

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

Harrison, Michigan 48625

Unapproved minutes  
May 20, 2020

Meeting was called to order at 9:00 a.m.

Pledge of Allegiance and moment of silence for our active military, veterans and first responders.

**COMMISSIONERS PRESENT**

District 1 Dale Majewski, District 2 Samantha Pitchford, District 3 Leonard Strouse, District 4 Jack Kleinhardt, District 5 Mark Fitzpatrick, District 6 David Hoefling, and District 7 Jeff Haskell.

**COMMISSIONERS ABSENT**

No Commissioners Absent

**OTHERS PRESENT**

Dusty Merritt, Drain Commissioner Carl Parks, Prosecutor Michelle Ambrozaitis, IT Director Jesse Bellinger.

**APPROVAL OF AGENDA**

It was moved by Commissioner Majewski, seconded by Vice Chairperson Pitchford, to approve the agenda. Chairperson Kleinhardt asked for discussion, Commissioner Hoefling asked to add to the agenda under new business a Resolution from Clare County offering assistance to Gladwin County, Chairperson Kleinhardt agreed to the addition, roll call vote revealed:

Yeas: (7) being Commissioners Majewski, Pitchford, Strouse, Fitzpatrick, Hoefling, Haskell, and Kleinhardt

Nays: (0)

Absent: (0)

**Motion for carried**

**APPROVAL OF MINUTES**

It was moved by Commissioner Haskell, seconded by Commissioner Hoefling to approve the Board of Commissioners Minutes for April 22, 2020. Chairperson Kleinhardt asked for discussion, hearing none roll call vote revealed:

Yeas: (7) being Commissioners Haskell, Hoefling, Fitzpatrick, Strouse, Pitchford, Majewski, and Kleinhardt

Nays: (0)

Absent: (0)

**Motion for carried**

It was moved by Commissioner Strouse, seconded by Commissioner Majewski to approve the Board of Commissioners Special Board Minutes for April 24, 2020. Chairperson Kleinhardt asked for discussion, hearing none roll call vote revealed:

Yeas: (7) being Commissioners Strouse, Majewski, Pitchford, Fitzpatrick, Hoefling, Haskell, and Kleinhardt

Nays: (0)

Absent: (0)

**Motion for carried**

**APPROVAL OF MINUTES - continued**

It was moved by Commissioner Majewski, seconded by Commissioner Strouse to approve the Board of Commissioners Special Board Minutes for May 5, 2020. Chairperson Kleinhardt asked for discussion, hearing none roll call vote revealed: Yeas: (7) being Commissioners Majewski, Strouse, Haskell, Hoefling, Fitzpatrick, Pitchford, and Kelinhardt

Nays: (0)

Absent: (0)

**Motion for carried**

**GENERAL PUBLIC COMMENT**

Christine Pechacek asked if the Board of Commissioner's received a second opinion as indicated at the last meeting in regard to the contracted obligation of the Prosecuting Attorney, Commissioner Majewski confirmed there has not been a second opinion obtained as of yet. Ms. Pechacek also brought up the previous discrepancy regarding the budget and the indication that line items were changed in which no one takes responsibility for. Commissioner Fitzpatrick answered to this by stating that they received information that people other than the IT Department has been able to access people's computers. He went on to say that the IT Director does not have the expensive software to monitor that. He also indicated there is concern that county emails can be viewed by certain individuals, so there are security issues there that would need to be looked into, and if there is special software needed to figure this out the county does not have money to purchase such a software.

County Clerk/Register of Deeds Lori Martin read a statement regarding the disrespectful way she believes some of the board members have been treating her.

Several individuals left comments via zoom chat and in person regarding the accountability of individuals, the discussion of individual's feelings, and the current payroll clerk, Jody Pieprzyk being happy where she is under the administrator and that she is confident she can manage both positions just fine.

It was asked how many individuals were present in the zoom meeting, there were over 70 people in attendance via zoom.

**COMMUNICATIONS LIST**

There was no discussion regarding the communications list.

**ADMINISTRATOR'S REPORT**

Administrator Byard sat through a webinar in regard to FEMA (Federal Emergency Management Agency) and reimbursements. It does not appear that there will be much help for the county. There may be some reimbursement for overtime from FEMA, MAC (Michigan Association of Counties) is pushing to get reimbursement for public safety. Delta dental will give a \$6,000.00 reimbursement in June, which was on the communications list.

