

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

Harrison, Michigan 48625
May 21, 2014

6/18/14 pm
Unapproved Minutes
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Meeting was called to Order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

Present: Commissioner Jim Gelios, Commissioner Lynn Grim, Commissioner Jack Kleinhardt, Commissioner Rick LaBoda, Commissioner Karen Lipovsky, Commissioner Dale Majewski, and Commissioner Leonard Strouse.

APPROVAL OF AGENDA

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

Add: Justice Committee – Animal Control request to hire two part time kennel personnel

Add: Justice Committee - Animal Control Cage Discussion

Add: Unfinished Business – Airport Restaurant

APPROVAL OF MINUTES

It was moved by Commissioner Lynn Grim, seconded by Commissioner Karen Lipovsky, to approve the minutes of the April 16, 2014, Board Meeting as presented. Motion carried.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse, to approve the first and second Closed Session Minutes of the April 16, 2014, Board Meeting as presented. Motion carried.

GENERAL PUBLIC COMMENT

Mr. Raymond Elliott once again appeared before Board members pleading with Commissioners to please do something about the noxious odors and smells coming from the landfill that often encapsulate his home and the home of others. He asked if anyone is concerned about the problem and noted that this is more than just a problem for him. He was advised that the authority here is with the Michigan Department of Environmental Quality and he should be speaking with them on the matter.

Sheryl Judd introduced herself acknowledging that she was present to address website items of concern.

Nancy Petree, MSUE SNAP-Ed Program Director introduced herself, presented a handout and explained the many services that the program provides. She explained that as the SNAP (Supplemental Nutrition Assistance Program) Director that she educates and trains in the community teaching nutrition and health. She indicated that she partners with many groups in the community including schools, mental health, the baby pantry and Michigan Works to name just a few. She also noted that she is the Chair of the Community Nutrition Network helping to coordinate food assistance to 250 – 300 plus people monthly.

Commissioner Majewski briefly discussed some matters related to the proposed tower contract with TransCanada. He noted that all issues of concern had been discussed and approved by county counsel. Per motion last month, Board chair would sign.

Jerry Becker, Director of Emergency Management discussed on-going issues of concern with Region 6. He provided a history of information relevant to Region 6 and an audit that had been performed where the audit findings required that some money be repaid. Region 6 had been asking Clare County to pay just over \$3,000.00 to help alleviate the audit findings. All along Clare County has stood firm and opposed any repayment as Clare County had not been a party to the violation with the report supporting this. However, Region 6 is the funding unit that has brought many dollars into Clare County for use with emergency management and other county agencies. It was deemed that if Clare County would not be agreeable to the repayment terms, future funding could be jeopardized. With over \$26,000.00 in money coming to Clare County this year alone, the \$3,205.10 seemed just a small amount to repay.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Dale Majewski to approve that the Region 6 Governing/Planning Board agree to reimburse the Michigan State Police the \$174,437.00 Audit finding by November 30, 2014 with the West Michigan Shoreline Regional Development Commission (WMSRDC) contributing \$56,196.00 and the remaining balance of \$118,241.00 to be shared by the Region 6 Counties using the 2013 Homeland Security Grant local allocation percentage schedule per attachment. This arrangement is contingent on all \$174,437.00 of the disallowable costs being committed based on each individual counties protocol. Motion carried.

COMMUNICATIONS LIST:

1. Huron County-Resolution #14-57 Opposing the Development of Underground Nuclear Waste Facility Near Kincardine, Ontario Endangering Lake Huron Shoreline
2. Alger County-Resolution #2014-13 Opposing HB 5097, SB 850 and Similar Bills Reversing Cost Management Tools by Changes to Public Employer Relations Act (PERA)
3. United State Environmental Protection Agency (USEPA) Region 5-Public Notice Plans to Issue an Injection Well Permit
4. Huron County-Resolution #14-61C Supporting HB 5456 a Bill Preventing Automobile Insurers from Unfairly Charging Residents

SPECIAL PRESENTATION

Nick Loomis, provided a presentation relative to Digital Image, his company, and explained the many services that Digital Image could provide. He further explained that Digital Image, as a full support company, was capable of everything from fixing computers to providing services to create, design, update and host websites and email. He discussed the current trend in mobile application and briefly explained redundancy capabilities through data centers guaranteeing a 99.8% uptime to any website that Digital Image would host. He provided a proposal that addressed the services of the company and a desire to assist the county with any needs they may have.

Paul Lapham, County Surveyor appeared before the Board to elaborate on the annual report submitted relevant to the Remonumentation Program. He noted that the grant is significantly higher this year over previous years stating that the 2014 plan provides \$57,050.00 in program funding to the county of which 40% start-up money has already been received. When questioned about completion of the program, he noted that initially the program was set as a twenty year program but low program funding has delayed that projection.

It was moved by Commissioner Lynn Grim, seconded by Commissioner Karen Lipovsky, to renew the Clare County Remonumentation Program Plan and Contract as presented by Mr. Lapham. Motion carried.

