

**MINUTES OF THE CLARE COUNTY  
BOARD OF COMMISSIONERS**

Harrison, Michigan 48625  
March 18, 2015

4/1/15  
Unapproved Minutes  
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Meeting was called to Order at 9:00 a.m.

**PLEDGE OF ALLEGIANCE**

**Present:** Commissioner Donald David, Commissioner Jim Gelios, Commissioner Jack Kleinhardt, Commissioner Karen Lipovsky, Commissioner Dale Majewski, Commissioner Samantha Pitchford and Commissioner Leonard Strouse.

**Absent:** None

**Others Present, Signing In:** Marybeth Denton

**APPROVAL OF AGENDA**

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Dale Majewski, to approve the amended agenda with additions as noted below. Motion carried.

Add: Closed Session with Attorney Dave Stoker regarding Negotiations  
Add: Under Special Presentations-Discussion regarding HVAC  
Add: Under Physical Resources-Appointment of Mary Borgula to Parks and Recreation Commission  
Add: Under Physical Resources-Airport Hanger Lease Discussion  
Add: Under Finance and Administration Budget Adjustment #15-73 and #15-74

**APPROVAL OF MINUTES**

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Donald David, to approve the March 4, 2015, Board Meeting minutes as presented. Motion carried.

**GENERAL PUBLIC COMMENT-NONE**

**COMMUNICATIONS LIST**

Mid-State Health Network-Addendum to the Oversight Policy Board (OPB) Intergovernmental Agreement (two changes requested by Saginaw County and now incorporated in the final approval)

**ADMINISTRATOR'S REPORT**

Administrator Tracy Byard reviewed her report presented indicating that she had recently attended the Michigan Municipal Risk Management Authority Conference, East Michigan Council of Governments and Michigan Association of Counties Health and Human Services Committee meetings and provided handouts from same, including an analysis of Proposal 1. Additionally she reviewed the process for her evaluation noting that the information would be due back on March 27 with review to be performed by April 11th. Her usual Budgetary Status Report was distributed indicating that revenues are up \$64,416.76 while expenses are down \$110,915.10.

**SPECIAL PRESENTATION**

Marybeth Denton, MSUE appeared before the Board and informed them of a professional educational training session opportunity, a train the trainer program, being offered in partnership with Michigan Natural Shoreline Partnership. Training will take place April 24<sup>th</sup> at the Clare-Gladwin RESD and participants will learn how to conduct homeowner workshops on the benefits of natural shoreline landscaping, bioengineering and erosion control on inland lakes. She also noted that she just recently completed a smart gardening series that was designed to educate homeowners.

Karen Willing Magistrate for District Court appeared and spoke on her own behalf regarding a pay increase. She indicated that Judge Farrell was in court and unable to appear. She discussed the comp study she presented and stated that she felt that she was grossly underpaid. She believes that it is unfair to be compared to the Circuit Court Administrator as their roles are very different. She provided information on her educational background and the benefits that she brings to the county.

Dave Stoker and Matt Nordfjord, county council of the law firm Cohl, Stoker and Toskey appeared before the Board to educate and inform them on their role as County Commissioners and how they interact and fit in the governmental structure. Matt Nordfjord addressed the Open Meetings Act and distributed the updated booklet relevant to the same. A tag team approach was taken to discuss various other matters. Some information was provided regarding the new FOIA laws that will become effective but those details are not yet clearly defined in a procedural format and will be forth-coming. Various other matters of concern were discussed including Board Rules, health insurance, courts new right to work legislation and other various items of concern. Board took the opportunity to ask questions.

Recess: 11:03 a.m.  
Back in session: 11:10 a.m.

**SPECIAL PRESENTATION-Continued**

Lori Ware, Director Senior Service and Community Development distributed the bid information received on the HVAC and Controls System and provided her recommendations for each. Questions followed with Ms. Ware responding to each accordingly. Board Chairman Kleinhardt indicated that Board members would review the information and would be making a decision on this in the future.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Dale Majewski, to go into Closed Session to discuss Upcoming Union Negotiations.

Roll call vote to go into closed session revealed:  
Yeas: (7) being Commissioners Lipovsky, Majewski, Strouse, Gelios, Pitchford, David and Kleinhardt  
Nays: (0)  
Absent: (0)  
Motion carried

Closed session began: 11:42 a.m.  
Closed Session ends: 12:49 p.m.

A brief discussion followed relevant to the Equalization Department and the difficulties and complexities of the department and staffing. Mr. Stoker noted that it is harder and harder to find qualified individuals for the positions. It was noted that the law reads that the Board hires and fires but ultimately if there are problems or concerns the first contact is with the Administrator.

Recess for lunch: 12:55 p.m.  
Reconvened: 2:06 p.m.

**JUSTICE**

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Dale Majewski, to approve the Sheriff Department and Senior Services accepting USDA Grants reduced by 25% with the amount to be received in grant funds at a total of \$22,500.00.

With much confusion on the grant motion as written on the agenda, Lori Ware appeared to further discuss this item. She indicated that the Sheriff Department car would cost approximately \$36,000.00 and that the grant for the Sheriff's Department would be for \$12,000.00. Additionally, a request for kitchen equipment in the amount of \$30,000.00 would be approved at a 25% reduction or for \$22,500.00.

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Dale Majewski, to accept the grant agreements previously applied for by the Sheriff's Department for a Dodge Charger in an amount of \$12,000.00 and the Senior Service kitchen equipment in an amount of \$22,500.00. Motion carried.