**COMMUNITY SERVICES DIRECTOR**

Community Services Director Lori Phelps announced the adult day care is closed and is doubtful that it will re-open and funding is being transferred more to in home care. She will be moving her services, senior services and building permits to the new senior services building across the street. There have been 2,000 hours of in home help, they are receiving \$90,000.00 from the CARES ACT for nutrition along with several other grants, and building permits have increased dramatically.

**PUBLIC HEARINGS/SPECIAL PRESENTATIONS**

1. Drain Commissioner Carl Parks gave an update on the lakes in Clare County and the dams he has been opening. There were floods near the Little Tobacco Drain, but the water is subsiding.
2. Prosecuting Attorney Michelle Ambrozaitis – BJA (Bureau of Justice Assistance) Federal Grant  
Prosecuting Attorney Ambrozaitis informed the Board of Commissioners of an Innovative Prosecution Solutions for Combating Violent Crimes Grant solicitation that is from the Office of Justice Program Bureau of Justice Assistance. This is a “no match” grant in the amount of \$340,000.00 over a 2-year period in order for her office to put effort toward fighting violent crime. This will allow them to address violent crimes such as domestic violence, over 4 of the murders in this county were domestic violence related. The violent crimes are increasing in which weapons are being used and it is very important that her office address these issues.

It was moved by Commissioner Majewski, seconded by Commissioner Hoefling in support for Michelle pursuing this BJA Federal Grant. Chairperson Kleinhardt asked for discussion, hearing none roll call vote revealed:

Yeas: (7) being Commissioners Majewski, Hoefling, Haskell, Fitzpatrick, Pitchford, Strouse, and Kelnhardt

Nays: (0)

Absent: (0)

**Motion for carried**

3. Dusty Merritt - Letter of Understanding  
It was moved by Commissioner Strouse, seconded by Commissioner Hoefling to approve a letter of understanding between Clare County and UAW Units 1 & 2 allowing for carry-over of vacation or personal time exceeding the 5 day carry over allowed in the current contract, if it falls during the COVID 19 pandemic, with the stipulation that all time must be used by their next anniversary date or December 31, 2020. Chairperson Kleinhardt asked for discussion, hearing none roll call vote revealed:  
Yeas: (7) being Commissioners Strouse, Hoefling, Haskell, Fitzpatrick, Pitchford, Majewski, and Kleinhardt  
Nays: (0)  
Absent: (0)  
**Motion for carried**
4. Tom Pirnstill, Clare County Transit - Update  
Mr. Prinstill thanked the Board of Commissioners for approving the millage that passed in March. Clare County Transit has teamed up with grocery stores and drug stores to pick up and drop off items to individuals such as groceries and medications. He also went into detail of the sanitation procedures and precautions they are taking.

**COMMITTEE REPORTS/CONSENT CALENDAR**

**A. Justice Committee**

1. Letter of Understanding Agreement for COVID 19 Emergency  
It was moved by Commissioner Majewski, seconded by Commissioner Hoefling to approve the Letter of Understanding between Clare County and the POAM (Police Officers Association of Michigan) Bargaining Unit Members allowing for the extension of unused leave time until their anniversary date or December 31, 2020. Chairperson Kleinhardt asked for discussion, hearing none roll call vote revealed:  
Yeas: (7) being Commissioners Majewski, Hoefling, Strouse, Haskell, Fitzpatrick, Pitchford, and Kelnhardt  
Nays: (0)  
Absent: (0)  
**Motion for carried**

**COMMITTEE REPORTS/CONSENT CALENDAR - continued**

A. Justice Committee - continued

2. COVID-19 Preparedness and Response Plan Discussion

Administrator Byard stated the county must put together and adopt a COVID-19 Preparedness and Response Plan. There was discussion regarding how and when the county will open to the public.

Commissioner Haskell suggested to let the Director of Homeland Security Jerry Becker head up the procedures of when and how the county will open because he is the professional. It was agreed that the county administrator and Director Becker would work together with the Judge's on how and when to open the county.

