



TUSCOLA COUNTY

Board of Commissioners

BOARD MEETING AGENDA

Wednesday, November 10, 2021 – 8:00 AM

H.H. Purdy Building Board Room, 125 W. Lincoln St., Caro, MI 48723

Public may participate in the meeting electronically:

(US) +1 929-276-1248 PIN:112 203 398#

Join by Hangouts Meet: meet.google.com/mih-jntr-jya

- 8:00 AM Call to Order - Chairperson Bardwell
- Prayer - Commissioner Bardwell
- Pledge of Allegiance - Commissioner Young
- Roll Call - Clerk Fetting

Page

Adoption of Agenda

Action on Previous Meeting Minutes

- 1. Action on Previous Meeting Minutes 6 - 13
[Full Board Minutes 10-28-21](#)
[Statutory Finance Minutes 10-28-21](#)

Brief Public Comment Period for Agenda Items Only

Consent Agenda Resolution

- Action on Previous Meeting Minutes 14 - 18
[Committee of the Whole - 08 Nov 2021 - Minutes - Pdf](#)
- 1. Byrne Justice Assistance Grant (JAG) Subcontract with the County of Lapeer
- 2. Mosquito Abatement 2021 Budget Amendment Request

New Business

1. Dispatch Director Letter of Intent to Retire 19
[11-9-21 Dispatch Director Letter](#)
2. Request to Use the Courthouse Lawn from Caro Womens Interfaith Committee for Christmas 20
[Womens Interfaith Committee Letter](#)
3. Road Commission - Commissioner Vaughan
4. 8:30 a.m. Closed Session - To consult with its attorney regarding trial or settlement strategy in connection with pending litigation
5. 9:00 a.m. Closed Session - To Discuss Labor Strategy
6. 9:30 a.m. Closed Session - To Discuss the Contents of a Written Legal Memorandum
7. 10:30 Closed Session To Consider Material Exempt from Discussion or Disclosure Regarding Security Measures in the County

Old Business

1. Letter to the Chief Judge in response to the Administrative Orders dated 9-22-21. 21 - 22
[Face Mask Order Letter-Judge Gierhart](#)
2. Guidehouse Consulting Services Contract
3. Circuit Court/Family Court Legal Services Contract for 2022-2023
4. Tuscola County Possible Conflict Policy

Correspondence/Resolutions

1. DHHS Letter Regarding Rates for Youth Placed in State Facilities 23 - 24
[10-27-21 DHHS Letter](#)
2. Tuscola County Road Commission Minutes from October 14, 2021 25 - 26
[Road Commission Minutes 10-14-21](#)
3. Muskegon County Resolution 2021-426 27 - 28
[Muskegon County Resolution 2021-426](#)
4. Branch County Resolution 2021-16 29
[Branch County Resolution 2021-16](#)
5. Oceana County Resolution 30 - 31
[Oceana County Resolution](#)

- 6. Marquette County Resolution 32 - 33
[Marquette County Resolution](#)
- 7. Jackson County Resolution 34 - 35
[Jackson County Resolution 10 21 27](#)

Commissioner Liaison Committee Reports

Young

- 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
- Region VI Economic Development Planning
- Saginaw Bay Coastal Initiative
- Senior Services Advisory Council
- Tuscola 2020
- Local Units of Government Activity Report

Bardwell

- Behavioral Health Systems Board
- Caro DDA/TIFA
- Economic Development Corp/Brownfield Redevelopment
- MAC 7th District
- MAC Workers Comp Board
- MAC Finance Committee
- TRIAD
- 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

DuRussel

Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
Genessee Shiawassee Thumb Works
Local Emergency Planning Committee (LEPC)
MAC Judiciary Committee
MEMS All Hazard
Local Units of Government Activity Report

Grimshaw

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

Other Business as Necessary

Extended Public Comment

Adjournment

Note: If you need accommodations to attend this meeting, please notify the Tuscola County Controller/Administrator's Office (989-672-3700) two (2) days in advance of the meeting.

Draft

TUSCOLA COUNTY BOARD OF COMMISSIONERS
October 28, 2021

Commissioner Bardwell called the regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building, 125 W Lincoln Street in the City of Caro, Michigan, on the 28th day of October 2021, to order at 8:00 o'clock a.m. local time.

Prayer – Commissioner Vaughan

Pledge of Allegiance – Commissioner Young

Roll Call – Clerk Fetting

Commissioners Present In-Person:

District 1 – Thomas Young
District 2 – Thomas Bardwell
District 3 – Kim Vaughan

Commissioners Absent:

District 4 – Douglas DuRussel
District 5 – Daniel Grimshaw

Others Present In-Person:

Clerk Jodi Fetting, Clayette Zechmeister, Tracy Violet

Also Present Virtual:

Ean Lee, Steve Anderson, Mike Miller, Alex Petrik, Mary Drier, Mark Haney, Barry Lapp, Sandy Nielsen, Treasurer Ashley Bennett, Kim Brinkman, Mike Slade, Dara Hood, Debbie Babich, Eric Morris, Matt Brown, Bob Baxter, Cindy McKinney-Volz

At 8:06 a.m., there were a total of 16 participants attending the meeting virtually.

Adoption of Agenda -
2021-M-234

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

Action on Previous Meeting Minutes -
2021-M-235

Motion by Young, seconded by Vaughan to adopt the meeting minutes from the October 14, 2021 Regular meeting. Motion Carried.

*Brief Public Comment Period for Agenda Items Only – None**Consent Agenda Resolution –
2021-M-236*

Motion by Vaughan, seconded by Young that the Consent Agenda Resolution and Minutes as corrected from the October 25, 2021 Committee of the Whole Meeting be adopted. Motion Carried.