Roxanne Nichols, Michigan Department of Treasury provided an overview of the 2013 Annual Audit briefly touching on revenues and expenses and business activities.

Meeting Recessed at 10:16 a.m.

Meeting Reconvened at 10:29 a.m.

ADMINISTRATOR'S REPORT

Administrator Tracy Byard provided her report. She noted:

- A distribution of other county policies relevant to cell phones for review
- Budgetary status report reflects an increase of \$367,576.69 in revenue and a decrease of \$363,091.62 in expenditures over the same period last year
- A request was received to purchase sand and salt for the winter months

A brief discussion followed about the Website Committee being involved in website evaluation and planning. Treasurer Jenny Beemer-Fritzingler provided the names of past members. It was decided that Dale Majewski and Jim Shuster would replace former members no longer with the county.

Additional discussion took place relevant to a plan, due to the State by June 1, to provide information on how the County is planning to reduce the unfunded portion (approximately 20%) of the pension plan. Commissioner Majewski questioned this to ensure that full revenue sharing is received. It was decided that this will be further discussed later in the meeting after more information is made available, but before meeting end, to avoid the need to call a special meeting.

JUSTICE

Undersheriff Dwayne Miedzianowski appeared to discuss the sale of a Kawasaki Mule and a Chevy Envoy. He requested a blanket approval for future vehicle sales. The request was denied as approval is required for sale of county assets and revenue distribution.

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Dale Majewski, to permit the sale of a Kawasaki Mule and a Chevy Envoy as requested by the Sheriff's Department with revenue to go into the General Fund. Motion carried.

Administrator Byard noted that the Animal Control cage discussion would not be addressed as an added item and would likely appear in the 2015 budget requests.

Administrator Tracy Byard discussed a need to hire two part-time employees to staff the animal shelter as kennel workers. In the past, these duties have been performed by Trustees but Trustees are no longer being utilized. Kennel workers are needed daily, year-round.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Lynn Grim, to hire two part-time employees to help staff the Animal Shelter per Union contract wages. Motion carried.

HEALTH AND HUMAN SERVICES-NONE

PHYSICAL RESOURCES and ECONOMIC DEVELOPMENT

Administrator Tracy Byard discussed a request to recycle electronic equipment. Central Michigan Electronics Recycling has contacted the County with a request to provide the service. Commissioner Grim indicated that this service is already being offered at various townships. She also noted that previously the RESD use to pay for this service but believed that they now get paid when they dispose of outdated equipment.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Lynn Grim, to have an electronics collection recycling site at the old Clare County Transit Building with coordinated effort between Jerry Becker and the Administrator. Motion carried.

FINANCE AND ADMINISTRATION

It was moved by Commissioner Dale Majewski, seconded by Commissioner Leonard Strouse, to approve the Statutory Finance Committee Meeting Minutes of April 15, 2014 in the amount of \$219,621.38, April 29, 2014 in the amount of \$118,446.94 and May 13, 2014 in the amount of \$67,482.71. Motion carried.

It was moved by Commissioner Jack Kleinhardt, seconded by Commissioner Karen Lipovsky, to approve the expenditures for the month of April 2014 in the amount of \$5,557,868.15 with the General Fund expenditures totaling \$1,057,072.27. Motion carried.

It was moved by Commissioner Dale Majewski, seconded by Commissioner Karen Lipovsky, to approve Budget Adjustments #14-65, #14-66, #14-67, #14-68, #14-69 and #14-74 in the amount of \$160.00, \$6,340.00, \$8,300.00, \$30,809.00 \$1,500.00 and \$59,028.75 respectively. Motion carried

Cell Phone Discussion will take place at a later date and time to allow for review of information just submitted.

CLERK'S REPORT

Clerk Pamela Mayfield noted that a circuit court audit had just recently been completed at the direction of the Michigan Supreme Court noting that findings will not be made known until much later in the year as the Gladwin County audit will not even be performed until August. She stated that the last time that the audit was performed was in 1999. Additionally, the Bureau of Elections has requested that the Clerk's office perform an audit of the May election to evaluate procedures. A discussion followed regarding Board microphone problems resulting in approval to purchase.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Dale Majewski, to approve the purchase of four microphones at a cost of \$400.00 plus shipping with Administrator to do a budget adjustment to pay for the purchase. Motion carried.

TREASURER'S REPORT

Treasurer Jenny Beemer-Fritzinger reported that the Treasurer's Office will soon be sending out just over 5000 delinquent tax notices and noted that the land auction has been set for September 2nd. She noted that Gladwin County properties will also be auctioned at this time with the auction being held at the Doherty Hotel. She reported that there are 120 parcels, pending any judgment waivers. She also reported that she has received notice that the DNR is buying 289 acres in Winterfield Township.

The Treasurer also requested clarification on some issues with the drain proposal discussed at the previous meeting. At the last meeting it was decided not to proceed with the engineering study until further discussions took place. At the last meeting a request was also made to consult with county attorney Dave Stoker on the matter. Administrator Byard indicated that she had spoken with Mr. Stoker on the matter. Repayment to the county for the engineering study, if funded by the county, could potentially take up to two years. Project cost would then be financed to include the engineering study with repayment to the county at that time. Based on the study findings, ending repair costs for the Tobacco Drain Project will likely be significant.

