring Deputy Tuscola County Drain Commissioner Patricia Witkovsky be approved and placed on file. Roll Call Vote: Jensen - yes; Grimshaw - yes; Vaughan - yes; Young - yes; Bardwell - absent. Motion Carried.

-Recycling Soil Removal - Mike Hoagland explained action required in order to proceed forward with the project. Board discussed which party or parties should be held responsible.

19-M-014

Motion by Jensen, seconded by Vaughan to rescind the previous December 13, 2018 board motion - Consent Agenda Reference I (18-M-198 stated below):

Move that per the November 27, 2018 letter from Sean Robinson with AKT Peerless, that Rhode Brothers Excavating be hired to remove and dispose of approximately 250 tons of oil stained soil at the new recycling center for an amount of \$16,250. Of this total, \$12,250 to be paid from the Recycling Fund and \$4,000 to be paid by Mr. Kozan per previous agreement.

Motion Carried.

19-M-015

Motion by Jensen, seconded by Vaughan that Rhode Brothers Excavating be hired to remove and dispose of approximately 250 tons of oil stained soil at the new recycling center for an amount of \$16,250 with said costs to be paid from the recycling fund. Also, to continue to work on the recovery of the agreed upon \$4,000.00 from Mr. Kozan as previously agreed.

19-M-016

Motion by Grimshaw, seconded by Vaughan to amend Motion 19-M-015 to also include the wording of to pursue all options available for the recovery of costs and losses sustained on this project from any party involved. Motion Carried.

Clerk Fetting read the Motion 19-M-015 back as amended.

Motion 19-M-015 as amended Carried.

-Advertising for Boards/Commissions - Mike Hoagland was able to find the motion to have upcoming terms expiring on various boards and commissions to be advertised. Clerk Fetting said she has been presented with a copy and has placed on the Clerk's Office calendar to handle on an annual basis.

-Appointments to Council on Aging - Clerk Fetting had presented two appointments that needed to be made to the Council of Aging that were missed in the appointments made in December.

19-M-017

Motion by Vaughan, seconded by Grimshaw that effective January 1, 2019 William Sanders and Patricia LaBair be appointed to the Council on Aging for terms ending December 31, 2019. Motion Carried.

-Approval of Revised Intergovernmental Agreement for Dispatch Telephone System - Sandy Nielsen explained the current agreement which has six counties participating with additional partners interested in joining. She is requesting to amend the intergovernmental agreement to add those parties. The Dispatch Authority Board approved the amended agreement at their meeting on Tuesday, January 15, 2019. Commissioner Grimshaw questioned if the County Attorney has reviewed. Sandy explained the changes that were made to the amended agreement and the attorney for Dispatch had reviewed the original agreement.

19-M-018

Motion by Jensen, seconded by Vaughan that per the recommendation of the Dispatch Director and Dispatch Authority Board that the first amended intergovernmental agreement be approved which expands the original three county agreement to nine Michigan Public Safety Answering Points. Also, appropriate documents regarding this matter be authorized for signature. Motion Carried.

-Refilling Vacant Corrections Officer Position - Mike Hoagland explained the request from Sheriff Skrent to fill a current vacant position. Board discussed if there is still a need to request to have the hiring freeze lifted.

19-M-019

Motion by Jensen, seconded by Vaughan that the county hiring freeze be temporarily lifted to fill a vacant corrections officer position in the Sheriff's Department. Motion Carried.

-Elmwood Township Dog Issue - Mike Hoagland has contacted the County Attorney to review the enforceability of the County Ordinance. Animal Control Director Leigh Nancy has had contact with the dog owners. She has verified the owners have now licensed the majority of the dogs with the remaining to be licensed in the next few days. Leigh stated that her Department enforces state law and explained how a kennel license is explained by state law. Board discussed that if the Prosecutor will not enforce County Ordinances then why are they in place. John Bishop explained that his understanding is if a township has an ordinance then that Township's Attorney gives guidance on enforcement. The County Attorney is supposed to have information to be presented at upcoming Board meeting regarding the enforceability of a County Ordinance. Chris Graff, Elmwood Township Supervisor, expressed concern from the Township's viewpoint that if there is a county ordinance in place then why it cannot be enforced. Matter to be addressed at an upcoming Board Meeting.

-Resolution of the Drain Office Grievance - Board discussed if there should be action taken today. Board decided to add the matter to the January 31, 2019 Board Meeting Agenda.