CONSENT AGENDA

Agenda Reference: A

Entity Proposing: COMMITTEE OF THE WHOLE 10/25/21

Description of Matter: Move to approve the Clean Sweep Program grant agreement with the Michigan Department of Agriculture and Rural Development in the amount of \$25,000.00. Also, all appropriate signatures are authorized.

New Business –

-Adoption of the 2021 Apportionment Report (matter added) –
2021-M-237

Motion by Vaughan, seconded by Young to receive and place on file the 2021 Tuscola County Apportionment Report as presented. Motion Carried.

-Closed Session 9:00 a.m. To Discuss the Contents of a Written Legal Memorandum – Matter not handled as there was not a 2/3 presence of Commissioners.

-Closed Session 9:30 a.m. To Discuss the Contents of a Written Legal Memorandum
- Matter not handled as there was not a 2/3 presence of Commissioners.

-Closed Session 10:30 a.m. To Consider Material Exempt from Discussion or Disclosure Regarding Security Measures in the County - Matter not handled as there was not a 2/3 presence of Commissioners.

-Request for Additional Building Space – Health Officer Amanda Ertman expressed interest in occupying the space previously held by South Central Michigan Construction Code Inspections (SCMCCI). SCMCCI is vacating the space today. Board discussed where to store the records that are currently there. Clayette Zechmeister and Mike Miller will coordinate with Amanda Ertman to gather more details on the request.

Old Business –

-Multiple Court Administrative Orders for Tuscola County Courthouse and Face Mask Policy and September 21, 2021 Court Memo –

-Multiple Court Administrative Orders for Tuscola County Courthouse - Board discussed the budget requests that were received from Judge Amy Grace Gierhart. Board discussed the timeframe associated with the requests. Board and Eric Morris discussed if communication should take place with the Judge between now and the next Board meeting on November 10, 2021.

2021-M-238

Motion by Vaughan, seconded by Young that due to budget constraints in the General Fund to deny the Chief Judges request item #1 in her September 21, 2021 memo for additional funding for a new position in the amount of \$55,000.00 plus benefits for a full-time Courthouse security officer in the 2022 budget. Motion Carried.

2021-M-239

Motion by Vaughan, seconded by Young that due to budget constraints in the General Fund to deny the Chief Judge's request item #2 in her September 21, 2021 memo for three full-time certified road patrol officers as court employees. Court Security will continue to be funded as it currently is in 2021 for the 2022 budget. Motion Carried.

2021-M-240

Motion by Vaughan, seconded by Young to deny the Chief Judge's request item #3 in her September 21, 2021 memo to reinstate the full-time Law Clerk position with a salary of \$48,000.00 as this position's wages were applied, at the Chief Judge's request, to the new Deputy Court Administrator position created in August 2020 when the former Law Clerk was terminated. The Deputy Court Administrator position started at \$55,681.00 and is now at \$61,352.00, a 10% increase in one year. Motion Carried.

2021-M-241

Motion by Vaughan, seconded by Young to deny the Chief Judge's request item #4 in her September 21, 2021 memo to increase the Deputy Court Administrator's annual salary to \$78,000.00 as the current allocation of Human Resources functions between the Court and the County is an effective and cost-efficient use of General Fund dollars. Further moved, that it is the County's position that the Chief Judge assuming every aspect of Human Resources will lead to duplication of efforts, additional costs, and potentially serious transition issues that may not have been considered by the Chief Judge. Motion Carried.

2021-M-242

Motion by Vaughan, seconded by Young to inform the Chief Judge and the State Court Administrative Office of the County's decisions on these matters. Motion Carried.

-Face Mask Policy – Board discussed what areas the Chief Judge would have authority to place a face mask policy in effect in the courthouse. The public (non-court) areas are the areas in discussion. The Board discussed who sets policy for those areas and all county buildings.

2021-M-242

Motion by Vaughan, seconded by Young to direct the Controller/Administrator and County Corporate Counsel to craft a letter to the Chief Judge in response to Administrative Orders Circuit Court 2021-09J, District Court 2021-09J and Probate Court 2021-06J with all appropriate signatures authorized. Motion Carried.

-Resolution 2021-15 Approving the 2021 Apportionment Report -

Motion by Young, seconded by Vaughan to approve Resolution #2021-15 titled Resolution Approving the 2021 Apportionment Report. Also, all appropriate signatures are authorized. Roll Call Vote: DuRussel – absent; Grimshaw – absent; Young – yes; Vaughan – yes; Bardwell – yes. Motion Carried.

Correspondence/Resolutions –

- Michigan Municipal Risk Management Letter of Appointment for Eean Lee, CIO, to the Technology & Cyber Security Risk Control Advisory Committee
- Alger County Resolution #2021-18 to Support Amendments to the Open Meetings Act
- Ogemaw County Resolution #21-129 to Support Amendments to the Open Meetings Act
- Menominee County Resolution #2021-23 to Exempt Counties with a Population of 75,000 or Less from Certain Provisions of the Open Meetings
- Sanilac County Resolution Supporting American Rescue Plan State Match Programs
- Alger County Resolution #2021-19 Opposing Senator Shirkey's Gearing Toward Integration Proposal and Supporting Pathways Community Mental Health Services Program
- Muskegon County Resolution 2021-411 Supporting West Michigan Agriculture Technologies and Regional Food Systems Initiative
- Missaukee County Resolution #2021-11 in Support of Vaccine Awareness and Medical Autonomy

COMMISSIONER LIAISON COMMITTEE REPORTS

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
Region VI Economic Development Planning
Saginaw Bay Coastal Initiative
Senior Services Advisory Council
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VAUGHAN – No Report
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

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

DURUSSEL - Absent
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
Local Units of Government Activity Report

BARDWELL

Behavioral Health Systems Board

Caro DDA/TIFA

Economic Development Corp/Brownfield Redevelopment

MAC 7th District – Commissioner Bardwell asked if there has been any response for the upcoming meeting. Renee reported that Sanilac County is the only County who has responded and the proposed date is a meeting day. Renee will reach out to the District for a proposed date in January 2022.

