

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

Harrison, Michigan 48625
October 21, 2015

11/18/15 fm
**Unapproved Minutes
Page One**

Meeting was called to Order at 9:05 a.m.

PLEDGE OF ALLEGIANCE

Present Commissioners District 1: Dale Majewski, District 2: Samantha Pitchford, District 3: Leonard Strouse, District 4: Jack Kleinhardt, District 5: Donald David, District 6: Karen Lipovsky, District 7: Jim Gelios

Absent: None

Others Present, Signing In: Martin Johnson and Linda Hopkins

APPROVAL OF AGENDA

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse, to approve the agenda with changes as noted below. Motion carried.

Add: Under Public Hearing Special Presentations – 9:30 a.m. Kim Halis, Equalized Apportionment Report

Add: Under Health and Human Services Committee, Appointments for Veteran's Affairs

Add: Under Health and Human Services, Acceptance of MSHDA Grant

Remove: Under Finance & Administration, Discussion of the Information Technology Policy

APPROVAL OF MINUTES

It was moved by Commissioner Dale Majewski, seconded by Commissioner Karen Lipovsky, to approve the minutes of the September 16, 2015, Board Meeting as presented. Motion carried.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Donald David, to approve the Closed Session minutes of September 16, 2015 and to make them public. Motion carried.

GENERAL PUBLIC COMMENT-NONE

COMMUNICATIONS LIST

- Bay County Resolution #2015-191 Support for the Waterfront Community Revitalization and Resiliency Act of 2015 as co-sponsored by U.S. Senator Gary Peters
- MSUE County Commissioner Budget and Finance Workshops

ADMINISTRATOR'S REPORT

Administrator Tracy Byard stated that:

- She attended the Middle Michigan Development Corporation meeting with Michael Finney, Senior Economic Growth Advisor speaking and enlightening the group on the prosperity regions and zones.
- She attended the MERS conference and there was emphasis on unfunded accrued liability
- The Wellness Program had thirteen participants that completed their health report cards, up from last year
- She was having some difficulties getting responses from Waste Management regarding the recycling program but she is making progress, has had a response from Terry Nichols of Waste Management and information was forwarded to some senior staff employee for disposition.

SPECIAL PRESENTATION

Paul Lapham, County Surveyor appeared before the Board and provided an annual report for the Remonumentation Program. Referring to his distribution within the Board packet, he first provided a brief overview and history of the program from inception to the program as it exists today and noted that significant amendments were made to the program in 2014. Specific to Clare County, he indicated that there are 2,223 corners, 1656 have been completed through the 2014 calendar year leaving just over 25% to yet be remonumented. Referring to the report he stated that Clare County is doing well in their program, ahead of many counties in their progress with average costs lower than many other counties. He reported that the 2015 field work has been done and 55 corners were completed well within budget. He noted that he would be coming back and asking for approval for the 2016 contract after it has been approved by the state.

Harrison, Michigan 48625

Closed Session

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse, to go into Closed Session to discuss Union labor negotiations.

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

Closed Session begins: 9:27 a.m.

Closed Session ends: 10:48 a.m.

Recess was called at: 10:48 a.m.

Back in session at: 10:57 a.m.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Jim Gelios to approve the Union agreements to include 5 Units, excluding Unit 1 and all courts, for a 2% increase effective October 19, 2015 for Unit 2 and POAM Corrections and retroactive to October 1, 2015 for the Command Unit, Deputies Unit and 9-1-1.

Roll call vote revealed:

Yeas: (4) being Commissioners Lipovsky, Gelios, Strouse and Kleinhardt

Nays: (3) David, Majewski, Pitchford

Absent: (0)

Motion carried.

It was moved by Commissioner Donald David, seconded by Commissioner Jim Gelios, to set the wage for the 9-1-1 Director at \$42,840.00 in the COAM Supervisory Unit. Motion carried.

It was noted that \$42,840.00 would be a 2% increase over the present wage.

Roll call vote revealed:

Yeas: (6) being Commissioners David, Gelios, Majewski, Strouse, Lipovsky and Kleinhardt

Nays: (1) Commissioner Pitchford

Absent: (0)

Motion carried.

