

TUSCOLA COUNTY BOARD OF COMMISSIONERS  
May 13, 2021 Minutes

Electronic remote access implemented for this meeting, in accordance with Tuscola County Board of Commissioners 2021-07 Declaration of a Local State of Emergency related to COVID-19

Commissioner Bardwell called the regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held as a hybrid meeting via Google Meet Conferencing on the 13th day of May 2021, to order at 8:00 o'clock a.m. local time.

Prayer – Commissioner Bardwell

Pledge of Allegiance – Commissioner DuRussel

Roll Call – Clerk Jodi Fetting

Commissioner Present In-Person:

District 3 - Kim Vaughan

District 4 - Doug DuRussel

District 5 - Daniel Grimshaw (arrived at 8:07 a.m.)

Others Present in-Person:

Eean Lee

Commissioners Present Virtual:

District 1 - Thomas Young - Columbia Township, Tuscola County, State of Michigan

District 2 - Thomas Bardwell - Ellington Township, Tuscola County, State of Michigan

Commissioner Absent:

None

Also Present Virtual:

Clerk Jodi Fetting, Clayette Zechmeister, Tracy Violet, Mike Miller, Mary Drier, Ryan Pierce, Steve Erickson, Steven Burke, Dan Liskowski, Cindy McKinney-Volz, Crystal Knoblock, Heidi Chicilli, Deanna Higley, Robert Baxter, Sheriff Glen Skrent, Robert McKay, Mark Haney, Sandy Nielsen, Treasurer Ashley Bennett, Register John Bishop, Kim Brinkman, Shannon Gwizdala, Nate Licht, Janie Hemerline, Debbie Mika, Sandy Nielsen, Jamie Pierce, Wendy Franks, Tara Hofmeister, LuAnn Parks, Mitch Davies, Eric Morris, Ann Hepfer, Steve Anderson, Mark Ransford, John Axe, Jana Brown

At 8:13 a.m., there were a total of 38 participants attending the meeting.

*Adoption of Agenda -*  
2021-M-090

Motion by DuRussel, seconded by Vaughan to adopt the agenda as presented.  
Roll Call Vote: Young - yes; Vaughan – yes; DuRussel - yes; Grimshaw - absent; Bardwell - yes. Motion Carried.

Commissioner Grimshaw arrived at 8:07 a.m.

*Action on Previous Meeting Minutes -*  
2021-M-091

Motion by Young, seconded by Vaughan to adopt the meeting minutes from the April 29, 2021 Regular meeting and the May 5, 2021 and May 10, 2021 Committee of the Whole meetings. Roll Call Vote: Vaughan - yes; DuRussel - yes; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried.

*Brief Public Comment Period for Agenda Items Only –*

-Register John Bishop addressed the Board regarding adding an agenda item. Board will allow during Extended Public Comment.

*Consent Agenda Resolution -*  
2021-M-092

Motion by Young, seconded by DuRussel that the Consent Agenda Resolution from the May 10, 2021 Committee of the Whole Meeting be adopted. Roll Call Vote: DuRussel - yes; Grimshaw - yes; Young - yes; Vaughan - yes; Bardwell - yes. Motion Carried.

## **CONSENT AGENDA**

<b>Agenda Reference:</b>	A
<b>Entity Proposing:</b>	COMMITTEE OF THE WHOLE 5/10/21
<b>Description of Matter:</b>	Move that per the Recommendation from the Buildings and Grounds Director to award the asphalt bids for the Department of Health and Human Services Building and the Health Department combined parking lots to Blackjack Asphalt & Concrete in the amount of \$15,000.00.

- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/10/21
- Description of Matter:** Move to appoint Steven Escott to the Park and Recreation Committee. This appointment will be a partial term expiring December 31, 2023.
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/10/21
- Description of Matter:** Move that per the recommendation from the Tuscola Behavioral Health Systems Board of Directors to appoint Alice Moore to the Board of Directors for a 3-year term which would expire on March 31, 2024.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/10/21
- Description of Matter:** Move that per the request from Julie Matuszak, with the Pumpkin Festival Committee, to approve the use of the Courthouse lawn for the Annual Pumpkin Festival from September 23, 2021 through October 4, 2021.
- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/10/21
- Description of Matter:** Move that the FY 2022 grant application to Community Corrections be submitted by Thumb Area Regional Community Corrections Services on behalf of Tuscola County for Gatekeeper Services in the amount of \$4,050.00. Also, all appropriate signatures are authorized.
- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 5/10/21
- Description of Matter:** Move that pursuant to Section 10 of the agreement with South Central Michigan Construction Code Inspections (SCMCCI)

Tuscola County will not be renewing the agreement for SCMCCI to provide building codes inspection and enforcement services. Services to Tuscola County will cease as of September 30, 2021. Correspondence is to be sent via Federal Express to Chris Hamilton, Administrative Manager, immediately. Also, all appropriate signatures are authorized.

