

TUSCOLA COUNTY BOARD OF COMMISSIONERS
December 17, 2014 Minutes
H. H. Purdy Building

Commissioner Thomas Bardwell called the meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building in the City of Caro, Michigan, on the 17th day of December, 2014 to order at 7:30 o'clock a.m. local time.

Prayer – Commissioner Bierlein

Pledge of Allegiance – Commissioner Trisch

Roll Call – Clerk Jodi Fetting

Commissioners Present: District 1 - Roger Allen, District 2 – Thomas Bardwell, District 3 – Christine Trisch, District 4 – Craig Kirkpatrick, District 5 – Matthew Bierlein

Commissioner Absent: None

Also Present: Mike Hoagland, Clerk Jodi Fetting, Mary Drier, Tisha Jones, Mike Miller, Eean Lee, Lorraine Kurtansky, Charles Kurtansky, Beth Asperger, David VanHove, Donna Fraczek, Register John Bishop, Sandy Nielsen, Walt Schlichting, Steve Anderson, Pat Trisch, Brian Neuville, Kristy Anderson

Adoption of Agenda -
14-M-213

Motion by Allen, seconded by Bierlein to adopt the agenda. Motion Carried.

Action on Previous Meeting Minutes -
M-14-214

Motion by Bierlein, seconded by Allen to adopt the meeting minutes from the November 24, 2014 meeting. Motion Carried.

Brief Public Comment Period -

-Charles Kurtansky wished the Board a Merry Christmas.

-David VanHove, Village of Unionville Trustee, introduced himself.

Consent Agenda Resolution -
M-14-215

Motion by Trisch, seconded by Bierlein that the following Consent Agenda Resolution be adopted. Motion Carried.

CONSENT AGENDA

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move the November 2014 Financial Report be received and placed on file.
- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the 2013 County Dashboard and Citizens Guide to County Finances be placed on the county web site for public review.
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the Emergency Action Guidelines as recommended by the Emergency Services Director, Steve Anderson, be approved.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that because there is an inadequate number/quality of boats for public safety in Huron and Tuscola Counties, the county capitalize on partial LETPA grant funding to purchase a marine airboat to serve both counties. Also, as with other LETPA projects Tuscola County will front the total cost of \$141,658 but with reimbursement as follows:
- o Available grant funds - \$69,861
 - o Tuscola homeland security allocation - \$25,293
 - o Huron homeland security allocation - \$18,000
 - o Tuscola supplemental appropriation for airboat - \$3,504 (See note below)
 - o Huron supplemental appropriation - \$25,000
 - o TOTAL - \$141,658

Note: \$20,000 was budgeted for a used prisoner work crew van but because the actual cost was only \$10,000 - total savings \$10,000 is allocated for the airboat with \$3,504 for the boat purchase and \$6,496 for boat accessories.

- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the agreement increasing Michigan State University 4-H services from .5 FTE to 1 FTE be approved with the understanding that at least 10 hours each week be spent working to help at risk youth and a plan to accomplish this objective will be submitted by the MSUE Regional Director.
- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that retirement system benefits for court employees hired after December 31, 2014 be changed from B-3 multiplier to the B-2 multiplier and the employee contribution rate be increased from 4.7% to 6.7% and the employer rate be decreased from 6.7% to 4.7%. Also, all resolutions and documents necessary to implement the change are authorized and approved for signature. (This motion is to achieve uniformity with other county employees where the retirement system change has already been implemented).
- Agenda Reference:** G
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the three year agreement with MGT of America to perform countywide and court cost allocation plans with fixed costs for the countywide plan of \$7,000 per year and \$3,000 per year for the court be approved. Also all appropriate signatures are authorized.
- Agenda Reference:** H
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the form certifying the Indirect Cost Study performed by MGT of America for the County be approved for signature and forwarded to the appropriate parties.

- Agenda Reference:** I
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that per the recommendation of the undersheriff that the inmate phone system vendor be changed to ICSolution in April of 2015 when the current agreement expires. All necessary signatures are authorized for the new contract. Also, authorization is given for the undersheriff to provide the required 90-day notice to the current vendor that the contract with them is not going to be renewed.
- Agenda Reference:** J
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the 20-year update to the Mayville DDA Plan be approved with the understanding that the parcels included as part of the DDA has not been expanded from the previous plan which would result in the capture of more county tax base revenue.
- Agenda Reference:** K
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that per the request of Mid-State Health Network the intergovernmental contract for the establishment of a substance use disorder oversight policy board be approved and all appropriate signatures are authorized. (The Tuscola County appointment to this board has already been made).
- Agenda Reference:** L
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the out-of-state travel request from Commissioners Kirkpatrick, Allen and Bardwell be approved to attend the spring National Association of Counties conference.
- Agenda Reference:** M
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that per the recommendation of the Behavioral Health Systems, that David Griesing be appointed to the Behavioral Health Systems Board to fill the remaining term of Molli Hartel which expires in March of 2016.