Kim Halis, Equalization Director provided the Apportionment Report and reviewed details of the report with Commissioners. She noted that City of Clare has a ballot proposal for their November election and if it passes she stated that the report would need to be redone. She gave a brief overview of Headlee and noted that not much can happen next year without a Headlee rollback.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse to accept the apportionment report as presented and authorize the Equalization Director to spread the tax roll. Motion carried.

JUSTICE

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Jim Gelios, to approve the Michigan Drug Court Grant Program FY2016 Contract in an amount of \$80,000.00. Motion carried.

It was moved by Commissioner Donald David, seconded by Commissioner Karen Lipovsky, to approve the Agreement between Amalgam LLC and Clare County #NG911GIS Centerline Maintenance Agreement. Motion carried.

It was moved by Commissioner Samantha Pitchford, seconded by Commissioner Donald David, to approve an agreement between the County of Clare and the City of Harrison to establish a temporary Joint Information Center (JIC) in case of an emergency requiring the establishment of said Joint Information Center. Motion carried.

It was moved by Commissioner Dale Majewski, seconded by Commissioner Leonard Strouse, to approve the updated copy of the Emergency Action Guideline (EAG) Countywide Emergency Operations Basic Plan. Motion carried.

It was moved by Commissioner Jim Gelios, seconded by Commissioner Dale Majewski, to approve the Sheriff Department / Central Dispatch request to utilize \$9,114.80 from contingency for the purchase of the base radio, duplexers and necessary equipment for the project and seek the promised reimbursement from Homeland Security Region 6. Motion carried.

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Karen Lipovsky, to approve the Sheriff Department / Central Dispatch request to pursue a surcharge increase for 9-1-1.

Yeas: (4) being Commissioners Lipovsky, Majewski, Pitchford, and Kleinhardt

Nays: (3) being Commissioners Strouse, David and Gelios

Absent: (0)

Motion carried.

Unapproved 
October 21, 2015

Harrison, Michigan 48625

JUSTICE - continued

It was moved by Commissioner Dale Majewski, seconded by Commissioner Donald David, to approve the Sheriff Department request to move to the Peninsula Fiber Network (PFN) for the 9-1-1 operations for future enhancements with no cost to the county for switchover and adopt Resolution #15-22 regarding same.

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

Resolution adopted.

HEALTH AND HUMAN SERVICES

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Karen Lipovsky, to accept the annual service provider designation and renew the contractual agreement Region VII Area Agency on Aging and Clare County Senior Services in the amount of \$213,988.00. Motion carried.

It was moved by Commissioner Jim Gelios, seconded by Commissioner Leonard Strouse to accept the Michigan State Housing Development Authority Grant in the amount of \$232,578.00. Motion carried.

It was moved by Commissioner Jim Gelios, seconded by Commissioner Leonard Strouse to reappoint William Zastrow to the Soldiers and Sailors Relief Board (Veteran's Affairs) with the term expiring October 31, 2019. Motion carried.

It was moved by Commissioner Dale Majewski, seconded by Commissioner Donald David, to appoint Kevin McDevitt to an unexpired term of David Merritt on the Veteran's Affairs Board with term expiring January 31, 2018. Motion carried.

PHYSICAL RESOURCES and ECONOMIC DEVELOPMENT

It was moved by Commissioner Samantha Pitchford, seconded by Commissioner Karen Lipovsky, to adopt Resolution #15-20 Pledging Full Faith and Credit to Little Tobacco Intercounty Drain Note of the County for the prompt payment of the principal and interest on the Note pursuant to Section 434 of the Act 40, Public Acts of Michigan, 1956.

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

Resolution adopted.

It was moved by Commissioner Donald David, seconded by Commissioner Samantha Pitchford, to reappoint Ken Hibl, Tracey Beadle and Dale Majewski; and appoint Lori Ware, Gina Hamilton and Rod Loomis to the Brownfield Redevelopment Board with the term expiring December 30, 2018. Motion carried.

FINANCE AND ADMINISTRATION

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse, to approve the Statutory Finance Committee Meeting Minutes September 15, 2015, September 29, 2015 and October 12, 2015 in the amount of \$109,051.74, \$218,732.89 and \$206,794.94 respectively. Motion carried.