COMMISSIONER REPORTS

- Commissioner LaBoda reported that Hamilton Township turned down the May road millage proposal.
- Commissioner Majewski reported that he had attended the first graduation for Recovery Court and commended Judge Farrell for the job that he is doing.
- Commissioner Grim reported that she attended AAA, also attended the public health summit, noted that there is still time to buy bricks for Veteran's Freedom Park, that Community Action Agency receive a grant of \$2.2 million to spend on fuel for income eligible individuals, that Listening Ear received a \$1M grant for a 5-year period to help the homeless and explained the backpack program that helps feed children.
- Commissioner Gelios received a note of thanks from Hayes Township for removal of a building at the airport, noted that City of Harrison is again inquiring about the cars stored at the Sheriff's Department and questioned disposition of Brownfield. Discussion followed with Treasurer Beemer-Fritzinger stating that the EPA \$200,000+ Brownfield Grant expired in 2013. She stated that the Brownfield Fund is losing money annually as annual payments are \$16,000 with tax revenue of only \$8000.00 noting that eventually the fund will be depleted. The DEQ loan will need to be renegotiated.
- Commissioner Lipovsky attended 4 township meetings and graduation ceremonies for recovery court.
- Commissioner Kleinhardt reported that the Clare County Road Commission has started the process of relinquishing ownership of the Clare County Roadside Park to the Clare County Historical Society. Through a partnership, Elm Creek has been hired by Cops and Doughnuts to do the mowing and maintenance and the Master Gardeners will partner to plant flowers and help beautify the park. He also reported that a much smaller surplus of money at the State, than originally predicted, will significantly impact counties. Relative to transportation, he noted that he has been in Lansing for the Transportation Committee and they continue to discuss road funding for projects. Everywhere you go people are talking about poor road conditions.

PUBLIC COMMENT

Sheryl Judd of Rabbit Web Design briefly spoke about website hosting and provided some insight about current problems. She provided information to assist with decision making and in the end indicated that choices would need to be made: do nothing, go to a new company and spend money to develop an entirely new website or try the hosting company that she has suggested which she believed would fix the current problem. Each solution would be directly linked to the amount of money that they would want to spend. She then offered to temporarily host the site while checking things out to get the website functioning. After discussion it was determined that the matter should be turned over to the Website Committee for review.

UNFINISHED BUSINESS

Administrator Tracy Byard reported on the Airport Restaurant calling attention to pictures posted reflecting the old and the remodeled building. She indicated that an additional \$39,608.00 was needed, over and above current investments, to move the project forward to reopen the restaurant. A motion was suggested by Commissioner Lipovsky but lacked a second without additional discussion and questions and concerns being reviewed and addressed. Options were reviewed. Overall, the majority believed, while certainly not happy about the situation, because this is a county-owned building, current levels of investment necessitate further funding to move the project forward to completion. Options to sell the restaurant were discussed but were without merit as the airport property ownership is tied to the county due to a reversion clause in the property deed. Project costs well exceeded planned expenditures but in the end, it becomes a long term investment for the County and not much else could be done.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Lynn Grim, to approve the additional spending of \$39,608.00 to complete the improvements to the Airport Restaurant. Motion carried with one opposed being Commissioner Majewski.

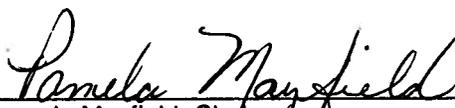
NEW BUSINESS

A need for a plan to be submitted to the State by June 1, necessary to receive full revenue sharing, caused a final discussion amongst Commissioners. Commissioner Majewski questioned if not done at this meeting a special meeting would be required. Discussion about ways to reduce the deficit to the employee retirement fund followed.

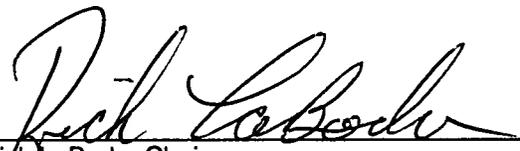
It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Lynn Grim, to implement a plan to reduce the MERS employee retirement deficit by requiring all newly hired non-Union employees to be enrolled in the MERS hybrid plan with a plan to negotiate future Union contracts to implement the MERS hybrid plan for newly hired Union employees with the intent that these changes be made as soon as MERS can effectuate the process and have the county consider contributing additional money each year to reduce the shortfall. Motion carried.

Commissioner Kleinhardt questioned if this addressed the shortfall as being required in the new legislation indicating that this might help prevent further deficit to the retirement fund but it will not address the problem and eliminate the funding gap. It was suggested that possibly additional money could be budgeted to pay into MERS, over a period of years, to correct this problem. More will be discussed on this.

Meeting adjourned at 12:50 p.m.



Pamela Mayfield, Clerk
Clare County Board of Commissioners



Rick LaBoda, Chairman
Clare County Board of Commissioners