

TUSCOLA COUNTY BOARD OF COMMISSIONERS  
November 25, 2019 Minutes  
H. H. Purdy Building

Commissioner Bardwell called the regular 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 25th day of November 2019, to order at 8:00 o'clock a.m. local time.

Prayer – Commissioner Young

Pledge of Allegiance – Commissioner Vaughan

Roll Call – Clerk Fetting

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 - Kim Vaughan (excused at 12:57 p.m.), District 4 - Mark Jensen, District 5 – Daniel Grimshaw

Commissioner Absent: None

Also Present: Clerk Jodi Fetting, Clayette Zechmeister, Curtis Stowe, Chris Hamilton, Dan Syms, Jerry Peruski, Tom Hess, Nancy Laskowski, Bob Mantey, Shelly Lutz, Eric Morris, Mike Day, Tom McGough

*Adoption of Agenda -*

19-M-240

Motion by Young, seconded by Grimshaw to adopt the agenda as amended.  
Motion Carried.

*Action on Previous Meeting Minutes -*

19-M-241

Motion by Grimshaw, seconded by Jensen to adopt the meeting minutes from the November 14, 2019 Public Hearing, Regular Board and Statutory Finance meetings. Motion Carried.

*Brief Public Comment Period for Agenda Items Only - None*

*Consent Agenda Resolution - None*

*New Business -*

-SCMCCI Building Codes (matter added) - Curtis Stowe asked the Board to share information regarding complaints regarding Building Codes that have been shared with the Board. Commissioner Grimshaw shared the concerns that have been brought to the Board. Board discussed the matter at length with the SCMCCI representatives.

-Closed Session for Opinion of Counsel -  
19-M-242

Motion by Vaughan, seconded by Jensen that the Board meet in closed session under Section 8(h) of the Open Meetings Act to consider written material from the County's attorney that is exempt from disclosure by Section 13(1)(g) of the Freedom of Information Act with Eric Morris, Clayette Zechmeister and Shelly Lutz allowed to attend at 9:00 a.m. Roll Call Vote - Young - yes; Vaughan - yes; Jensen - yes; Grimshaw - no; Bardwell - yes. Motion Carried.

Reconvened from Closed Session at 9:58 a.m. (19-M-243)

Recessed at 9:59 a.m.

Reconvened at 10:05 a.m.

-Closed Session for Labor Negotiations -  
19-M-244

Motion by Vaughan, seconded by Jensen that the County's current collective bargaining agreements are set to expire at the end of the year. The various unions and the County are actively negotiating the terms of replacement agreements. Accordingly, I move to go into closed session, pursuant to Section 8(c) of the Open Meetings Act, in order to discuss strategy connected with the negotiation of successor collective bargaining agreements with Clayette Zechmeister, Eric Morris, Shelly Lutz and Bob Mantey authorized to attend at 10:06 a.m. Roll Call Vote - Jensen - yes; Grimshaw - yes; Young - yes; Vaughan - yes; Bardwell - yes. Motion Carried.

Reconvened from Closed Session at 11:55 a.m. (19-M-245)

-RFP Opening for State Land Acquisition - Commissioner Bardwell opened the bids that were received for completion of the land survey of the state property. Bids were received from Advance Surveying of Vassar, MI and D & M Site, Inc. of Carrollton, MI.

19-M-246

Motion by Grimshaw, seconded by Vaughan that the bid award for the Land Survey of property in the state land bank be awarded to D & M Site, Inc. in the amount of \$4,200.00. Also, all budget amendments and appropriate signatures are authorized. Motion Carried.

-911 Dispatch Authority Board Appointment -  
19-M-247

Motion by Young, seconded by Vaughan to appoint Ben Guile to the 911 Dispatch Authority Board for a term of 2 years beginning January 1, 2020 and ending December 31, 2021. Motion Carried.

