

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

**Harrison, Michigan 48625  
September 16, 2015**

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**Unapproved Minutes  
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**Meeting was called to order at 9:00 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:** Genine Hayden, Morgan Humphrey, Charlie Bugbee, Rocco Stralle, Grant Ford, Tessa Huonnen, Julia David, Kieley Grider, Mahmoud Abu Qurayn, Nicholas Johnston, Mark Clifford, Clayton Reed, Alexandria Metcalf, Sherri Olds, Michelle Stiglich and Shari Spoelman.

**APPROVAL OF AGENDA**

It was moved by Commissioner Majewski, seconded by Commissioner Strouse, to approve the agenda with additions. Motion carried.

Add under New Business: 911 Director Letter of Understanding discussion.

Add under Unfinished Business: Bond discussion.

Add: Resolution #15-19 – Conflict Resolution Day – Thursday, October 15, 2015.

**APPROVAL OF MINUTES**

It was moved by Commissioner Lipovsky, seconded by Commissioner David, to approve the minutes of the September 9, 2015 meeting. Motion carried.

**GENERAL PUBLIC COMMENT**

Genine Hayden introduced her class of the Introduction to Sociology from Mid-Michigan Community College, Harrison Campus.

**COMMUNICATIONS LIST**

- Mid- Michigan Community Action Agency – News Letter
- Oceana County-Resolution Recognizing September 17, 2015 as Constitution Day
- Resolution #15-19 – Conflict Resolution Day – Thursday, October 15, 2015

**ADMINISTRATOR'S REPORT**

Tracy Byard attended the Middle Michigan Development Corporation meeting yesterday. They are updating their website. They informed her that Terex of Farwell, in the industrial park, is going out of business and will be done as of November 1<sup>st</sup>. She also attended the East Michigan Council of Government meeting. Mike Miller from DNR was there and did a presentation. The Airport Board has been meeting frequently and they will be having a Fly In October 10<sup>th</sup> from 10-3 p.m. and will be serving cider, donuts and coffee. All of the unions have contacted her about wage openers. If anyone gets a chance to look in the basement meeting rooms A and B, maintenance staff personnel from AWOL painted the walls and will be working on the halls too. It is a very nice facelift.

**PUBLIC HEARING/SPECIAL PRESENTATION**

Judge Marcy Klaus and John Stark from the Michigan Community Dispute Resolution Program Center's Association appeared before the board in regards to National Conflict Resolution Day that will be coming up on October 15, 2015. Judge Klaus stated that our court uses mediation and Mr. Stark's organization is a wonderful benefit to people in the community who have filed lawsuits. It is very helpful with Probate and Family Court cases. This offers people an opportunity to come together in a more informal setting than in court and it also offers the parties an opportunity to have more input as to how matters can be resolved. Mr. Stark stated he is pleased that the board may adopt the Proclamation regarding Resolution #15-19 Conflict Resolution Day-Thursday, October 15, 2015. And, he is pleased with the board's support of this process of conflict resolution.

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We understand that the courts work for us. They provide, in the end, an adversarial situation. Hopefully mediation is a way that the parties can come together and search for common ground. This way we are trying to remove the adversarial approach.

Jane O'Dell, Executive Director from the main office in Flint was also present and expressed her appreciation to work with Clare County.

Michelle Stiglich from MSU Extension appeared before the board to update on current happenings.

Shari Spoelman from MSU Extension was also present and stated that 4H is doing a really good job. She also talked about a statewide needs assessment the MSU is in the process of doing.

FY 2016 Budget Public Hearing opened at 10:00 a.m.

**JUSTICE COMMITTEE - None**

**HEALTH AND HUMAN SERVICE- None**

**PHYSICAL RESOURCES and ECONOMIC DEVELOPMENT- None**

**FINANCE AND ADMINISTRATION**

It was moved by Commissioner Strouse, seconded by Commissioner Lipovsky, to approve Statutory Finance Committee meeting minutes of August 18, 2015 and September 1, 2015 in the amount of \$111,894.96 and \$146,688.60 respectively. Motion carried.

It was moved by Commissioner Pitchford, seconded by Commissioner Majewski, to approve the expenditures for the month of August 2015 in the amount of \$2,179,498.04 with the General Fund expenditures totaling \$762,071.04. Motion carried.

**CLERK'S REPORT - None**

**TREASURER'S REPORT- None**

**COMMISSIONER REPORTS**

Chairperson Commissioner Kleinhardt attended MSU Focus Group meeting.

Commissioner Majewski has been apprised of problems with golf carts in townships to the point of destruction of personal properties. Some of the incidents involved minors. Administrator Byard will have Sheriff John Wilson come in to talk with the board about these issues. A discussion regarding ongoing recycling problems was held.