MAC Workers Comp Board

MAC Finance Committee

TRIAD

Local Units of Government Activity Report

Other Business as Necessary – None

At 9:42 a.m., there were a total of 22 participants attending the meeting virtually.

Extended Public Comment – None

2021-M-245

Motion by Young, seconded by Vaughan to adjourn the meeting at 9:42 a.m.
Motion Carried.

Meeting adjourned at 9:42 a.m.

Jodi Fetting
Tuscola County Clerk

Tuscola County Board of Commissioners
Statutory Finance Committee Minutes
October 28, 2021

Commissioner Bardwell called the Statutory Finance meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building, 125 W. Lincoln Street in the City of Caro, Michigan, on the 28th day of October, to order at 9:54 o'clock a.m. local time.

Roll Call – Clerk Jodi Fetting

Commissioner Present In-Person:

District 1 - Thomas Young
District 2 - Thomas Bardwell
District 3 - Kim Vaughan

Commissioners Absent:

District 4 - Douglas DuRussel
District 5 - Daniel Grimshaw

Others Present In-Person:

Clerk Jodi Fetting, Tracy Violet, Clayette Zechmeister

Also Present Virtual:

Barry Lapp, Debbie Babich, Bob Baxter, Mark Haney, Steve Anderson, Eean Lee, Mike Slade, Mary Drier, Sandra Nielsen, Dara Hood, Treasurer Ashley Bennett

At 9:54 a.m., there were a total of 17 participants attending the meeting virtually.

-Adoption of Previous Meeting Minutes

2021-SF-M-085

Motion by Young, seconded by Vaughan to adopt the meeting minutes from the October 14, 2021 Statutory Finance. Motion Carried.

New Business:

-Review and Adoption of Finance Report and Checks –

2021-SF-M-086

Motion by Vaughan, seconded by Young to approve the finance checks as submitted on the October 27, 2021 report. Motion Carried.

-Review and Adoption of Daily Report and Checks –

2021-SF-M-087

Motion by Vaughan, seconded by Young to approve the daily checks as submitted on the October 27, 2021 report. Motion Carried.

-Review and Adoption of Per Diems Report and Checks –
2021-SF-M-088

Motion by Vaughan, seconded by Young to approve the per diems as submitted on the October 2021 report. Motion Carried.

Old Business – None

Public Comment – None

2021-SF-M-089

Motion by Young, seconded by Vaughan to adjourn the meeting at 9:57 a.m.
Motion Carried.

Meeting adjourned at 9:57 a.m.

Jodi Fetting
Tuscola County Clerk

DRAFT



MINUTES

Committee of the Whole Meeting

8:00 AM - Monday, November 8, 2021

H.H. Purdy Building Board Room, 125 W. Lincoln St., Caro, MI 48723

Commissioner Bardwell called the regular meeting of the Committee of the Whole of the County of Tuscola, Michigan, held at the H.H. Purdy Building Board Room, 125 W. Lincoln St., Caro, MI 48723, on Monday, November 8, 2021, to order at 8:00 AM local time.

Roll Call - Clerk Fetting

Commissioners Present In-Person: Thomas Young, Thomas Bardwell, Kim Vaughan, Doug DuRussel, and Dan Grimshaw

Commissioners Absent: None

Others Present In-Person: Jodi Fetting, Clayette Zechmeister, Curtis Elenbaum, and Eean Lee

Also Present Virtual:

At 8:46 a.m., there were a total of 27 participants attending the meeting virtually.

County Updates

No Updates

New Business

1. Judge Jason E. Bitzer to address the Board Regarding the District Court OnBase Program Cost of \$334,657.00 for the 2022 Budget - Matter to be placed on a future agenda for discussion.
2. Register of Deeds John Bishop to Address the Board on an Additional 2022 Budget Request - Register Bishop explained to the Board his request for 2022 for his record services with GovOS (Kofile) which was not in the budget that was presented to the Board due to a system error. The contract the Register has is expiring and GovOS wants to transition to a cloud solution. The Clerk's contract is in the middle of the contract. Clerk Fetting will send her contract to Register Bishop to see if a coordination could happen for the transition. Matter to be discussed further at a future meeting.
3. Buildings and Grounds Director Mike Miller to Address the Board on the Jail Holding Cell Rubber Flooring -

Mike Miller explained the budget request that was missed when entering the projects for the 2022 budget. Lieutenant Brian Harris had requested the holding cell to have rubber walls and floor installed. Mike Miller has received a quote in the amount of \$28,000.00. Matter to be added to the 2022 Budget before final adoption of the budget.

4. Guidehouse Presentation on Potential Financial Consulting Services Related to the Administration of Federal and State Grants Related to COVID-19 Projects Through Michigan Association of Counties (MAC) CoPro+ Program -
Sarah Razor and David Sernick presented to the Board regarding how Guidehouse can assist Tuscola County in navigating the American Rescue Plan Act (ARPA) requirements. Board discussed contracting with Guidehouse. Clayette to present the proposed contract to the County Attorney for review prior to adoption. Matter to be placed on Wednesday's agenda for a roll call vote.
5. Mosquito Abatement 2021 Budget Amendment Request -
Mosquito Abatement Director Larry Zapfe presented to the Board regarding purchasing material for the 2022 upcoming season. Matter to be placed on the Consent Agenda.
6. Byrne Justice Assistance Grant (JAG) Subcontract with the County of Lapeer -
Clayette Zechmeister explained the renewal of the proposed annual contract. Matter to be placed on the Consent Agenda.
7. Circuit Court/Family Court Legal Services Contract for 2022-2023 -
Clayette Zechmeister presented to the Board the proposed contract for the Circuit Court/Family Court Legal Services. Board discussed the increase in cost which could be in part due to the Raise the Age legislation. Board discussed how those cases previously would have been handled by Michigan Indigent Defense Counsel (MIDC). Matter to be placed on Wednesday's Agenda.
8. Prosecutor Mark Reene to Address the Board regarding the 2022 Budget -
Matter to be added to an upcoming Board meeting for discussion.