- Agenda Reference:** N
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the County Clerk be requested to advertise to fill the two vacancies on the Board of Public works created by the resignations of Lisa Valentine and Jim McMinn.
- Agenda Reference:** O
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that Commissioner Allen be appointed to fill one of the vacancies on the Board of Public works.
- Agenda Reference:** P
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the County Clerk be requested to advertise to fill a vacancy on the Board of Public Works and Tuscola County Planning Commission.
- Agenda Reference:** Q
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that per the request of the County Equalization Director that authorization is given to carryover to 2015 unused vacation and the current vacation time carryover policy be reviewed at a future meeting.
- Agenda Reference:** R
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the December 2014 annual report from Vyse Administrative Services, LLC be received and placed on file.
- Agenda Reference:** S
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/15/14
- Description of Matter:** Move that the contract with Vyse Administrative Services LLC for Airport Zoning Administration be approved for a three year period through the end of 2017.

Agenda Reference: T

Entity Proposing: COMMITTEE OF THE WHOLE 12/15/14

Description of Matter: Move that per the December 10, 2014 communication from the Internal Revenue Service that effective January 1, 2015 the county mileage reimbursement rate be increased from 56 to 57.5 cents per mile.

New Business -

-Overview of Three-Year Accomplishments

14-M-216

Motion by Bierlein, seconded by Allen that the three year county accomplishments report be received and placed on file. Motion Carried.

-Draft 2015 County Work Program - Mike Hoagland reviewed the County Work Program.

14-M-217

Motion by Trisch, seconded by Kirkpatrick that the 2015 County Work Program be received and placed on file and used as a guide for priority work activities for the next year. Motion Carried.

-Downtown Development Authority Tax Increment Financing Authority -

Mike Hoagland and Walt Schlichting provided an overview. There was a motion put into place on November 10, 2011 although the county policy from August 12, 2003 continued to be followed. The Board decided to continue to follow the August 12, 2003 policy moving forward.

14-M-218

Motion by Allen, seconded by Kirkpatrick that the Board Motion from the November 10, 2011 meeting (11-M-246 Consent Agenda Reference C only) be rescinded and the county policy from August 12, 2003 regarding DDA/TIFA property tax capture be re-established. Motion Carried.

-Update from Court Administrator - Donna Fraczek informed the Board that Sheila Long has been selected for the Court Administrator position. Donna would like Sheila to begin training on January 5, 2015 and wanted to make the Board aware of the proactive changes the Court is taking on.

Recessed at 8:25 a.m.

Reconvened at 8:30 a.m.

BOC Meeting adjourned at 8:30 a.m. for the Community Development Block Grant (CDBG) Public Hearing

*See Separate Minutes

BOC Meeting called to order at 8:51 a.m. from the CDBG Public Hearing

14-M-219

Motion by Allen, seconded by Trisch to approve a resolution for the 2015-2016 Community Development Block grant, a homeowner rehabilitation grant targeting the communities of the City of Caro, City of Vassar, and Village of Cass City and authorize the chairperson to sign all appropriate documents. Allen - yes; Bardwell - yes; Trisch - yes; Kirkpatrick - yes; Bierlein - yes. Motion Carried.

14-M-220

Motion by Bierlein, seconded by Trisch to authorize the Human Development Commission to prepare an application to the Michigan State Housing Development Authority for Community Development Block Grant funds in the amount of \$304,878 for the purpose of providing housing assistance to low and moderate income households. Further, authorize the board's Chairperson to sign the appropriate documents and staff be authorized to forward all initial and on-going items applicable to the MSHDA grant. Allen - yes; Bardwell - yes; Trisch - yes; Kirkpatrick - yes; Bierlein - yes. Motion Carried.

-Time Capsule - Mike Miller will have the Buildings and Ground staff unbury the time capsule for the next Board of Commissioners' meeting on December 29th. Clerk Fetting to notify the Department Heads of the time capsule opening and to request an item to be brought to the meeting to be included in the time capsule for the next burial. Mike Hoagland will contact Joe Bixler from MSU Extension regarding the opening of the time capsule.

-Jail and Treasurer Change Order Security Projects - The total change order has been separated between the Treasurer's Office and the Jail. Treasurer Donovan-Gray stated the Foreclosure Fund could be used to pay for the Treasurer's office change order amount.

14-M-221

Motion by Allen, seconded by Bierlein that the change order related to the Sheriff and Treasurer Security remodeling projects be approved for the electrical door lock in the Treasurer's Office and removal of glass/trim in the jail (The Treasurer's cost of \$1,725 to be charged to the Foreclosure Fund and the Jail cost of \$502 to be charged to the budgeted jail project). Motion Carried.

-Chronic Disease Coordinating Network Support Letter -

14-M-222

Motion by Trisch, seconded by Kirkpatrick to prepare a letter of support, based on the template provided, for Chronic Disease Coordinating Network for Tuscola, Huron and Sanilac Counties. Motion Carried.