It was moved by Commissioner Majewski, seconded by Commissioner Hoefling to accept the plan with the changes. Chairperson Kleinhardt asked for discussion, hearing none roll call vote revealed:

Yeas: (7) being Commissioners Majewski, Hoefling, Pitchford, Strouse, Fitzpatrick, Haskell, and Kleinhardt

Nays: (0)

Absent: (0)

**Motion for carried**

B. Health and Human Services Committee

No Report

C. Physical Resources and Economic Development Committee

1. Cleaning Contract Discussion

Administrator Byard provided the Board with a list of items that A.W.O.L. would consider doing and the price associated with it. Administrator Byard could begin picking up and taking the mail and ordering supplies. Commissioner Majewski suggested the last 3 items on the list and have courts figure out how to get the courtrooms clean. Commissioner Strouse suggested bidding it out again, Chairperson Kleinhardt was not in favor of bidding it out again. Commissioner Haskell commented that according to policy it should be bid out again. Commissioner Fitzpatrick recommended hiring a part time person to clean at a lessor cost.

**Recess at 10:48 a.m.**

**Back in Session at 11:01 a.m.**

**COMMITTEE REPORTS/CONSENT CALENDAR - continued**

D. Finance and Administration Committee

1. Statutory Finance Committee

It was moved by Vice Chairperson Pitchford, seconded by Commissioner Majewski to approve Statutory Finance Committee meeting minutes of May 4, 2020 in the amount of \$70,748.20. Chairperson Kleinhardt asked for discussion, roll call vote revealed:

Yeas: (7) being Commissioners Pitchford, Majewski, Hoefling, Strouse, Fitzpatrick, Haskell, and Kleinhardt

Nays: (0)

Absent: (0)

**Motion for carried**



**COMMITTEE REPORTS/CONSENT CALENDAR - continued**

2. Monthly Expenditures

It was moved by Commissioner Haskell, seconded by Commissioner Hoefling to approve the expenditures for the month of April 2020 in the amount of \$6,310,074.10 with the General Fund expenditures totaling \$835,139.61. Chairperson Kleinhardt asked for discussion, hearing none roll call vote revealed:

Yeas: (7) being Commissioners Haskell, Hoefling, Majewski, Pitchford, Strouse, Fitzpatrick, and Kleinhardt.

Nays: (0)

Absent: (0)

**Motion for carried**

3. Budget Adjustments

It was moved by Commissioner Fitzpatrick, seconded by Commissioner Hoefling to approve Budget Adjustments #20-76, 20-77, 20-78, 20-79, 20-80, 20-81, 20-82, 20-84, and 20-85 in the amount of \$15,007.00, \$460,000.00, \$44,900.00, \$69,301.44.00, \$20,000.00, \$2,996.27, \$27,555.96, \$8,910.00, and \$30,000.00 to be distributed. Chairperson Kleinhardt asked for discussion, Administrator Byard explained that budget adjustment 20-85 in the amount of \$30,000.00 was to move from the security budget and \$10,000.00 of that was set aside for some equipment for the jail wall, the contractors for the jail wall were paid out of last year's budget and was roughly \$35,000.00. The \$16,000.00 that was left in the budget for the jail wall rolled into the fund balance, Commissioner Majewski talked about an emergency fund the Sheriff has and would like them to use their emergency fund to pay for the additional costs to the jail wall, so the budget adjustment will still be \$30,000.00 but the transfer to 101-265-931.000 in the amount of \$10,000.00 will go into 101-997-998.900, roll call vote revealed:

Yeas: (7) being Commissioners Fitzpatrick, Hoefling, Haskell, Strouse, Pitchford, Majewski, and Kleinhardt.

Nays: (0)

Absent: (0)

**Motion for carried**

**CLERK/REGISTER OF DEEDS REPORT**

Paul Lapham, our county surveyor, has passed away. Paul has been our surveyor since being appointed in 1957, 63 years of service. The Probate Judge, Prosecuting Attorney, and Clerk/Register of Deeds are working on the appointment of his replacement. Clerk/Register of Deeds Lori Martin confirmed she has cut her FY 2020 budget by the required 10%, employees continue to be on furlough although the office is getting increasingly busy and will be bringing back more employees from furlough in the next couple of weeks. Bureau of Elections is mailing out absent voter applications to all Michigan registered voters. You do not have to vote by mail, polls will be open in August and November, as of last update.

**TREASURER'S REPORT**

Treasurer Jenny Beemer-Fritzinger passed out a cash summary as of May 19, 2020 and current fund balance for all funds, does not give you the liabilities. Delinquent taxes are about 90% collected and are at the highest delinquency since she has been in office. There are 34 pieces of legislation being tossed around and will have to be tracked that affect taxes, Treasurer Beemer-Fritzinger is keeping on top of the legislation. If taxes don't come in the Board will have to figure out how to pay back the tax anticipation note. Her office has been busy and has collected over \$4 million. Treasurer Beemer-Fritzinger thanked the Board for having additional meetings, they are needed to keep the budget updated.