Commissioner Vaughan excused at 9:53 a.m.

-Consent Agenda Resolution Matters -
Agenda Reference A

19-M-020

Motion by Jensen, seconded by Grimshaw that authorization is given to amend the 2019 Equipment/Technology Fund budget by authorizing the carryover of \$12,520 from 2018 needed to complete the Kronos Time and Attendance software purchase. Motion Carried.

Agenda Reference B

19-M-021

Motion by Jensen, seconded by Grimshaw that the engagement letter with Gabridge & Company to conduct the 2018 county audit be approved and the Chairperson be authorized to sign. Motion Carried.

Agenda Reference C

19-M-022

Motion by Jensen, seconded by Grimshaw that per the request of the Village of Millington that a public hearing be scheduled for January 31, 2019 at 9:00 A.M. regarding the potential annexation of certain properties from Millington Township to the Village of Millington. Motion Carried.

Agenda Reference D

19-M-023

Motion by Grimshaw, seconded by Jensen that the contract to purchase the BSA Financial/Accounting software programs be approved and authorized for signature. (Funds were budgeted for this purchase in 2019). Also, the BSA software licensing and services agreement be approved and authorized for signature. Motion Carried.

Agenda Reference E

19-M-024

Motion by Grimshaw, seconded by Jensen that the request of a court employee be granted to purchase five years of service credit in the Municipal Employees Retirement System (MERS) with all costs (both employee and employer) for said service credit (\$53,435) to be paid by the employee as per Tuscola County adopted provisions with MERS. This service credit purchase is valid per MERS until March 1, 2019. Also, the Board Chair is authorized to sign all appropriate documents. Motion Carried with Grimshaw opposing.

Old Business - None

Correspondence/Resolutions -

-Communication regarding counties facing lawsuits over foreclosure sales.

COMMISSIONER LIAISON COMMITTEE REPORTS

VAUGHAN - Absent

Board of Health

County Planning Commission

Economic Development Corp/Brownfield Redevelopment

MAC Environmental Regulatory – Vice Chair

Mid-Michigan Mosquito Control Advisory Committee

NACO-Energy, Environment & Land Use

Parks and Recreation Commission

Tuscola County Fair Board Liaison

Local Units of Government Activity Report

GRIMSHAW - No report
Behavioral Health Systems Board
Recycling Advisory
Local Units of Government

JENSEN
Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
Genesee Shiawassee Thumb Works
Jail Planning Committee
Local Emergency Planning Committee (LEPC)
MEMS All Hazard - Stop the Bleed grant was received.
Local Units of Government Activity Report - Village of Millington Annexation
Public Hearing upcoming.

BARDWELL - Absent
Behavioral Health Systems Board
Caro DDA/TIFA
Economic Development Corp/Brownfield Redevelopment
MAC 7th District
MAC Finance
MAC Workers Comp Board
TRIAD
Local Units of Government Activity Report

YOUNG
Board of Public Works - Officers were selected. He will pass along that information to Clerk Fetting.
County Road Commission Liaison - Signs to be installed to indicate to drivers of an upcoming Amish horse and buggy area.
Dispatch Authority Board
Genesee Shiawassee Thumb Works
Great Start Collaborative
Human Services Collaborative Council (HSCC)
Jail Planning Committee - Meeting set for February 13, 2019.
MAC Agricultural/Tourism Committee
MI Renewable Energy Coalition (MREC)
Region VI Economic Development Planning
Saginaw Bay Coastal Initiative
Senior Services Advisory Council
Tuscola 2020
Local Units of Government Activity Report - Gilford Township hosting meeting as Quality Roast will be opening their business there.

Other Business as Necessary -

- Vice-Chairman Young asked Ean if he could look at alternatives to the current sound system in the Boardroom. Clerk Fetting asked if sound machines could also be looked at for the hallways.
- Commissioner Grimshaw requested available information that has been presented to the Jail Planning Committee.
- Commissioner Grimshaw requested a copy of Board policies and County policies.
- Ean Lee requested how the Commissioner's would like the webpage for the Commissioners updated.

Extended Public Comment

- John Bishop spoke in reference to the Millington Township Livestock Ordinance. He spoke in reference to the difference of an automobile versus the use of a horse as an automobile. He spoke to the amount of acreage needed per horse as well as the amount of waste produced by a horse.

Meeting adjourned at 10:34 a.m.

Jodi Fetting
Tuscola County Clerk