**Agenda Reference:** G

**Entity Proposing:** COMMITTEE OF THE WHOLE 5/10/21

**Description of Matter:** Move that due to the County not renewing the South Central Michigan Construction Code Inspections (SCMCCI) contract expiring on September 30, 2021, that notification to all local jurisdictions covered under Tuscola County for building code and enforcement services be notified of these changes and the next steps moving forward. Correspondence is to be mailed out as soon as possible. Also, all appropriate signatures are authorized.

*New Business -*

-Refill Vacant Position at Sheriff's Department – Clayette Zechmeister presented the information regarding a proposed person to hire.

2021-M-093

Motion by Young, seconded by Grimshaw that per the recommendation of Sheriff Glen Skrent to hire Kyle Bischer to the vacant Road Patrol Deputy position effective May 17, 2021 pending favorable physical, drug screen and background check. Roll Call Vote: Grimshaw – yes; Young – yes; Vaughan – yes; DuRussel – yes; Bardwell – yes. Motion Carried.

-Refill Vacant Part-Time Position at Mosquito Abatement – Clayette Zechmeister presented the information regarding a proposed person to hire.

2021-M-094

Motion by Young, seconded by DuRussel that per the recommendation of the Mosquito Abatement Director, Larry Zapfe, to hire Bonnie Fackler as the Seasonal Office Clerk for Mosquito Abatement effective May 17, 2021 pending favorable physical, drug screen and background check. Roll Call Vote: Young – yes; Vaughan – yes; DuRussel – yes; Grimshaw – yes; Bardwell – yes. Motion Carried.

-Parks and Recreation Commission Request – The Parks and Recreation would like to apply for grant opportunities for the property acquired from the State Land Bank but needs it to be clarified as property to be used as a park. Board would like the matter referred to legal counsel to determine if more action needs to be taken to permanently label the property as a park for Tuscola County.

## 2021-M-095

Motion by Vaughan, seconded by Grimshaw to identify that the land acquired from the State Land Bank, consisting of parcels A-1, B, and C, be designated Parcels for development through the Tuscola County Parks and Recreation Commission. Roll Call Vote: Vaughan – yes; DuRussel – yes; Grimshaw – yes; Young – yes; Bardwell – yes. Motion Carried.

-Municipal Employees Retirement System (MERS) Defined Benefit Provisions/Restrictions Investment History Document – Clayette Zechmeister presented to the Board regarding the current Defined Benefit plan and the constitutional protections that are in place to protect the employees. Board discussed the option of freezing Defined Benefit contributions and transitioning to Defined Contribution. Clayette to complete research on this option and bring back to the Commissioners at a future meeting.

*Old Business – Continued Below*

-Building Codes Request for Proposal (RFP) – Board discussed making one amendment to the RFP and then authorizing the RFP for posting.

## 2021-M-096

Motion by Young, seconded by Grimshaw to approve the Request for Proposal (RFP) for building codes as discussed and amended as to Proposal Details in Paragraph C. Paragraph C should state: The winning Contractor will be required to maintain a regular office in Tuscola County. Roll Call Vote: DuRussel – yes; Grimshaw – yes; Young – yes; Vaughan – yes; Bardwell – yes. Motion Carried.

*-Closed Session with Eric Morris, Braun Kendrick-*

## 2021-M-097

Motion by Vaughan, seconded by DuRussel 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 Jodi Fetting, Clayette Zechmeister and Eean Lee authorized to attend at 9:00 a.m. Roll Call Vote: Grimshaw – yes; Young – yes; Vaughan – yes; DuRussel – yes; Bardwell – yes. Motion Carried.

Reconvened from Closed Session at 9:55 a.m.

Commissioners Present: Young, Bardwell, Vaughan, DuRussel, Grimshaw

Recessed at 9:57 a.m.

Reconvened at 10:10 a.m.

At 10:10 a.m., there were a total of 22 participants attending the meeting.

*-Closed Session with Eric Morris, Braun Kendrick –*

2021-M-100

Motion by Bardwell, seconded by Grimshaw 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 Jodi Fetting and Eean Lee authorized to attend at 10:12 a.m. Roll Call Vote: DuRussel – yes; Grimshaw – yes; Young – yes; Vaughan – yes; Bardwell – yes. Motion Carried.

Reconvened from Closed Session at 11:06 a.m.

Commissioners Present: Young, Bardwell, Vaughan, DuRussel, Grimshaw

At 11:07 a.m., there were a total of 31 participants attending the meeting.

*-Building Code Discussion – Board discussed the allowance of phased projects rather than having a fully planned project from the beginning. Board discussed which of these are preferred and which is required. Board discussed that the contract with SCMCCI does not expire until September 30, 2021 and the Board needs to lend support to SCMCCI until that time on the W. Caro Road Building project. Board discussed continuing to investigate the matter and have a follow-up discussion with county legal counsel in 14 days.*

2021-M-103

Motion by Grimshaw, seconded by DuRussel that the Tuscola County Board of Commissioners authorize Braun Kendrick to continue its enforcement efforts in the following manner: (1) continue its analysis of the violations and documentation thereof, (2) prepare a draft civil complaint seeking to enforce the stop work orders, and (3) return to the Board of Commissioners for approval to file such complaint by May 27, 2021 specifically related to property located at 1796 W Caro Road, 1800 W Caro Road and all adjacent vacant parcels that are part of the construction project. Roll Call Vote: Vaughan – no; DuRussel – yes; Grimshaw – yes; Young – yes; Bardwell – yes. Motion Carried.