Old Business

1. None

Finance/Technology

Primary Finance/Technology

1. 2022 Budget Review -
Clayette Zechmeister reviewed various items within the 2022 budget that will impact the bottom line of the budget and potential adjustments that will need to be made. Board discussed the funding of courthouse security. Sheriff Skrent discussed the option of using Corrections Officers for Court Bailiffs. Board would like further discussions to occur to work on the how details could be planned out regarding courthouse security. Clayette referenced the Drain at Large and that the costs are expected to increase.

Recessed at 10:04 a.m.

Reconvened at 10:14 a.m.

At 10:14 a.m., there were 23 people attending the meeting virtually.

2022 Budget Review - Continued

Board also discussed if any of the ARPA funding could be used for local businesses through the Economic Development Commission (EDC). Clayette also updated the Board regarding funding for the Emergency Management Program.

On-Going and Other Finance

1. American Rescue Plan Act (ARPA) -
Clayette Zechmeister stated that this project is currently being worked on. Debbie Babich is working on the list of essential employees that worked during the timeframe.
2. Preparation of Multi-Year Financial Planning -
Board discussed that the 2022 Labor Negotiations are scheduled and ongoing.
3. Cooperative Reimbursement Programs Summary from Prosecutor and Friend of the Court -
Presentation will happen at a future meeting.

-Board and Sandy Nielsen discussed the procedure that happens when an ambulance is called off from being dispatched to a matter.

On-Going and Other Technology

1. GIS Update
2. Increasing On-Line Services/Updating Web Page
3. Justice AV System (JAVS) Installation (matter added) -
Eean Lee updated the Board that the JAVS system has been installed in District Court and the other four courts have been scheduled for installation.

Building and Grounds

Primary Building and Grounds

1. Purdy Building Security Updates -
Clayette Zechmeister stated there will be a closed session on Wednesday to discuss matter.

On-Going and Other Building and Grounds

1. State Police Water and Annexation -

Clayette Zechmeister reported that the MSP project is close to being ready for the completion of the annexation process. The Tuscola Intermediate School District is waiting for the final steps in their annexation process to be completed.

2. IT Department Space Needs
3. Adult Probation Fence -
Mike Miller provided an update that a bid was received from Booms Construction in the amount of \$10,000.00. The Board would like Mike to review the City Ordinance for the specifications.
4. Storage Space (matter added) -
Mike Miller has met with Mark Ransford regarding the project. There was a set back with the engineer which a new engineer has been secured.

Personnel

Primary Personnel

1. 2021 Open Enrollment -
Shelly Lutz reported that virtual and in-person meetings have been scheduled. The buy-up dental plan has changed with an improvement in coverage. Paperwork needs to be returned by November 29, 2021.

-Board discussed the future of health insurance costs if the court employees were not included under the county umbrella.

On-Going and Other Personnel

1. Workman's Compensation -
Shelly Lutz reported that the case that was causing the rates to be higher is close to being resolved.
2. Michigan Association of Counties (MAC) 7th District Meeting -
Commissioner Bardwell stated the 7th District meeting is planned to be scheduled in January 2022.
3. Safety Committees – Watch for Grant Opportunities

Other Business as Necessary

1. Communication Regarding Judge Gierhart's Mask Requirement in the Courthouse (matter added) -
Commissioner Bardwell has signed a letter to be provided to Judge Gierhart regarding masks in the courthouse.
2. Tuscola County Medical Care Facility Vaccine Requirement (matter added) -
Commissioner Vaughan has received contact that the Medical Care Facility has provided information to their staff that employees have been given a deadline of

January 4, 2022 to be vaccinated or their employment would be terminated. Board would like to see the letter that was provided to staff.

On-Going Other Business as Necessary

1. Animal Control Ordinance

At 11:06 a.m., there were 23 people attending the meeting virtually.

Public Comment Period

1. Register Bishop addressed the Board that he was unable to find a Board policy that addresses an RFP for a renegotiation of a contract so he does not feel that he will need to do an RFP for the GovOS contract.
2. Clayette Zechmeister updated the Board that one of the grants the county receives is under an audit. One requirement is for the county to have an Ethics and Conduct policy which Tuscola County does not have one. Matter will be added to Wednesday's agenda.

Adjournment

Motion by Young, seconded by Vaughan to adjourn the meeting at 11:11 a.m. Motion Carried.

Jodi Fetting
Tuscola County Clerk

Sandra Nielsen, Director

November 9, 2021

From: Sandra K. Nielsen, Director

Subject: Intent to Retire

To: Board of Commissioners

Board of Commissioners,

As I approach my 32nd year with Tuscola County Central Dispatch, I have made the decision to retire. My intention is to retire April 1, 2022, however I am flexible with that date. I believe it is vital to work with my replacement for 3 – 4 weeks and am willing to alter my last day to May 1, 2022 should it be needed. I will not leave Central Dispatch without leadership.

It has been a pleasure and an honor serving Tuscola County. I want to say “Thank You” for your trust and confidence in me for the last 7 years as Director. The Authority Board and the Board of Commissioners support over the years mean more than words can say. I greatly appreciate the opportunity to be the Central Dispatch Director here in Tuscola County.

