

TUSCOLA COUNTY BOARD OF COMMISSIONERS

January 14, 2016 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 14th day of January 2016, to order at 8:00 o'clock a.m. local time.

Prayer – Commissioner Kirkpatrick

Pledge of Allegiance – Commissioner Bierlein

Roll Call – Clerk Jodi Fetting

Commissioners Present: District 2 – Thomas Bardwell, District 4 – Craig Kirkpatrick, District 5 – Matthew Bierlein

Commissioner Absent: District 1 - Vacant, District 3 - Christine Trisch

Also Present: Mike Hoagland, Clerk Jodi Fetting, Tisha Jones, Eean Lee, Mike Miller, Andrew Dietderich, Judge Amy Grace Gierhart, Judge Nancy Thane, Tom Young, Nancy Barrios, Chuck Heinlein, Sandy Nielsen, Register John Bishop, Erica Dibble, Drain Commissioner Bob Mantey, Wayne Koper, Treasurer Pat Donovan-Gray, Peggy Reavey, Timmy Rumble

Adoption of Agenda -

16-M-001

Motion by Kirkpatrick, seconded by Bierlein to adopt the agenda as amended.
Motion Carried.

Action on Previous Meeting Minutes -

16-M-002

Motion by Bierlein, seconded by Kirkpatrick to adopt the meeting minutes from the December 28, 2015 meeting. Motion Carried.

Brief Public Comment Period - None

Consent Agenda Resolution -

16-M-003

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

CONSENT AGENDA

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/11/16
- Description of Matter:** Move that per the request of Undersheriff Skrent that the county join the MIDEAL program to capitalize on potential reduced costs for the purchase of certain items by the county.
- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/11/16
- Description of Matter:** Move that the 2015 Airport Zoning Administrator's Annual Report be received and placed on file.
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/11/16
- Description of Matter:** Move that the county Information Technology Director be authorized to purchase a cellular telephone following county policy. Also, all appropriate signatures on the contract are authorized.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/11/16
- Description of Matter:** Move that Steven Erickson be reappointed to the Tuscola County Board of Public Works for a term that expires 12-31-18.
- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/11/16
- Description of Matter:** Move that Calvin Keilitz be appointed to the Tuscola County Planning Commission for a term that expires 12-31-17.
- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/11/16
- Description of Matter:** Move that Amber Hughey be appointed to the Tuscola County Planning Commission for a term that expires 12-31-18.

- Agenda Reference:** G
- Entity Proposing:** COMMITTEE OF THE WHOLE 1/11/16
- Description of Matter:** Move that Carolyn Wymore be appointed to the Tuscola County Council on Aging for a term that expires 12-31-18.

New Business -

-Request to Refill Juvenile Probation Clerk/Circuit Court Collections Officer (changed to correct position title) - Judge Amy Grace Gierhart explained the need to re-fill the position.

16-M-004

Motion by Bierlein, seconded by Kirkpatrick that the following personnel actions be taken per the request of the Chief Judge:

- Temporarily lift the county hiring freeze and authorization be given to refill the Juvenile Probation Clerk/Collections Officer position that will become vacant in the middle of March.
- Change the position title to Circuit Court Collections Officer with functions changed to focus primarily on court collections.
- Concur with the newly defined position at a reduced wage/step schedule that will produce an estimated annualized savings of approximately \$3,000.
- Due to the important court payment collection functions of this position training of the replacement person is necessary while the current person is still working. Savings explained above will off-set training costs.

Motion Carried.

-Request to Refill Court Clerk II Position - Clerk Fetting explained the need to re-fill the position based on the criteria established by the Board of Commissioners.

16-M-005

Motion by Bierlein, seconded by Kirkpatrick that per the request from the County Clerk that the county hiring freeze be temporarily lifted and authorization be given to refill the vacant Court Clerk II position. (Vacancy created by promotion of current Court Clerk II to Family Division Clerk/Deputy Register). Motion Carried.

-Resolution Adopting MERS Defined Contribution Plan and Agreement -

16-M-006

Motion by Kirkpatrick, seconded by Bierlein to approve the resolution and agreement adopting the Municipal Employees Retirement System Defined Contribution Plan for all new hires effective January 1, 2016. Also, all appropriate signatures are authorized. (This change officially closes all defined benefit plans to new hires and implements a defined contribution plan).