Commissioner Gelios attended township meetings. He shared a notice that he received for a Consumers Energy Clare Service Center open house October 9, 2015 starting at 10:30 a.m. He also attended the Airport Board meeting and related that they are trying to get more public interest in the airport. He stated that the airport runway is in need of repair. Commissioner Lipovsky said Aeronautics in Lansing may pay part of the cost to repair the runway.

Commissioner Strouse attended Sheridan Township and the City of Clare meetings and stated that he will be headed to Lansing for another meeting later that afternoon. He stated that the City of Clare had made a decision to purchase a new ladder truck.

Commissioner Pitchford reported that she was disappointed that she drove to Lake George to attend a Parks and Recreation meeting and she was the only one who showed up.

Commissioner David stated he hadn't heard anything from any of the townships about wanting night meetings. He did not feel that it was an important issued to the townships at this time.

Commissioner Lipovsky attended the Winterfield Township meeting and they asked her to let the board know they thought the Clare County Road Commission was wonderful and added that the workers are very helpful. She also reported that Winterfield Township is involved with 18 other entities in a tire collection process. Hayes Township and the City of Harrison are having a recycling day at the City Park where you can bring up to 7 tires at a time for disposal.

Commissioner Majewski also stated he thinks that there are a lot of Clare County residents that do not know that each family can take up to 4 tires to the landfill free of charge.

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**PUBLIC COMMENT-** None

**UNFINISHED BUSINESS**

Much discussion was held regarding the bond.

It was moved by Commissioner Lipovsky, seconded by Commissioner Strouse to proceed with the bond loan for 15 years in the amount of \$1.5 million.

Roll call revealed:

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

Nays: (2) Commissioners Majewski and Pitchford.

FY 2016 Budget Public Hearing closed at 11:00 a.m.

Judge Joshua Farrell appeared before the board with Judge Marcy Klaus, Judge Roy Mienk, Circuit Court Administrator Darrell Schlese and District Court Magistrate Karen Willing and requested to go into closed session to discuss some actions that the board made at the September 9, 2015 meeting and some personnel issues.

It was moved by Commissioner Lipovsky, seconded by Commissioner David to go into closed session to discuss some personnel issues.

Roll call vote revealed:

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

Nays: (0)

CLOSED SESSION begins at 11:04 a.m.

CLOSED SESSION ends at 11:54 a.m.

There was no action by the board taken in the closed session.

It was moved by Commissioner Lipovsky, seconded by Commissioner David to approve Resolution #15-17 – a Resolution Approving and Adopting the County General Appropriations Act for Fiscal Year 2016.

Roll call vote revealed:

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

Nays: (0)

Resolution adopted.

It was moved by Commissioner David, seconded by Commissioner Lipovsky to adopt Clare County Resolution #15-18 Establishing Fiscal Year 2016 Compensation.

Roll call vote revealed:

Yeas: (4) Commissioners David, Lipovsky, Stouse, Kleinhardt.

Nays: (3) Commissioners Majewski, Pitchford and Gelios.

Resolution adopted.

A discussion was held regarding the board holding night meetings. It was determined that there has not been much interest.

**NEW BUSINESS**

Commissioner David brought up a discussion regarding the contract with Waste Management and the landfill. He also mentioned that Tina Wright formally from the Clare County Equalization department may be willing to contract her services to Clare County a couple of days a week. She has accepted a position with another county and feels that she will have extra time available. The board will need to have a discussion with Kim Halis, Equalization Director and the Union regarding this issue. Commissioner David also stated that he would like to have at least one Ad Hoc meeting before beginning negotiations to discuss ideas. The Unions have asked for wage openers but no dates have been established. Administrator Byard is waiting for Attorney Dave Stoker to get back with her. It was decided that the Ad Hoc meeting would be brought back up at a later date once it gets closer to negotiation dates.

Administrator Byard was approached by the Undersheriff about the 911 Director's job. She stated that this was not talked about during negotiations but the Sheriff Department would like a Letter of Understanding to put the 911 Director on the same pay scale as a Lieutenant and be placed in the Supervisory Unit.

Commissioner Gelios stated that because this position is Union that the Clare County Sheriff Department should put this in their demands when negotiating contracts.