Lastly, to the dispatchers, the first responders and the citizens of Tuscola County, Thank you very much for allowing me the honor and privilege of a great career here at Central Dispatch.

Sincerely,



Sandra K. Nielsen, ENP CMCP
Director
Tuscola County Central Dispatch

November 5, 2021

Dear Commissioners,

The Caro Womens Interfaith Committee for Christmas, once again, request the use of the Courthouse lawn to display their Nativity scene.

It will be displayed from Saturday November 27, 2021 thru January 8, 2022.

Thank you for your attention in this matter.

Respectfully Submitted,
Marsha Perez
Chairman
989-673-2997

TUSCOLA COUNTY BOARD OF COMMISSIONERS

125 W. Lincoln Street
Suite 500
Caro, MI 48723

Telephone: 989-672-3700
Fax: 989-672-4011

November 8, 2021

Honorable Amy Grace Gierhart
Circuit Court Judge
440 N. State Street
Caro, MI 48723

Dear Judge Gierhart,

On September 22, 2021 you signed local administrative orders for the 54th Circuit Court, 71B District Court and the Tuscola County Probate Court (the “Administrative Orders”). The Administrative Orders enact a Tuscola County Courthouse Face Mask Policy. This policy was made retroactive to September 13, 2021.

The Administrative Orders require everyone entering the Tuscola County Courthouse building to wear a face mask. The Administrative Orders apply to the general public, County employees, and Court employees. The Administrative Orders apply regardless of whether an individual comes to the Courthouse on Court business or other business. Further, the Administrative Orders are to be enforced under threat of contempt of court proceedings.

As an initial matter, the Tuscola County Courthouse is a mixed use facility that includes offices for both Court and County employees. Additionally, County employees provide support services (facilities maintenance, for example) to the Court and frequently enter the Courthouse for those purposes. Thus, the Administrative Orders impact the operations of the County and the County’s role in managing its employees.

Applicable administrative orders and Michigan Court Rules have long recognized the need for coordination between the Courts and funding units—such as Tuscola County. This need for close coordination is particularly acute where—as is the case here—the funding unit and Courts share facilities. For example, Michigan Supreme Court Administrative Order No. 2001-1 addresses the creation of a court security policy, and states that “courts are encouraged to collaborate with other entities in shared facilities and, where appropriate, to work with local funding units.” Additionally, Michigan Court Rule 8.115—addressing the use of electronic devices—differentiates between the use of electronic devices inside courtrooms versus use of electronic devices inside the courthouse as a whole. Longstanding Michigan Supreme Court Administrative Order No. 1998-5 also helps illustrate the allocation of responsibility between the

Court and a funding unit when it encourages courts to adopt personnel policies consistent with those of its funding unit.

Given this focus on coordination between court and funding unit, the Board of Commissioners was surprised to learn that the Administrative Orders were implemented without County input despite the impact on County employees and facilities. If the Board of Commissioners had been consulted prior to your issuing the Administrative Orders, it would have noted that there is currently no public health order in place in Tuscola County requiring general indoor masking at this time, nor is there a Tuscola County policy mandating the wearing of face coverings for employees. Further, the Board would have also expressed its concern about the Court's contention that it can regulate the conduct of County employees and County facilities. Finally, the Board of Commissioners would have requested that the Administrative Orders include some type of exception or accommodation on medical grounds.

For the reasons outlined above, the Board of Commissioners believes that the Administrative Orders go beyond the scope of the Court's authority to issue local administrative orders "governing only internal court management." MCR 8.112(B). Further, it is the Board's position that the Administrative Orders overstep the Chief Judge's role in administrative control over "the judges of the court and all court personnel." MCR 8.110(C)(3). Finally, the Administrative Orders seem to move beyond the Chief Judge's authority under the newly amended MCR 8.110(C)(3)(i) which suggests that measures to protect against COVID-19 "include continuing to providing a method or methods for filers to submit pleadings and other filings other than by personal appearance at the court" and "waiv[ing] strict adherence to any adjournment rules or policies and administrative and procedural time requirements as necessary."

The Board of Commissioners respectfully requests that you consider amending the Administrative Orders to apply to courtrooms and other court offices instead of the entire courthouse. The Board further requests that you consider amending the Administrative Orders to address individuals who are medically unable to tolerate the wearing of a face covering. To the extent that the Court has not yet held a stakeholder meeting on pandemic operations, such a meeting—or similar process—could be helpful in developing continued dialogue on this and other topics.

I thank you for your consideration of the items raised in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Bardwell", written over a large, loopy scribble.

Thomas Bardwell, Chairperson
Tuscola County Board of Commissioners



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

ELIZABETH HERTEL
DIRECTOR

October 27, 2021

Dear Family Court Judges, Family Court Administrators and County Treasurers:

The Youth Rehabilitation Services Act, MCL 803.301 et seq., requires that the department "prescribe the liability of counties for the cost of services for state wards." **The department has determined that the attached rates will be effective for calendar year 2022, effective January 1, 2022.** These rates shall remain in effect until the next scheduled revision in 2023.

Each county will continue to be charged one-half of the appropriate per diem costs for care provided to a state ward. There is no chargeback for Title IV-E funded youth placements.

The department is making every effort to contain the cost of care for youth placed in State facilities while ensuring the provision of quality care. Medical costs incurred for individual youth that are over and above routine medical care will continue to be billed directly and are not included in the per diem cost. Routine medical care consists of services such as routine physical exams, dental exams, first aid and over the counter medications for common ailments. Any non-routine medical costs for an individual youth will be billed to the county court with jurisdiction over the youth's commitment to Michigan Department of Health and Human Services under the Youth Rehabilitation Services Act. This practice is consistent with MCL 803.305(1), which requires that "the county from which the public ward is committed is liable to the state for 50 percent of the cost of his or her care". Attributing non-routine medical costs to the county of commitment will help lower the daily cost for all youth and assign additional medical costs only to the youth in need of such services.