**CHAIRPERSON'S REPORT**

Chairperson Jack Kleinhardt gave an update on a new virus in China and the devastation in Midland.

**VICE CHAIRPERSON'S REPORT**

Vice Chairperson Samantha Pitchford has nothing to report, but commented on the state financial crisis.

**COMMISSIONER'S REPORT**

Commissioner Majewski discussed another possible 10% cut.

Commissioner Strouse attended no meetings and took a few phone calls.

Commissioner Haskell some of his other meetings are being held via zoom.

Commissioner Fitzpatrick hasn't attended any meetings.

Commissioner Hoefling has been keeping in contact with his townships.

**COMMITTEE REPORTS/CONSENT CALENDAR – continued**

C. **Physical Resources and Economic Development Committee**

2. **Cleaning Contract Discussion**

There was more discussion on which of the proposed services could be cut and which could be accepted.

It was moved by Commissioner Majewski, seconded by Commissioner Hoefling to take the suggested cleaning quote changes from A.W.O. L. with Kari working 5 days a week for 3 hours cleaning the public access hallways (floor equipment), their own equipment, clean twelve public access restrooms, replenish paper products and soaps, remove bagged garbage from hallways to dumpster for a total of \$58,000.00. Chairperson Kleinhardt asked for discussion, there were several options considered, roll call vote revealed:

Yeas: (7) being Commissioners Majewski, Hoefling, Haskell, Pitchford, Fitzpatrick, Strouse, and Kleinhardt.

Nays: (0)

Absent: (0)

**Motion for carried**

3. **Equalization Director Peter Preston email**

It was moved by, Commissioner Majewski, seconded by Commissioner Strouse to accept Pete's proposal of cost savings. Chairperson Kleinhardt asked for discussion, Director Preston outlined his proposal and answered questions from the Board of Commissioners, roll call vote revealed:

Yeas: (7) being Commissioners Majewski, Strouse, Pitchford, Haskell, Fitzpatrick, Hoefling, and Kleinhardt.

Nays: (0)

Absent: (0)

**Motion for carried**

**COMMITTEE REPORTS/CONSENT CALENDAR – continued**

C. Physical Resources and Economic Development Committee - continued

Equalization Director Peter Preston email - continued

Director Preston's proposal specifically was as follows:

The County has continuously had two (2) licenses for maintaining the GIS system. The total for these licenses is approximately \$2,000. As I understand it, the County has a contract out to finish the GIS layer. I am making attempts to see where that project is at. However, to maintain the GIS layer after that completion, we would need to maintain the licenses. I have spoken with a sub-contractor and I believe we can save approximately 10 to 20% and let go of the expense of the licenses. Moreover, the contractor would have no ties to the selling of the data or printing maps. Our cost would be cut and the County would be able to maintain its revenue source. I have a great relationship with Amalgam out of Mt. Pleasant and highly recommend them.

AND

I recommend that the Appraiser position be vacated. To account for the loss of staff, I recommend that the services of Preston Community Services, LLC be expanded to cover all field appraisal duties and administrative duties performed by that position. This would require for PCS to have field appraisers annually visit and measure more than 300 properties in the County. It would also be necessary for PCS to add support staff in the office at least 24 hours a week to meet with the public, maintain the database, and assist with other duties as required in support of the Equalization function.

**PUBLIC HEARINGS/SPECIAL PRESENTATIONS- continued**

4. Judge Farrell – Courts returning to regular operations and supreme court updates.

Judge Farrell gave an overview of what the COVID – 19 Guidelines for Michigan's Judiciary might look like. Judge Klaus confirmed the guidelines are unfunded mandates, not suggestions. Judge Klaus strongly recommended the Board look at the document the courts previously provided them and confirmed they must comply with it. Judge Klaus and Judge Farrell will continue to use Zoom in order to limit the number of people coming into the courtrooms/courthouse. All employees are doing everything possible to keep their area clean, but they are not the cleaning staff and deep cleaning is a requirement of the Supreme Court. Judge Klaus suggested the Board and Administrator look at the document they provided to them quite some time ago. Judge Farrell asked for some uniformity from the courts and the county to proceed moving forward, he was just looking for some type of information from the County Government Officials (Board of Commissioners). Judge Farrell and Judge Klaus believe there should be an increase in cleaning services as the public health risk is the highest it's ever been.