Roll Call Vote: Bardwell - yes; Trisch - absent; Kirkpatrick - yes; Bierlein - yes; District 1 - Vacant. Motion Carried.

-Resolution Approving the Revised Comprehensive Plan for the County of Tuscola Retirement System -

16-M-007

Motion by Kirkpatrick, seconded by Bierlein to approve the revised Comprehensive Plan for the Tuscola County Retirement System and all appropriate signatures are authorized.

Roll Call Vote: Trisch - absent; Kirkpatrick - yes; Bierlein - yes; Bardwell - yes; District 1 - Vacant. Motion Carried.

-Landmark Software for County and Economic Development Corporation (EDC) - Eean Lee explained how the program can benefit other County Departments in addition to the EDC.

16-M-008

Motion by Bierlein, seconded by Kirkpatrick that per the request of the Tuscola County Economic Development Corporation that authorization be given for the county to purchase Landmark software with Renderworks for an amount of \$3,245. One of the two licenses will be provided to the EDC. Also, all appropriate budget amendments are approved. Motion Carried.

-Board of Public Works Membership - Drain Commissioner Mantey requested the Board of Public Work number of members be adjusted.

16-M-009

Motion by Bierlein, seconded by Kirkpatrick that per the recommendation of the Drain Commissioner (chair of Board of Public Works) that the Board of Public Works be reduced to a five member board which is permitted according to the law (previously was a 7 member board). Motion Carried.

-Re-appointment of HDC Board Members (Matter Added) -

16-M-010

Motion by Kirkpatrick, seconded by Bierlein that Jerry Peterson be reappointed to the Human Development Commission Board of Director's for a term expiring on December 31, 2018. Motion Carried.

16-M-011

Motion by Kirkpatrick, seconded by Bierlein that Matt Bierlein be reappointed to the Human Development Commission Board of Director's for a term expiring on December 31, 2018. Motion Carried

-Public Hearing Regarding Possible Combining of County Clerk and Register of Deeds Positions -

Recessed at 8:49 a.m. for Public Hearing for Clerk and Register of Deeds combination. Reconvened at 11:15 from Public Hearing. Commissioners Bardwell, Kirkpatrick and Bierlein in attendance.

Old Business - None discussed.

Correspondence/Resolutions - None

COMMISSIONER LIAISON COMMITTEE REPORTS - Reports waived due to Public Hearing.

KIRKPATRICK

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

TRISCH

Board of Health
Planning Commission
Economic Development Corp/Brownfield Redevelopment
Local Unit of Government Activity Report
Animal Control
Solid Waste Management
Thumb Works

BIERLEIN

Thumb Area Consortium/Michigan Works
Human Development Commission (HDC)
Tuscola 2020
Recycling Advisory Committee
Local Emergency Planning Committee (LEPC)
Great Start Collaborative Council
Local Unit of Government Activity Report
Tuscola In-Sync
MAC Board of Directors
Human Services Collaborative Council
Region VI Economic Development Planning
MAC-Economic Development & Taxation

BARDWELL

Economic Development Corp/Brownfield Redevelopment
Caro DDA/TIFA
MAC Economic Development/Taxation
MAC 7th District
Local Unit of Government Activity Report
TRIAD
Human Services Collaborative Council
Behavioral Health Systems Board

New Commissioner

Dispatch Authority Board
County Road Commission
Board of Public Works
Senior Services Advisory Council
Mid-Michigan Mosquito Control Advisory Committee
Saginaw Bay Coastal Initiative
Parks & Recreation
Local Unit of Government Activity Report

Closed Session - None

Other Business as Necessary -

-Commissioner Bierlein asked the Board to prepare a resolution to show the Board's appreciation to Mary Drier for her 30 years of public service and she be invited to an upcoming Board meeting for a presentation ceremony.

Extended Public Comment -

-Chuck Heinlein, Denmark Township Supervisor, asked what was causing the spike in revenue between the years 2017 to 2018 on the graph displayed. Commissioner Bierlein responded that it is a potential wind farm. Supervisor Heinlein suggested to not rely on Townships for revenue due to wind farms. Supervisor Heinlein does not feel combining the offices would be in the best interest of Tuscola County.

-John Bishop - Expressed the importance of representation within the organizations of MAC, MARD and MACC continue to represent Tuscola County. The need to lobby for legislation for increased revenue for counties is a high priority.