If you have any questions regarding the chargeback rates, please contact Derrick McCree, Director, at (517) 335-3489.

Sincerely,

Derrick McCree, Director, Division of Juvenile Justice
Children's Services Agency

Attachment

cc: MDHHS Local Office Directors

235 SOUTH GRAND AVENUE • PO BOX 30037 • LANSING, MICHIGAN 48909
www.michigan.gov/mdhhs • 517-241-3740

STATE WARD CHARGEBACK RATE
Calendar Year 2022

PROGRAM	COST PER CHILD PER DAY	CHARGEBACK RATE NON-TITLE IVE
Shawono	\$307.65	\$153.82
Bay Pines	\$307.58	\$153.79
Foster Family Homes		\$12.07

Note: Care for state wards placed in private child care institutions and county detention facilities will be charged at one-half the actual amount paid.

October 14, 2021

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, October 14, 2021 at 8:00 A.M.

Present: Road Commissioners John Laurie, Gary Parsell, Julie Matuszak, David Kennard, and Duane Weber; Acting County Highway Engineer Brent Dankert, Operations Engineer Technician Will Green, Superintendent/Manager Jay Tuckey, and Director of Finance/Secretary-Clerk Michael Tuckey.

Motion by Parsell seconded by Matuszak that the minutes of the September 30, 2021 regular meeting of the Board be approved. Weber, Kennard, Matuszak, Parsell, Laurie --- Motion Carried.

Payroll in the amount of \$116,913.53 and bills in the amount of \$2,612,353.89 covered by vouchers #2021-51 and #2021-52 were presented and audited.

Motion by Weber seconded by Kennard that the payroll and bills be approved. Weber, Kennard, Matuszak, Parsell, Laurie --- Motion Carried.

Brief Public Comment Segment:

(1) Mr. Tim Hutchinson appeared before the Board regarding the status of his Mass Mutual Pension Plan paperwork. Director of Finance Michael Tuckey will contact Mass Mutual for an update regarding the status of his paperwork.

Motion by Parsell seconded by Weber that the bids for the Replacement of HVAC Systems and Water Heater taken and accepted at the last regular meeting of the Board be awarded to Thumb Cooling & Heating, with their bid amended to include two (2) HVAC Systems. Ayes: Weber, Matuszak, Parsell, Laurie / Nays: Kennard --- Motion Carried.

Motion by Matuszak seconded by Parsell to approve and authorize Operations Engineer Technician William Green and Director of Finance Michael Tuckey to digitally sign the Michigan Department of Transportation Contract #21-5360 for the hot mix asphalt overlay along Cass City Road from Colwood Road to M-81, and all together with necessary related work. Weber, Kennard, Matuszak, Parsell, Laurie --- Motion Carried.

Motion by Parsell seconded by Matuszak granting Tim Hartman a Medical Leave of Absence from November 4, 2021 for an estimated period of eight (8) weeks. Weber, Kennard, Matuszak, Parsell, Laurie --- Motion Carried.

Acting County Highway Engineer Dankert provided to the Board an update regarding current road and bridge construction projects.

Chairman Laurie further discussed with Management and the Board the road damage caused on Foss Road and the bill that was sent to the property owner.

Motion by Parsell seconded by Matuszak that the Road Commission internally post the position of Superintendent/Manager. Weber, Kennard, Matuszak, Parsell, Laurie --- Motion Carried.

Motion by Matuszak seconded by Kennard that the Board go into closed session at 9:15 A.M. for the purpose of discussing the James McIntyre lawsuit and the Shays Lake Road Box Culvert lawsuit. Weber, Kennard, Matuszak, Parsell, Laurie --- Motion Carried.

At 9:50 A.M. the Board returned to open session.

Motion by Parsell seconded by Kennard that the meeting be adjourned at 9:55 A.M. Weber, Kennard, Matuszak, Parsell, Laurie --- Motion Carried.

Chairman

Secretary-Clerk of the Board



County of Marquette

Courthouse Complex
234 W. Baraga Avenue
Marquette, Michigan 49855
Fax: (906) 225-8155
www.co.marquette.mi.us

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County Administrator
225-8151
Finance & Accounting
225-8175
Human Resources & Risk
225-8162
Information Systems
225-8170

RESOLUTION SUPPORTING AMERICAN RESCUE PLAN STATE MATCH PROGRAMS

WHEREAS, the State of Michigan has faced tremendous challenges as it dealt with a deadly pandemic for nearly a year and a half and is now presented with an opportunity to strategically invest in our residents, entrepreneurs, businesses and communities; and

WHEREAS, Michigan will receive more than \$10 billion in fiscal recovery aid, with 82 counties slated to get 1.9 billion directly in American Rescue Plan (ARP) funds; and

WHEREAS, cities and larger townships will receive a total of \$1.8 billion and non-entitlement communities (smaller units) approximately \$644 million, with the state of Michigan itself receiving more than \$6.5 billion; and

WHEREAS, eligible expenditures include revenue reimbursements, savings and growing interest on the funds, broadband infrastructure, economic development and individual assistance programs; and

WHEREAS, county leaders are already under pressure to announce spending decisions and elected officials at all levels of government will have to make decisions on where and how they will use the dollars within federal guidelines; and

WHEREAS, the Michigan Association of Counties is working on a match program to earmark close to \$4 billion in state ARP funds to leverage all levels of government to strategically invest the one-time dollars in areas of greatest need for improvement; and