It was moved by Commissioner Samantha Pitchford, seconded by Commissioner Karen Lipovsky, to approve the expenditures for the month of September, 2015 in the amount of \$2,882,566.36 with the General Fund expenditures totaling \$956,514.28. Motion carried.

It was moved by Commissioner Donald David, seconded by Commissioner Karen Lipovsky, to approve the Agreement for Extension Services provided by MSU to Clare County Annual Work Plan for FY2016 in an amount of \$58,171.50. Motion carried.

It was moved by Commissioner Jim Gelios, seconded by Commissioner Karen Lipovsky, to approve the Sheriff Department Budget Adjustment request #16-01 in the amount of \$26,421.00 for security wages not included in the budget. Motion carried.

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Karen Lipovsky, to adopt Bond Resolution #15-21 for \$1,500,000.00 to be used for Capital Improvements.

Roll call vote revealed:

Yeas: (5) being Commissioners Strouse, Lipovsky, Gelios, David, and Kleinhardt

Nays: (2) Pitchford, Majewski

Absent: (0)

Resolution adopted.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse to approve the request of the Treasurer to hire a temporary part-time employee at the current prevailing wage for the vacant position within her office. Motion carried.

Recess for lunch: 12:00 p.m.

Reconvene at 1:05 p.m.

Harrison, Michigan 48625

CLERK'S REPORT

Clerk Pamela Mayfield stated that the Election Calendars for 2016 have been set and are now available for distribution. Elections will be held in March, August and November. May is also a potential election date. Filing deadline for the August Primary is April 19th at 4:00 p.m. Clerk Mayfield also noted that the Michigan State Police were in Clare County for two one-day training session educating approximately eighty Clerk's and their staff members on the new concealed pistol law set to take place for December 1, 2015. Clerk Mayfield noted that a part-time employee had tendered her resignation and plans are being made to hire a replacement. On a final note Clerk Mayfield reported the costs had been tallied for the August 2015 Special Election with a price tag just under \$40,000.00 that was paid for most by the transit with some costs being billed to the schools.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Donald David, to reappoint Glenn Freeman as the Democratic appointee and William (Bill) Scott as the Republican appointee, as recommended by the respective party chairs, to serve on the Board of Canvasser effective November 1, 2015 and expiring October 31, 2019. Motion carried.

TREASURER'S REPORT

Treasurer Jenny Beemer-Fritzing reported that she held her second land sale for the year and twenty parcels were up for auction with five parcels not selling. Of the five parcels that remain, four were in White Birch Lakes; one was in Grant Township. The Treasurer also noted that she attended the MERS conference and learned that there are lots of options that could be pursued regarding the underfunded retirement accounts with MERS.

COMMISSIONER REPORTS

- Commissioner Kleinhardt extended an invitation from the Road Commission, to all officials, to participate in a luncheon and ride-through of the county to see and observe the various types of construction projects completed the past season. He also noted that he will be back in Lansing to attend more Transportation Committee Meetings.
- Commissioner Majewski extended an invitation from Senior Services, to officials, to attend the up-coming Thanksgiving dinner at the Harrison senior site on November 18th. He also reported that the auction netted \$14,013.00 in revenue back to the county with most money going back to the general fund. He once again noted that golf carts are still a hot topic in the townships.
- Commissioner Gelios attended a meeting recently, in Harrison, relevant to a new government initiative "Rising Tides" an effort to set policy and help improve the area. Harrison was chosen as a target area and discussion focused on what can be done. Additionally, the City of Harrison has sold their property that houses their current City Hall and public works building and is making plans to build west of town near the fire hall.
- Commissioner Strouse noted that he will be attending a Shamrock Lake Board meeting, which prompted a brief discussion on lake boards, lake improvement boards, navigable waters and dredging.
- Commissioner Pitchford noted that she has attended her area meetings and the Surrey Lake Improvement Board. She stated that there are numerous issues between the Association Board and Lake Improvement Board. She added that there are enough issues that it is prompting the hiring of attorneys for legal opinions and advice.
- Commissioner David reported that the drilling rigs are set on Beaverton Road; he also initiated a brief discussion on a new law permitting the County Treasurer to collect township taxes if any township would be interested and agreements were in place. Commissioner David also requested that a letter be read and placed of record in the minutes, as submitted by Judge Joshua Farrell. It read as follows: Dear Chairman (insert letter as submitted). It was noted that there were similar letters received from Judge Farrell and Judge Thomas Evans relevant to salaries of other employees as well.
- Commissioner Lipovsky reported that a fly-in took place at the airport that generated interest from airplane enthusiasts that brought in twenty-two planes. She also reported that she accepted an invitation to visit the morgue in Big Rapids and believes that options available for Clare County should be researched. She also attended the Michigan Township Association meeting and negotiation meetings with for six Unions.