-Affordable Care Act Commissioner Health Insurance -

Matter was discussed at length. If the Commissioners were to complete the test to determine if they are part-time or full-time, it will affect all of the elected officials. The testing is ongoing with no end date. If the test was to be established, the question was

raised as to who would be the final authority to determine what would count as work time and what would not count as work time. If an alternate health plan is to be offered that would have a lower cost to the County, it would have to be offered to all County employees. The question was raised if there is possibly any other solution that has not been explored yet. The Commissioners' discussed if action was not taken how would the County be impacted financially or in the way of an audit.

14-M-223

Motion by Bardwell, seconded by Trisch to offer Health Insurance for County Commissioners effective January 1, 2015 to comply with the mandates of the ACA for 100 or more employees and to minimize the risk of county penalties for non-compliance. Roll Call Vote: Allen - No; Bardwell - Yes; Trisch - Yes; Kirkpatrick - No; Bierlein - No. Motion Failed.

Old Business - None

Correspondence/Resolutions -

- Road Commission Minutes from meeting held on November 6, 2014.
- MAC 7th District meeting will be in March 2015 to be hosted by St. Clair County.
- Tuscola County Health Department November 2014 Report presented.
- Huron County Resolution regarding SB 1123 & SB 1124.
- Letter from Dan O'Leary, Washington Township Supervisor, regarding pending road funding legislation.
- Article regarding Clinton County wind project.
- Regional Planning Meeting - December 18, 2014.
- Michigan Renewable Energy Coalition - January 15, 2015 at 10:00 a.m. Tuscola Technology Center.
- February 2015 proof ballot was presented by Clerk Fetting for approval.
- Thank you received from Senator Debbie Stabenow for concern and support regarding Natural Gas.

COMMISSIONER LIAISON COMMITTEE REPORTS

KIRKPATRICK - No updates to provide
Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
Land Acquisition
MI Renewable Energy Coalition
MEMS All Hazards
MAC-Environment Energy Land Use
Oil/Shale Work Group
Cass River Greenways Pathway
Local Unit of Government Activity Report
Tuscola In-Sync
NACo - Energy, Environment & Land Use

ALLEN

Dispatch Authority Board - 10:30 a.m. on January 15 2015.

County Road Commission - Meets December 18, 2014 Commissioner Allen will follow up on ash tree removal and an update on when to expect their report.

Board of Public Works - Discussion at their meeting was regarding Denmark Township.

Senior Services Advisory Council - Will not meet until Spring 2015.

Mid-Michigan Mosquito Control Advisory Committee - Meets in February 2015.

Saginaw Bay Coastal Initiative

Parks & Recreation - Committee meets today at 1 p.m.

Local Unit of Government Activity Report

TRISCH

Board of Health

Planning Commission

Economic Development Corp/Brownfield Redevelopment - Currently, there are no empty buildings in Vassar and the EDC is continuing to work on filling the old Grady Building.

Local Unit of Government Activity Report

Behavioral Health Systems Board

Animal Control

Solid Waste Management

Thumb Works

BIERLEIN

Thumb Area Consortium/Michigan Works - Met last Friday and a representative from the Governor's office talked about a successful consolidation near Grand Rapids.

TRIAD

Human Development Commission (HDC) - Meets today.

Tuscola 2020

Recycling Advisory Committee - Meets in February 2015 and to continue to explore the option of changing recycling locations.

Local Emergency Planning Committee (LEPC) - There are upcoming trainings that are available, please see Steve Anderson if interested.

Multi County Solid Waste

Local Unit of Government Activity Report

Tuscola In-Sync - Meets in January 2015.

MAC Board of Directors - There is a proposed bill that would change the State Legislature term limits.

Human Services Collaborative Council

Region VI Economic Development Planning - Meets tomorrow.

MAC-Economic Development & Taxation

BARDWELL

NACo

NACo Rural Action Caucus

Economic Development Corp/Brownfield Redevelopment

Caro DDA/TIFA meets today

MAC Economic Development/Taxation - Commissioner Bardwell has reapplied to be on this committee.

MAC 7th District

Local Unit of Government Activity Report - No report.

MAC – Past President - No report.

TRIAD - Attended first meeting.

Closed Session - Rescheduled to 9:00 a.m. on Monday, December 29, 2014.

Other Business as Necessary- None

Extended Public Comment -

-Clerk Fetting explained that the Bureau of Elections now requires post-election audits to be completed. The three townships selected were Akron, Koylton and Wells. The Clerk's in the three townships did a great job and successfully completed the post-audit election.

-Commissioner Bardwell commented that if time measurement study completed may need to look at hourly rate vs. salary.

-David VanHove understands the difficulty in making the decision regarding the ACA and whether the commissioners are part-time or full-time. Mr. VanHove feels the Commissioners are a part-time employees. He does not feel that decision can be made without doing the testing. Matter thus was discussed again.

-Beth Asperger asked the Commissioners who would take the insurance. She stated the Commissioners set an example for the rest of the county and to risk penalty doesn't set a good example as it appears must comply by ACA standards. Also, stated that she does believe kids are undereducated with fruits and vegetables and the nutrition they provide.

Meeting adjourned at 10:30 a.m.

Jodi Fetting

Tuscola County Clerk