- Relay for Life Request to Use Courthouse Lawn December 6, 2019 -  
19-M-248  
Motion by Grimshaw, seconded by Vaughan that per the November 23, 2019 request from Jill Fessler with Relay for Life that authorization is given to place luminary bags along the sidewalks of the Courthouse lawn during the Gingerbread Village festival on Friday, December 6, 2019 from 6:00 p.m. – 8:00 p.m. Motion Carried.
- Byrne Justice Assistance Grant (JAG) Subcontract with the County of Lapeer -  
19-M-249  
Motion by Grimshaw, seconded by Vaughan that the contract for the Byrne Jag Grant will be approved and all appropriate signatures are authorized. Motion Carried.
- Medical Care Community Transfer Request -  
19-M-250  
Motion by Grimshaw, seconded by Young that per the request from the Medical Care Community Chief Executive Officer that \$85,048.74 be transferred from the Voted Medical Care Facility Fund (298) to the Regular Medical Care Facility (291) for the items listed in the November 22, 2019 letter. Motion Carried.
- Tuscola County Road Commission Primary Road Millage Transfer Request -  
19-M-251  
Motion by Young, seconded by Jensen that per the request of the Road Commission to approve the Primary Road Millage transfer to the Road Commission General Fund of \$1,293,743.23 as identified by Voucher # Road 2019-1 dated November 18, 2019. Motion Carried.
- Tuscola County Road Commission Local Bridge Millage Transfer Request -  
19-M-252  
Motion by Young, seconded by Vaughan that per the request of the Road Commission to approve the Local Bridge Millage transfer to the Road Commission General Fund of \$665,478.22 as identified by Voucher # Bridge 2019-1 dated November 18, 2019. Motion Carried.
- Old Business -*  
-Amended Resolution of the Tuscola County Board of Commissioners Approving a Revised Intergovernmental Agreement to Create the Tuscola County Land Bank Authority -  
19-M-253  
Motion by Vaughan, seconded by Jensen to adopt the Amended Resolution of the Tuscola County Board of Commissioners Approving a Revised Intergovernmental Agreement to Create the Tuscola County Land Bank Authority.

WHEREAS, the Michigan Land Bank Fast Track Authority (the "Authority") has been established by 2003 PA 258 (MCL 124.751 *et seq.* (the "Act") for the purpose of acquiring, assembling, disposing of, and quieting title to property, including tax reverted property, to foster the development of the property, and to promote economic growth in the State of Michigan; and

WHEREAS, the Authority has the power under the Act to enter into an intergovernmental agreement with a county foreclosing governmental unit to provide for the creation of a county land bank authority to exercise the powers, duties, functions, and responsibilities of an authority under the Act; and

WHEREAS, the treasurer of the County of Tuscola, Michigan (the "Treasurer") is a foreclosing governmental unit under the Act and section 78 of The General Property Tax Act, 1983 PA 206 (MCL 211.78); and

WHEREAS, the Authority and the Treasurer seek to establish a county authority for the County of Tuscola as a separate legal entity and as a public body corporate under the Act to exercise within the County of Tuscola the powers, duties, functions, and responsibilities of an authority under the Act; and

WHEREAS, the treasurer has proposed an intergovernmental agreement between the authority and the Treasurer (the "Intergovernmental Agreement") in order to create the Tuscola County Land Bank Authority;

WHEREAS, the Tuscola County Board of Commissioners (the "Board") is required to approve the Intergovernmental Agreement before it can become effective;

WHEREAS, on October 25, 2018 this Board of Commissioners approved a form of Interlocal Agreement;

WHEREAS, it is necessary to amend the form of Interlocal Agreement because the Michigan Land Bank Fast Trade Authority, which must approve the Interlocal Agreement has revised its official form of Interlocal Agreement since October of 2018; and

WHEREAS, a Revised Interlocal Agreement which meets the new requirements has been prepared and is attached as Appendix A.