Commissioner Haskell suggested giving Administrator Byard and Homeland Security Director the authority to meet with the Judges and the Health Department and make the decision on how and when to re-open the courthouse. There was no vote, but the Board agreed.

Commissioner Haskell left the meeting at 12:47 p.m.

Commissioner Haskell returned to the meeting at 12:49 p.m.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

1. Cell phone discussion

There was a great deal of discussion regarding who gets a phone or a stipend. Commissioner Fitzpatrick asked for an accounting of the minutes and if individuals are using the county phones for personal use. Sheriff John Wilson indicated his employees use their cell phones for crime scene photos and other items work related. His employees won't use their personal phones because they don't want to lose their personal phones as evidence.

2. Early Retirement Discussion

Administrator Byard reported that as requested at the prior meeting, 44North can work the insurance any way the Board of Commissioners wants to. One employee agreed to take an early retirement if the County would agree to pay health insurance for 2 years. Clerk/Register of Deeds Martin confirmed the savings would be \$63,172.70 over a 2-year period. Administrator Byard added there would be additional savings in regard to payroll taxes, life insurance, and retirement costs.

It was moved by Commissioner Majewski, seconded by Commissioner Haskell to provide health insurance for the period of 2-years for early retirement of any employee, contingent on the Department Head not replacing that employee for 2-years, and the employee must pay their own cost share. Any employee interested and that Department Head must confirm acceptance within 2 weeks from May 20, 2020 to Administrator Byard. Chairperson Kleinhardt asked for discussion, after a great deal of discussion roll call vote revealed:

Yeas: (5) being Commissioners Haskell, Hoefling, Fitzpatrick, Strouse, and Pitchford.

Nays: (2) Majewski and Kleinhardt

Absent: (0)

**Motion for carried**

**PUBLIC COMMENT**

Karl Hauser reported via email, that Veterans Affairs recently released the dollar amounts returned to Clare County Veterans through disability compensation and pension payments including survivor pensions, the total in FY 2018 was \$12.5 million and FY 2019 was \$14.1 million, that was a \$1.6 million increase.

Sheriff John Wilson confirmed that if there was a breach of the county system or a hack, this is a criminal act and needs an investigation the county owes it to the public to investigate any criminal act. Commissioner Fitzpatrick indicated they may look into that, no further action was taken.

Multiple others posted public comments via zoom regarding cell phones, cleaning, building inspector, concern regarding security breach, concern about a hack, requests for a criminal investigation, remarks regarding the comments that were made during the break, Sheriff not being notified of the LIEN violation when there was a hack, absentee ballots, budget cut recommendations of the elected officials never announced, county budget, employees obligated to clean if asked to, COVID - 19, scheduling court cases, and criminal activity should not be ignored.



**PUBLIC COMMENT - continued**

Commissioner Hoefling's Resolution Request

It was moved by Commissioner Hoefling, seconded by Commissioner Strouse to pass Resolution 20-12 whereby Clare County extends support to Gladwin County in its time of need from the recent mass flooding. Chairperson Kleinhardt asked for discussion, hearing none roll call vote revealed:

Yeas: (7) being Commissioners Hoefling, Strouse, Majewski, Pitchford, Fitzpatrick, Haskell, and Kleinhardt.

Nays: (0)

Absent: (0)


Clerk/Register of Deeds Martin brought back to the Board of Commissioner's attention the Michigan Secretary of State inquired a year or two ago about the possibility of moving into the Courthouse and renting space. The Board of Commissioners directed Administrator Byard to contact the Michigan Secretary of State regarding the proposal.

Commissioner Strouse questioned Administrator Byard if the Board of Commissioner budget reduction was per diem funds. Administrator Byard confirmed it was, but there was still per diem funds available.

Administrator Byard informed the Board of Commissioners that as of June 1, 2020 they will not have access to the polycom equipment for the zoom meetings. That equipment belongs to the courts and they will be utilizing it. If the Board of Commissioners is going to continue to comply with the Governors Order, for as long as it is in place, they will need to purchase new equipment at a cost of approximately \$3,000.00. Chairperson Kleinhardt stated they would cross that bridge when they get there.

Meeting Adjourned at 1:40 p.m.

  
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Lori Martin, Clerk  
Clare County Board of Commissioners

  
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Jack Kleinhardt, Chairperson  
Clare County Board of Commissioners