2021-M-104

Motion by Grimshaw, seconded by DuRussel that the Tuscola County Board of Commissioners instruct Braun Kendrick to contact counsel of the property owners at 1796 W. Caro Road, 1800 W. Caro Road and all adjacent vacant parcels that are part of the construction project on a short timeline to allow them to explain why this matter should not be the subject of civil litigation. Contact should be completed by May 27, 2021. Roll Call Vote: DuRussel – yes; Grimshaw – yes; Young – yes; Vaughan – yes; Bardwell – yes. Motion Carried.

*Old Business (continued from above)*

-Building Codes Request for Proposal (RFP) -

2021-M-105

Motion by Grimshaw, seconded by Vaughan that it is authorized to post the Request for Proposal (RFP) for building codes according to specifications. Roll Call Vote: Grimshaw – yes; Young – yes; Vaughan – yes; DuRussel – yes; Bardwell – yes. Motion Carried.

-Tuscola County Pension Obligation Refunding Bonds Resolution -

-Attorney John Axe explained the proposed resolution giving the Board the authority to discuss options that may be available with the underwriter. The underwriter would then provide a proposal to the Board to review and consider adopting at that point. John Axe and Steven Burke would review to make a recommendation for approval by the Board if deemed appropriate.

2021-M-106

Motion by Vaughan, seconded by Young to approve Resolution #2021-08 to proceed with refunding the Tuscola County pension obligation bonds. Also, all appropriate signatures are authorized. Roll Call Vote: Young – yes; Vaughan – yes; DuRussel – yes; Grimshaw – no; Bardwell – yes. Motion Carried.

**Correspondence/Resolutions**

-Letter from Criminal Justice Information Center Regarding Tuscola County Central Dispatch.

-Letter from Mary L. Bock Regarding Voting Machines in Tuscola County.

-Letter from Department of Treasury Regarding Inter-Local Agreement for Approval of County Designated Assessor.

-Region VII Area Agency on Aging – Regarding Call for Letters of Intent.

-Letter regarding Joe Green White. Commissioner DuRussel to contact Joe Green White. Matter to be added to next Board of Commissioners meeting.

**COMMISSIONER LIAISON COMMITTEE REPORTS****BARDWELL**

Behavioral Health Systems Board

Caro DDA/TIFA – Farmer’s Market will be opening soon.

Economic Development Corp/Brownfield Redevelopment

MAC 7<sup>th</sup> District – Meeting will be held virtually on May 17, 2021. If you have a discussion topic, please forward to Commissioner Bardwell.

MAC Workers Comp Board

MAC Finance Committee – Update provided.

TRIAD

Local Units of Government Activity Report

**YOUNG**

Board of Public Works  
County Road Commission Liaison  
Dispatch Authority Board – Update provided regarding the need to replace radios.  
Genesee Shiawassee Thumb Works  
Great Start Collaborative  
Human Services Collaborative Council (HSCC)  
Jail Planning Committee  
MAC Agricultural/Tourism Committee  
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 – Grant has been received for 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

**GRIMSHAW** – No update.

Behavioral Health Systems Board  
Recycling Advisory  
Local Units of Government  
Jail Planning Committee  
MI Renewable Energy Coalition (MREC)

**DURUSSEL**

Board of Health  
Community Corrections Advisory Board  
Dept. of Human Services/Medical Care Facility Liaison  
Genesee Shiawassee Thumb Works  
Local Emergency Planning Committee (LEPC)  
MAC Judiciary Committee



MEMS All Hazard – Meeting was just held at Midway Hall and those participating virtually had a hard time hearing so prior to the Board holding a meeting there a solution will need to be discussed.

Local Units of Government Activity Report – Arbela Township is having difficulties finding culverts which may delay their planned road projects.

*Other Business as Necessary – None*

At 12:03 p.m., there were a total of 24 participants attending the meeting.

*Extended Public Comment –*

-Register John Bishop addressed the Board regarding HB 4729-4732 which would eliminate copy fees received in his office and open the door for data mining. Register Bishop requested a resolution in opposition.

-Register John Bishop addressed the Board on not being allowed to add a matter to the agenda, procedure of how to add a matter to the agenda and how the Board handled the Board agenda today.

2021-M-107

Motion by Young, seconded by Vaughan to adjourn the meeting at 12:12 p.m.

Roll Call Vote: Grimshaw - yes; Young - yes; Vaughan - yes; DuRussel - absent; Bardwell - yes. Motion Carried.

Meeting adjourned at 12:12 p.m.

Jodi Fetting  
Tuscola County Clerk