PUBLIC COMMENT

Ray Elliot appeared before the Board to again request help and assistance with noxious odor that he has complained about for the past several years. He reported that the odor shut down the medical care offices, the health department and the dental office for 2 ½ hours. He reported that Consumers Energy was called in to investigate the matter and found no problems with any natural gas leak. Operations resumed and he insisted that the odor at those facilities was the very same odor he gets at his home.

Renee Haley, Veteran's Affairs Director appeared to provide an update on what is happening within the office. She announced that the first service at the new Veteran's Freedom Park will take place on Veteran's Day with the grand celebration set for Memorial Day in 2016. She discussed progress to date, expected progress and the set-backs experienced with bricks that will be replaced.

Another brief discussion ensued relevant to golf cart use with Sheriff John Wilson present. Commissioner Majewski indicated that he believes some of the problems exist because enforcement officers are providing conflicting information. Commissioner Majewski is especially concerned as he sees under age drivers operating the golf carts on roads even into the evening hours. He noted as an emergency first responder he has particular interest and concern for public safety, knowing what can happen. Commissioner Lipovsky suggested that there be some guidelines set out next spring when the activity increases again. Chairman Kleinhardt said the Amish horse and buggies also pose a set of challenges and concerns.

11/10/15

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Harrison, Michigan 48625

UNFINISHED BUSINESS

Discussion pertaining to previous wage requests for court employees was briefly addressed with no action taken.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse, to approve a lease through Team Financial Group for equipment from Trivalent Group for the I.T. Department. Motion carried.

Cost was questioned and based on the contract terms, it is \$1800.00 per month for sixty months. Jim Schuster explained that this will create a "static" cost. Instead of trying to find \$45,000.00 this year and another \$60,000.00 the following year for system maintenance and upgrades, he explained that this will create a consistent charge.

A lengthy discussion followed regarding the Information Technology (IT) Department with most all Commissioners commenting on the problems that exist. Based on the trial reassignment of the two employees within the department under the Sheriff's Department and the Sheriff's subsequent request to reconsider that move, Board discussed what to do next. Commissioner Lipovsky indicated that she had a conversation with the county attorney and he suggested that it be returned to the Administrator and that a committee be set up that meets monthly to review issues. Commissioner Dale Majewski indicated that at the request of the Chair, a meeting had been called, bringing together several officials to provide an analysis of available options. Four viable solutions to the problem were suggested. They were: outsource, hire a manager, assign it to Jerry Becker who ultimately reports to the Administrator or assign it back to the Administrator. There were pros and cons to each suggestion. Notes from that meeting were printed and distributed. Commissioner Lipovsky still stressed her previous desire to place IT under the Administrator. Commissioner Strouse chose to elaborate a bit on the matter as some acknowledged that they were unaware of any problems. Simply stated he indicated that he has been a Commissioner now for over five years and he has been hearing it all these years from various individuals. He indicated that there must be some truth to the matter otherwise these complaints would have died down.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse to reassign the Information Technology Department back under the direction of the County Administrator and appoint a committee to review and monitor this for six months. Motion carried with one opposed being Commissioner Dale Majewski.

A committee was then appointed consisting of Jerry Becker, Commissioner Jim Gelios and Undersheriff Dwayne Miedzianowski.

NEW BUSINESS

Clerk Pamela Mayfield noted that she had received notification from the Department of Health and Human Services, Lansing regarding the reappointment of Joe Phillips as the state's representative to the Clare County Department of Health and Human Services Board with term to begin November 1, 2015 and last until October 31, 2018.

Meeting adjourned at 3:04 P.M.



Pamela Mayfield, Clerk
Clare County Board of Commissioners



Jack Kleinhardt, Chairman
Clare County Board of Commissioners