NOW THEREFORE, BE IT RESOLVED BY THE TUSCOLA COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

1. The Board approves the revised Intergovernmental Agreement in the form attached hereto as Appendix A, which is on file with the minutes of this meeting.
2. All resolutions in conflict with the foregoing as rescinded.

3. This resolution shall take immediate effect.

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

*Correspondence/Resolutions -*

-Farm Bill Educational Sessions Meeting Flyer included in agenda packet.

## **COMMISSIONER LIAISON COMMITTEE REPORTS**

### **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)  
MAC Judiciary Committee - Meeting today.  
MEMS All Hazard  
Local Units of Government Activity Report

### **BARDWELL**

Behavioral Health Systems Board  
Caro DDA/TIFA  
Economic Development Corp/Brownfield Redevelopment - EDC toured Walbro in Cass City.  
MAC 7<sup>th</sup> District  
MAC Workers Comp Board  
TRIAD  
Local Units of Government Activity Report

### **YOUNG** - No Report.

Board of Public Works  
County Road Commission Liaison  
Dispatch Authority Board  
Genesee Shiawassee Thumb Works  
Great Start Collaborative  
Human Services Collaborative Council (HSCC)  
Jail Planning Committee  
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

**VAUGHAN**

Board of Health  
County Planning Commission  
Economic Development Corp/Brownfield Redevelopment  
MAC Environmental Regulatory  
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 - Road Commission meeting regarding closure of Boy Scout Road. Road Commission said it is a Township expense to pay for which is estimated to be between \$300,000 to \$500,000 to repair.

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

*Other Business as Necessary -*

-Capital Services Contract - Jean Doss sent an update regarding the state budget. There has also been progress to redesign the original plans for the Caro Center to go from a 200 bed facility to less than 100 bed facility. There is a meeting set for more information to be provided. Board discussed continuing a contract for lobbying services for a temporary basis. Board discussed issuing an RFP for lobbying services if decided to go for an annual contract. Board discussed extending the services with Capital Services for a two-month period.

19-M-254

Motion by Young, seconded by Grimshaw to extend the lobbying contract with Capital Services for a 2-month period. Motion Carried.

*Extended Public Comment*

-Nancy Laskowski - A Contractor had contacted Nancy regarding an issue in Juniata Township experienced with SCMCCI. Commissioner Jensen recommended the person contact the Board directly.

-Nancy Laskowski - Nancy referenced an owner of a property with an abandoned house on it and was misled by SCMCCI as to what is required to demolish the property.

-Commissioner Bardwell received a complaint on a final electrical inspection completed by SCMCCI where the inspector signed off from the permit without turning on any light switches.

-Nancy Laskowski - Nancy provided an update from the FAA as the Airport Authority has appealed the FAA decision and the cases are moving forward in the DC Circuit Court.

-Tom Hess - Tom stated to let the Judge and the FAA do their job. Tom asked what does 1 mill equate to in line to the County's SEV values and when was the last time a countywide general fund millage request was made? Tom suggested revenues generated by wind mills should go back to township that has the turbines not to be a countywide benefit.

-Tom Hess - Tom stated the concerned citizens group is now tracking sledge trucks and was going to look at putting a moratorium on using them.

- Nancy Laskowski - Nancy stated EAGL is looking into new regulations because of the PFAs issue and new testing that will be required.

-Commissioner Young stated with Dean Foods filing bankruptcy the DFA is looking to purchase the assets.

-Commissioner Bardwell stated that the paper said the Board's consideration was \$10 million. Bardwell reminded the Board that what was said in closed session cannot be discussed in public.

-Mike Day - Mike asked how much revenue the Caro Center brings into Tuscola County? He also questioned the amount paid to the lobbying group in relation to the revenue generated as to what the Return on Investment would be to save the jobs at the Center?

Vaughan excused at 12:57 p.m.

Meeting adjourned at 12:58 p.m.

Jodi Fetting  
Tuscola County Clerk