WHEREAS, the Michigan Association of Counties has received positive feedback on the ideas put forth for match programs within the state; and

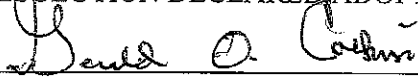
WHEREAS, Michigan has a chance to amplify investments with the influx of federal funding and a collaborative effort by all levels of government that will allow the dollars to be stretched to invest in common goals; and

WHEREAS, the comprehensive approach to leverage ARP dollars will provide Michigan the ability to amplify investment for our future by focusing resources in five key areas – water infrastructure and broadband, local capacity and fiscal stability, housing and community development, comprehensive economic development and public health and safety; and

WHEREAS, our future success is inextricably linked, and strategic investment of our available resources needs to support and strengthen these connections;

THEREFORE, BE IT RESOLVED, the Marquette County Board of Commissioners supports American Rescue Plan State Match Programs and authorizes the Board Chairperson and staff to forward a copy of this resolution directly to all County Commissioners, or their equivalents, in each of the 83 counties in the State of Michigan.

RESOLUTION DECLARED ADOPTED



Gerald O. Corkin, Chairman
Marquette County Board of Commissioners

I hereby certify that the foregoing constitutes a true and complete copy of the Resolution adopted by the Board of Commissioners of the County of Marquette, Michigan, at a regular meeting held on November 2, 2021.

Linda K. Talsma, Marquette County Clerk

**BRANCH COUNTY, MICHIGAN
RESOLUTION TO SUPPORT AMENDMENTS TO THE OPEN MEETINGS ACT**

Resolution # 2021-14

WHEREAS, the Branch County Board of Commissioners has a vested interest in decisions made regarding the Open Meetings Act (Act 267 of 1976, being MCL 15.261 et seq.); and

WHEREAS, prior to the recent changes made to the Open Meetings Act, members of a public body could attend and participate in a public meeting virtually so long as a quorum of the public body was physically present at the meeting location; and

WHEREAS, a series of Executive Orders and statutory amendments issued in 2020 authorized remote participation in public meetings and specifically allowed public bodies to hold meetings electronically, either by telephone or in video conferencing; and

WHEREAS, after December 31, 2021, members of a public body will be allowed to participate in a meeting electronically only to accommodate the absence of any member of the public body due to military duty as described in Section 3(2) of the Act; and

WHEREAS, this eliminates a public body's previous flexibility to allow one or two members to participate in public meetings virtually; and

WHEREAS, the Branch County Board of Commissioners believes that technology is sufficient to provide a reliable and clear method of virtual communication, that flexibility is essential to the recruitment and retention of qualified county commissioners, and that having a county commissioner attend and participate in a board meeting virtually is better than not having a county commissioner attend at all.

THEREFORE, BE IT RESOLVED that the Branch County Board of Commissioners request that the State of Michigan Legislature and Governor Whitmer make changes to the Open Meetings Act to exempt counties with a population of 75,000 or less be exempt from the portions of the Open Meetings Act that restricts a member of a public body to attend and participate in a public meeting virtually, as long as a physical quorum of the public body is in attendance at the meeting location.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Governor Gretchen Whitmer, Senator Mike Shirkey, Representative Andrew Fink, the Michigan Association of Counties, and the Clerk of each County in the State of Michigan.

On Roll Call:

Ayes: Matthew, Stoll, Houtz, Koltz, Hazelbaker - 5

Nays: 0

RESOLUTION ADOPTED:



Randall Hazelbaker, Chairperson
Branch County Board of Commissioners



Teresa Kubasiak, County Clerk
Branch County

Dated: 10-27-21

Dated: 10/27/21



OFFICE OF THE OCEANA COUNTY CLERK

Amy L. Anderson, County Clerk

100 State Street, Suite 1 – Hart, MI 49420
Telephone: (231) 873-4328

Moved by Mr. Hardy and seconded by Mr. Beggs to approve the following resolution:

WHEREAS, the Oceana County Board of Commissioners has concerns regarding recent changes made to the Michigan Open Meetings Act; and

WHEREAS, prior to the recent changes made to the Open Meetings Act, members of a public body could attend and participate in a public meeting virtually so long as a quorum of the public body was physically present at the meeting location; and

WHEREAS, effective April 1, 2021, the only authorization under the Open Meetings Act for a board member to attend and participate in the meeting virtually is if the board member is physically absent due to military duty, a health condition, or there is in place a statewide or local state of the emergency/state of disaster; and

WHEREAS, this eliminates a public body's previous flexibility to allow one or two members to participate in public meetings virtually; and

WHEREAS, the Oceana County Board of Commissioners believes that technology is sufficient to provide a reliable and clear method of virtual communication, that flexibility is essential to the recruitment and retention of qualified county commissioners, and that having a county commissioner attend and participate in a board meeting virtually is better than not having the county commissioner attend at all.

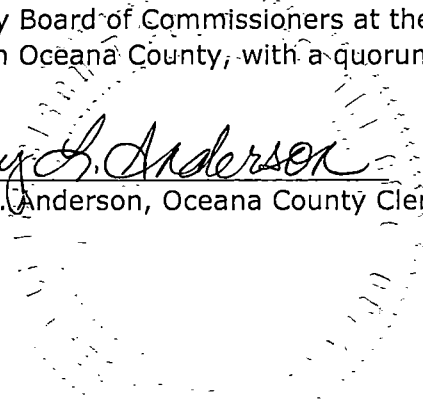
NOW THEREFORE BE IT RESOLVED, that the Oceana County Board of Commissioners request that the State of Michigan Legislature and Governor Whitmer make changes to the Open Meetings Act to exempt counties with a population of 75,000 or less to be exempt from the portions of the Open Meetings Act that restricts a member of a public body from attending and participating in a public meeting virtually, as long as a physical quorum of the public body is in attendance at the meeting location.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Governor Gretchen Whitmer, Senator John Bumstead, Representative Scott VanSingel, the Michigan Association of Counties, and to each County in the State of Michigan.