-Dan Grimshaw - The flat rate fee under new lending rules will affect the Register of Deeds office. He has concerns regarding the Automation Fund. Mr. Grimshaw asked the offices of County Clerk and Register of Deeds to not be combined.

-Cindy Luczak, Bay County Clerk - Asked the Board to consider the impact of the elimination of a Republican seat within the County if the offices were combined.

-Wayne Koper expressed his appreciation that Senator Green, Representative Canfield and Governor Snyder's support of SB571.

Meeting adjourned at 11:45 a.m.

Jodi Fetting
Tuscola County Clerk

TUSCOLA COUNTY
Clerk and Register of Deeds
Public Hearing
January 14, 2016 Minutes
H. H. Purdy Building

Commissioner Thomas Bardwell called the public hearing regarding the Combination of the County Clerk and County Register of Deeds Offices held at the H.H. Purdy Building in the City of Caro, Michigan, on the 14th day of January, 2016 to order at 9:05 o'clock a.m. local time.

Commissioners Present: District 2 - Thomas Bardwell, District 3 - Craig Kirkpatrick, District 5 - Matthew Bierlein

Commissioners Absent: District 1 - Vacant; District 3- Christine Trisch

Present: Mike Hoagland, Clerk Jodi Fetting, Register John Bishop, Tisha Jones, Andrew Dietderich, Tom Young, Nancy Barrios, Timmy Rumble, Amy Bissell, Sally Reynolds, Brandon Krause, Michelle Stevenson, Robertta Sacharski, Brandon Denby, Wayne Koper, Lori Jarvis, Cindy Luczak, Stewart Sanders, Lori Wilson, Tom Kern, Michelle Hicks, Theresa Walker, Cindy McKinney-Volz, Judy Cockerill, Judge Amy Grace Gierhart, Karen Hahn, Sandy Nielsen, Eean Lee, Mike Miller, Drain Commissioner Bob Mantey, Dan Grimshaw, Jeff Phillips, Peggy Reavey, Jim Borek, other general public were present also.

Commissioner Bardwell welcomed everyone to the meeting.

Comment Period:

- Amy Bissell, Benzie County Register of Deeds and President of MARD, read the resolution adopted by MARD. She expressed her understanding of budget concerns as it is similar in other counties. Livingston County discussed at their Committee of the Whole meeting the topic of combination and there was not a motion to move forward.
- Sally Reynolds, Livingston County Register of Deeds, read letter written by Joyce Watts from Allegan County who is a current Clerk/Register. Ms. Watts' letter is in opposition of the combination.
- Brandon Krause, Bay County Register of Deeds, spoke to the Board that he can see both sides as he was a previous Commissioner and feels he has a unique perspective. The Automation Fund is there to move the office into the 21st century. His concern with a combined position is attention will not be given to make that happen.
- Michelle Stevenson, Roscommon County Clerk/Register, expressed her concern with combination. She provided examples of her experiences and challenges.
- Robertta Sacharski, Genesee County Chief Deputy Register, expressed her concern and opposition to the combination. She expressed the opposition that John Gleason feels. They are currently facing an unfair labor suit due the executive duties she has had to assume as Chief Deputy Register.
- Brandon Denby, Livingston County Title Company, expressed his concern with combining the offices and the service that is provided to Title companies.