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Administrator Byard stated that Ed Williams from the Sheriff's Department said there is a front loader available in North Carolina that is in really good shape. She went on to say that one of the issues is taking the front loader that the county currently owns from this location to the animal shelter. It would cost approximately \$3500.00-\$4500.00 to have the front loader from North Carolina shipped back here. If the county obtains this front loader it would stay out at Animal Control and would not have to be driven back and forth. This front loader is free except for the shipping cost. The front loader that the county currently has is too small for snow removal at the animal shelter. Administrator Byard said that she could find \$3500.00 in the budget to pay for the shipping costs. Byard also stated that the board needed to make a decision by tomorrow whether or not to obtain the front loader.

There was also discussion regarding the county plow truck and the fact that it is rusting out due to road salt. It was discussed that possibly the county could sell the truck to get another one. The salter that the county has does not fit on the truck that the county currently has. They were advised that if the truck was put up for sale that it would probably not bring more than \$3500.00. The truck is only used for plowing the parking lot and to get supplies from town.

It was moved by Commissioner Lipovsky, seconded by Commissioner Strouse to pay a reasonable price to go out, purchase, and bring back the front loader from North Carolina. Motion carried

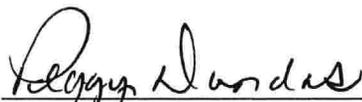
There was discussion regarding the county entering into a contract with Hayes Township allowing them to use the Clare County IT services. Hayes Township needs help setting up computers in their new building.

It was moved by Commissioner Gelios, seconded by Commissioner Lipovsky to enter to an Inter-governmental contract with Hayes Township for 90 days for IT services when IT is available. Motion carried.

District Court Magistrate Karen Willing came before the board requesting a raise for her and Circuit Court Administrator Darrell Schlese. She requested that the wages be consistent with that of the Chief Assistant Prosecutor.

The board said they would address this at a later date.

Meeting adjourned at 12:56 a.m.



Peggy Dundas, Chief Deputy Clerk  
Clare County Board of Commissioners



Jack Kleinhardt, Chairman  
Clare County Board of Commissioners

**MINUTES OF THE CLARE COUNTY  
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CLOSED SESSION**

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**Closed Session:** Opened at 11:04 a.m. at the request of Judge Joshua Farrell on behalf of himself, Judge Roy Mienk, Judge Marcy Klaus, Circuit Court Administrator Darrell Schlese and District Court Magistrate Karen Willing. All were present at this meeting.

The purpose of the meeting was to discuss a couple of personnel matters that was based on action that was taken by the board at the September 9, 2015 meeting regarding the court employees to begin paying for health insurance. Judge Farrell stated that the issue wasn't that the court employees should be paying but the manner in the way the board took action was what they had a problem with.

Judge Farrell stated that they felt that this action was done unilaterally without notice. He stated that they were notified by email that this action had been taken place which gave them little time to notify employees that they needed to make major decisions regarding their health insurance.

Judge Farrell stated that there is now a situation where some pay raises went countywide and they felt that the pay raises were not consistent. He added that they now have a situation where the Chief Assistant Prosecutor in this county makes more than both County Administrators. The courts had already submitted their budgets prior to the action regarding court employees paying for their health insurance took place. Their position was that the board should have contacted them to negotiate the decision before action was taken.

Judge Mienk stated that the courts are a separate branch of government and are employees of the courts. The courts do the budgets and commissioners do the funding. If there is any kind of dispute then there should be some negotiations.

Commissioner Kleinhardt stated that this comes out of Public Act 152 enacted by legislation. He went on to say that he didn't like the Public Act either. I thought that this was the law and we had to abide by it. As I understand they, told us this is what must be done and if not done this will affect revenue sharing to the county.

Commissioner David was also quick to respond saying that almost everyone else pays for their insurance and have been paying. He related that he himself has been paying and to threaten the board with litigation for making the court employees pay also would just be dirty pool.

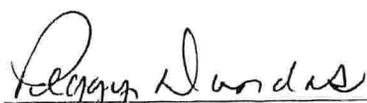
Judge Mienk indicated to the board that it was not the intention of the courts to have litigation regarding this matter.

Court Administrator Schlese related that the courts have given up some things such as, not receiving any pay increases in five years, less holiday days, less sick reimbursement, less vacation days. There has been some give and take from court employees by not opening the contract.

Commissioner Kleinhardt said there had been previous correspondence and meetings regarding this issue. He went on to say that they are not changing the insurance they are only asking that they start paying for it as most everyone else does.

Magistrate Willing and Court Administrator Schlese each made their cases why they should each have an increase in wages and asked the board to increase their salaries to be at least equal to that of the Chief Assistant Prosecutor.

Closed session ended at 11:54 a.m.



Peggy Dundas, Chief Deputy Clerk  
Clare County Board of Commissioners



Jack Kleinhardt, Chairman  
Clare County Board of Commissioners