**HEALTH AND HUMAN SERVICES**

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Dale Majewski, to approve the addendum to the Intergovernmental Agreement with Mid-State Health Network (MSHN). Motion carried.

Commissioner Strouse who sits on the Mid-State Health Network-Addendum to the Oversight Policy Board (OPB) indicated that there were two changes to the original agreement signed by the county.

**PHYSICAL RESOURCES and ECONOMIC DEVELOPMENT**

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse, to approve a cell phone for the Building Inspector at the a cost of \$48.07 a month with payment coming from the Building Inspector Budget. Motion carried.

It was moved by Commissioner Jim Gelios, seconded by Commissioner Dale Majewski, to approve the appointment of Dave Coker, Jr. and Mary Borgula, for three-year terms, as members of the Parks and Recreation Commission with terms to expire March 31, 2018. Motion carried.

A discussion followed relevant to hangar leases at the airport. Commissioner David indicated that he received a phone call from Bill Dixon who was asking for changes to the airport hangar leases agreements. Previous contracts were provided for review and this will be discussed further at the next meeting.

**FINANCE AND ADMINISTRATION**

It was moved by Commissioner Samantha Pitchford, seconded by Commissioner Donald David, to approve the Statutory Finance Committee Meeting Minutes of March 3, 2015 in the amount of \$133,819.04. Motion carried.

It was moved by Commissioner Donald David, seconded by Commissioner Dale Majewski, to approve Budget Adjustment #15-72, #15-73 and #15-74 in the amounts of \$9,700.00, \$6,300.06 and \$30,000.00 respectively. Motion carried.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse, to approve the expenditures for the month of February 2015 in the amount of \$2,294,638.59 with the General Fund expenditures totaling \$731,272.02. Motion carried

**FINANCE AND ADMINISTRATION-continued**

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Jim Gelios, to approve the Budget Calendar for Fiscal Year 2015/16. Motion carried.

It was moved by Commissioner Jim Gelios, seconded by Commissioner Karen Lipovsky, to adopt resolution #15-09 authorizing the county to enter into an agreement to borrow \$1,200,000.00 in anticipation of collection of taxes for 2015, "Tax Anticipation Note" and approve all required parties to sign as specified.

Tax Anticipation Note in the amount of \$1,200.00.00. Board Chair and County Clerk  
Closing Certificates. County Clerk  
Nonarbitrage and Tax Compliance Certificate. Administrator  
Form 8038G, Information for Tax Exempt Governmental Obligations, Administrator  
Receipt of Treasurer, County Treasurer

Roll call vote revealed:

Yeas: (7) being Commissioners Gelios Lipovsky, David, Majewski, Pitchford and Strouse. f

Nays: (0)

Absent: (0)

Resolution adopted.

**CLERK'S REPORT**

Clerk Pamela Mayfield reported that the Governor has now signed into law the new Gun Bill. By December 1, 2015 Gun Boards will no longer exist. Handling of all CPL permits will be completed by the Clerk's office and the Michigan State Police. Implementation will be in phases over the next several months. She also reported that she had received a compilation of 2013 and 2014 Public Opinion Surveys relevant to the Courts with favorable outcome. Clerk Mayfield also indicated that she had received a Public Notice from the US Army Corps of Engineers regarding the Withdrawal of Clean Water Act Interpretive Rule for 404(f)(1)(A).

**TREASURER'S REPORT**

Treasurer Jenny Beemer-Fritzinger reported that she has settled with all local units and will be buying back taxes in an amount just over \$3.9M. This is the lowest since she has been in office. Money received represents an average of 89% of taxes collected. Treasurer Beemer-Fritzinger also inquired about the status of a decision relevant to the Department of Human Service request discussed at previous meetings.

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Donald David to provide a memorandum of Understanding to the Department of Human Services (DHS) declining the request to administer the County Child Care Fund (CCDF) payments and accounting responsibilities. Motion carried.

**COMMISSIONER REPORTS**

- Chairperson Kleinhardt expounded on the Withdrawal of the Clean Water Act reportedly received by the Clerk. He stated that the EPA wanted to take over jurisdiction of the waterways and take responsibilities from the State of Michigan. He indicated that the Farm Bureau fought this with a passion and while not a dead issue, a temporary withdrawal has taken place. This will come up again. Commissioner Kleinhardt also noted that Hatton Township will be having a public hearing on roadside garbage pick-up.
- Vice-Chair Majewski reported that representative from the Road Commission have been out and about providing a good and informative presentation on roads at townships that he represents.
- Commissioner Strouse also reported on the representation of the Road Commission at meetings. He reported that everyone seems to be pleased with the direction of the new leadership.
- Commissioner Gelios and Commissioner Pitchford both reported attending meetings with things normal.
- Commissioner David invoked a conversation relevant to Waste Management and the distribution of recycling containers within the county.
- Commissioner Lipovsky reported that Rep. Joel Johnson was at her township meeting and he openly reported that he is not in favor of Proposal 1. She also indicated that the constituents that she represents favor a larger Road Commission Board.

Commissioner Strouse was excused from the meeting at 3:00 p.m.

**PUBLIC COMMENT-NONE**

**UNFINISHED BUSINESS**

Board took up discussion on the wage increase request made by the Magistrate. Following discussion it was decided to follow the advice of the attorney and deny at this time.

**NEW BUSINESS-NONE**

Meeting adjourned at 3:15 p.m.

  
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 Pamela Mayfield, Clerk  
 Clare County Board of Commissioners

  
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 Jack Kleinhardt, Chairman  
 Clare County Board of Commissioners