- Wayne Koper, Tuscola County resident, is concerned that in the end there will not be a cost savings recognized.
- Lori Jarvis, Berrien County Register of Deeds, expressed concern that a savings is not recognized. She is also concerned with the timeliness of recording and maintaining land records. She shared her concern with managing over 1000 plus statutes between the County Clerk and County Register of Deeds offices.
- Cindy Luczak, Bay County Clerk, asked the Board to look at indirect costs that are associated with combining offices. County Clerks are now mandated to complete election accreditation training every two years in addition to other added election responsibilities. One mistake is printing ballots could be very costly to the County.
- Stewart Sanders, Newaygo County Register of Deeds, expressed concern that savings will not be realized. A Register is needed on a day-to-day basis to ensure proper recording of land transactions.
- Lori Wilson, Montcalm County Register of Deeds, stated she is also the county assessor and GIS coordinator. Many years ago there were not as many law changes as there are today. The offices are very dissimilar and that should be considered.
- Tom Kern, former Tuscola County Sheriff and former Commissioner, asked the Board to turn it down.
- Michelle Hicks, Tuscola Township Clerk, stated the County Clerk's office has been a lifeline during her first few months in office. She is concerned that a Clerk/Register would not have the time to assist her which would provide a disservice to the residents in the Township and County.
- Theresa Walker, Montmorency County Register of Deeds, believes that each office needs a separate manager to ensure proper oversight.
- Judy Cockerill, AFSMCE Union President, asked to not combine the offices on behalf of the union employees.
- Judge Amy Grace Gierhart, 54th Circuit Court Judge, expressed concerned with the timeliness of work with the duties of the Clerk of the Court. As a citizen, she is concerned with maintaining the customer service in each of the offices. As an elected official, she is conscious of the budget for Tuscola County and is not sure this is the best option for cost savings.
- Sandy Nielsen, Tuscola 911 Director, is concerned with the service that will be provided by each office. She realizes the demands on each Department Head.
- Karen Hahn, Mecosta County Register of Deeds, is opposed to the combination of offices. The MACC and MARD Associations are vital to keep attendees up to date on changes, education and training. Attendance is imperative to keeping those strong.
- Bob Mantey, Tuscola County Drain Commissioner, stated his office works closely with the Register of Deeds Office. The timeliness of the ROD office is important to the timeliness of the drain projects. As a citizen, he is concerned with the timeliness of recording property sales that could decrease.
- John Bishop, Tuscola County Register of Deeds, has found that in counties where the combination went smoothly it was successful in part due to being well funded and being able to hire additional employees. He compared the difference between private industry that is profit motivated and government industry that is service industry. Register Bishop

also addressed the amount of savings that is being projected. His concern is that the savings amount continues to change. Due to Register Bishop interpreting a law regarding internet fees, he has given approximately \$35,000 per year to the general fund since he took office. Register Bishop stated the increase in FICA costs were not included in the savings proposal. Overall, based on his calculation, he projected the true savings to be \$12,000 to \$13,000. If the flat fee schedule goes into effect for Register of Deeds offices, Register Bishop is expecting to have approximately \$101,000 increase in fees.

- Cindy McKinney-Volz, Tuscola County Chief Deputy Clerk, read letter submitted by Leslie Raleigh on behalf of Genesee County as she was unable to attend the meeting.
- Dan Grimshaw, Midstate Title Services and former Register of Deeds, does not believe that Elected Officials should be looked at as Managers. Referenced the meeting 4-years ago and how today's meeting is very similar. Rules and timelines have changed which has changed the responsibilities of each office. He does believe that land value will begin to increase again even though it is not a short term timeline but it will increase. Mr. Grimshaw expressed his concern for the residents of Tuscola County.
- Jodi Fetting expressed how important the decision is for Tuscola County as well as other counties within the State of Michigan. Clerk Fetting explained that the County Clerk's office is the Hub of County government as the office directly and indirectly works with many county offices and outside partners. She asked the Board to consider the following when making the decision at hand: Potential costs and potential savings associated with combining offices; Customer service that will be provided by each office; Advantages and disadvantages of combining the offices looking at short term and long term ranges; Ability to effectively implement new technology; Is this the right path for Tuscola County?
- Jeff Phillips stated he appreciates the separation of government and powers and would like the offices to remain separate.
- Wayne Koper thanked everyone that attended today and showing their concern about Tuscola County.
- Amy Bissell asked the Board if they have had any questions for the people in attendance.

Commissioner Bardwell expressed concern about the financial situation of Tuscola County. He acknowledged that expenses are increasing quicker than revenues. Commissioner Bardwell informed the public in attendance that non-mandated services have been looked at with many of those already cut. On behalf of the Board, Commissioner Bardwell thanked everyone for coming to share their thoughts and concerns.

Commissioner Kirkpatrick expressed his respect for Register Bishop and Clerk Fetting. The Board is trying to be very open minded in making the decision.

Commissioner Bierlein thanked everyone for coming and sharing their thoughts and concerns.

Register Bishop requested information received be shared between the Board and Register.

Public Comment Period - None

Commissioner Bardwell adjourned the public hearing at 11:08 a.m. to resume the regular Board of Commissioners meeting.

Jodi Fetting
Tuscola County Clerk