Roll call vote: Mr. Hardy – yes; Mr. Beggs – yes; Mr. Christians – yes; Mr. Erickson – yes; Ms. Meyette – yes; Mr. Morse – yes; and Mr. Walker – yes.

Motion carried.

I HEREBY CERTIFY, that the foregoing is a Resolution duly made and passed by Oceana County Board of Commissioners at their regular meeting held on October 28, 2021, at 11:30 a.m. in Oceana County, with a quorum present.


Amy L. Anderson
Amy L. Anderson, Oceana County Clerk

Dated: November 5, 2021



County of Marquette

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116
County Administrator
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225-8170

RESOLUTION SUPPORTING AMERICAN RESCUE PLAN STATE MATCH PROGRAMS

WHEREAS, the State of Michigan has faced tremendous challenges as it dealt with a deadly pandemic for nearly a year and a half and is now presented with an opportunity to strategically invest in our residents, entrepreneurs, businesses and communities; and

WHEREAS, Michigan will receive more than \$10 billion in fiscal recovery aid, with 82 counties slated to get 1.9 billion directly in American Rescue Plan (ARP) funds; and

WHEREAS, cities and larger townships will receive a total of \$1.8 billion and non-entitlement communities (smaller units) approximately \$644 million, with the state of Michigan itself receiving more than \$6.5 billion; and

WHEREAS, eligible expenditures include revenue reimbursements, savings and growing interest on the funds, broadband infrastructure, economic development and individual assistance programs; and

WHEREAS, county leaders are already under pressure to announce spending decisions and elected officials at all levels of government will have to make decisions on where and how they will use the dollars within federal guidelines; and

WHEREAS, the Michigan Association of Counties is working on a match program to earmark close to \$4 billion in state ARP funds to leverage all levels of government to strategically invest the one-time dollars in areas of greatest need for improvement; and

WHEREAS, the Michigan Association of Counties has received positive feedback on the ideas put forth for match programs within the state; and

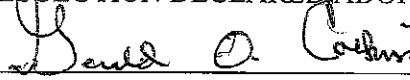
WHEREAS, Michigan has a chance to amplify investments with the influx of federal funding and a collaborative effort by all levels of government that will allow the dollars to be stretched to invest in common goals; and

WHEREAS, the comprehensive approach to leverage ARP dollars will provide Michigan the ability to amplify investment for our future by focusing resources in five key areas – water infrastructure and broadband, local capacity and fiscal stability, housing and community development, comprehensive economic development and public health and safety; and

WHEREAS, our future success is inextricably linked, and strategic investment of our available resources needs to support and strengthen these connections;

THEREFORE, BE IT RESOLVED, the Marquette County Board of Commissioners supports American Rescue Plan State Match Programs and authorizes the Board Chairperson and staff to forward a copy of this resolution directly to all County Commissioners, or their equivalents, in each of the 83 counties in the State of Michigan.

RESOLUTION DECLARED ADOPTED



Gerald O. Corkin, Chairman
Marquette County Board of Commissioners

I hereby certify that the foregoing constitutes a true and complete copy of the Resolution adopted by the Board of Commissioners of the County of Marquette, Michigan, at a regular meeting held on November 2, 2021.

Linda K. Talsma, Marquette County Clerk

JACKSON COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 10-21.27

Resolution to oppose mandatory vaccinations, mandatory wearing of masks and other face coverings, vaccination passports, and mandatory Covid testing and support a citizen's right to self-determination and parental rights to decide what is best for their children

The Board of Commissioners of the County of Jackson, State of Michigan, states:

WHEREAS, the Jackson County Board of Commissioners swore an oath to uphold the Constitutions of the United States and the State of Michigan, and these Constitutions guarantee freedom of religion, speech, assembly as well as due process of law; and

WHEREAS, we believe numerous State elected officials and Department Heads have issued overly restrictive orders violating Constitutionally Guaranteed Rights, and we aware that the Federal Government is threatening further overly restrictive orders, and

WHEREAS, these orders denied citizens of their personal choice and eroded the constitutional rights and freedoms of citizens resulting in undue burdens, restrictions, and lasting harm to citizens, local businesses, and employees, and

WHEREAS, these orders also disrupted meaningful student education and socio-emotional development causing increased mental health issues and a possible increase in suicide rates of the youth of Jackson County; and

WHEREAS, differing opinions on prevention and treatment to be conducted in response to COVID-19 should be robustly debated, but that ultimately it is a citizen's God-given right to choose for themselves what is in their, and their children's best interests.

BE IT RESOLVED, the Jackson County Board of Commissioners will continue to contravene unconstitutional orders unilaterally imposed by federal and state officials regarding COVID-19; and

BE IT FURTHER RESOLVED, Jackson County does not dismiss the seriousness of COVID-19 and information regarding Covid-19 Statistics, Risks and Resources will remain on the Jackson County website as a resource for residents. The County shall continue to provide Covid-19 vaccines and testing for those who desire them, recognizing all medical procedures carry risk and therefore it is a citizen's right to choose whether or not to assume those risks; and

BE IT FURTHER RESOLVED, Jackson County does not support mandatory vaccinations, wearing of masks or other face coverings, testing, contact tracing, use of vaccine passports, or differing treatment of unvaccinated individuals in schools, businesses, and public places; and

BE IT FURTHER RESOLVED, The Jackson County Commission shall not mandate COVID-19 vaccinations, masks, or passports for County employees; and

