

**AGENDA**  
**Wednesday, December 18, 2019**  
**9:00 a.m.**  
**CLARE COUNTY BOARD OF COMMISSIONERS**

**MISSION STATEMENT:**

**The mission of Clare County government is to provide quality services among competing demands for limited resources in the most effective and efficient manner possible to the citizens and patrons of Clare County government.**

- 1. Call to Order**  
**Pledge of Allegiance**
  
- 2. Roll Call**  
  
**Approval of Agenda**
  
- 4. Approval of Minutes**
  - A. Board of Commissioners Minutes for November 20, 2019** **Pages 5-11**
  - B. Workshop Meeting Minutes for December 4, 2019** **Pages 13-16**
  
- 5. General Public Comment (Limited to Three Minutes per Speaker)**
  
- 6. Communications List** **Pages 17-36**
  
- 7. ADMINISTRATOR’S REPORT (Limited to three minutes)**
  
- 8. COMMUNITY SERVICES DIRECTOR (Limited to five minutes)**
  
- 9. Public Hearings/Special Presentation**

**9:15 a.m.** A Public Hearing on the language to be placed on the August 4, 2020 ballot stating “Shall the powers, duties, and functions of the elected Clare County Board of County Road Commissioners be transferred to and become the responsibility of the elected Clare County Board of Commissioners” for the County of Clare.

**10:15 a.m.** A Public Hearing to discuss the updated 911 Plan for Clare County  
**Pages 31-58**

**11:15 a.m.** Judge Farrell- To discuss the line item changes requested at the last meeting

**10. Committee Reports/Consent Calendar**

**A. Justice Committee**

**1. Contract with LIAA**

**Pages 61-67**

**Motion:** To approve the contract in the amount of up to \$ 30,175.00 between LIAA (Land Information Access Association) and Clare County for subdivision shape file mapping to be paid for out of the Treasurer's Land Sale Reutilization 518 fund and the Register of Deeds Automation 256 fund

**Motion By:**

**Seconded By:**

**Carried**

**Failed**

**2. Deputy Recruit**

**Pages 69-75**

**Motion:** To allow the Sheriff's Office to create a Non-Union Deputy Recruit/ Cadet position and pay \$10/ hour with health care/ fringes for sponsorship of cadets to the Police Academy when needed from already existing budget funds.

**Motion By:**

**Seconded By:**

**Carried**

**Failed**

**3. Tuition cost**

**Pages 69-75**

**Motion:** To allow the Sheriff's Office to utilize already existing funds to cover the \$7,806 cost of police academy tuition until the county is reimbursed through the employee's GI Bill funding he will receive.

**Motion By:**

**Seconded By:**

**Carried**

**Failed**

**B. Health and Human Services Committee**

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

**1. Board of Appeals- Construction**

**Motion:** To reappoint Thomas House, Terry Thayer, Scott Owens and Mike Jenkins to the Board of Appeals- Construction with their term ending October 31, 2021.

**Motion By:**

**Seconded By:**

**Carried**

**Failed**

**2. City of Clare- LDFA**

**Motion:** To reappoint Leonard Strouse to the City of Clare's Local Development Finance Authority.

**Motion By:**

**Seconded By:**

**Carried**

**Failed**



11. **CLERK'S REPORT (Limited to five minutes)**
12. **TREASURER'S REPORT (Limited to five minutes)**
13. **CHAIRPERSON REPORT (Limited to five minutes)**
14. **VICE CHAIRPERSON REPORT (Limited to five minutes)**
15. **COMMISSIONER REPORT (Limited to five minutes for each Commissioner)**
16. **PUBLIC COMMENT (Limited to three minutes per speaker)**
17. **UNFINISHED BUSINESS**
18. **NEW BUSINESS**
19. **ADJOURNMENT**

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

Harrison, Michigan 48625

Unapproved minutes  
November 20, 2019

Meeting was called to order at 9:08 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**

Jerome E. Burger, Tom Pirnstill, Liz Bouchey, Jess McLaughry, Mike Haley, Terry Acton, and Dan Dysinger.

**APPROVAL OF AGENDA**

It was moved by Commissioner Majewski, seconded by Commissioner Strouse, to approve the agenda with additional items added. Chairperson Kleinhardt asked for discussion, hearing none motion carried.

**APPROVAL OF MINUTES**

It was moved by Vice Chairperson Pitchford, seconded by Commissioner Majewski to approve the Board of Commissioners Minutes for October 16, 2019. Chairperson Kleinhardt asked for discussion, hearing none motion carried.

**GENERAL PUBLIC COMMENT**

Sheriff John Wilson spoke regarding the need for a second Board of Commissioner meeting a month, or a workshop in addition to the regular scheduled meeting, the Clerk, Prosecutor, and Treasurer agreed with the Sheriff. Sheriff Wilson is afraid for the safety of the county with the current state of the budget and pleaded with the Board of Commissioners to add an additional meeting to discuss the budget issues of this county. Commissioner Haskell voiced his agreement, Treasurer Beemer-Fritzinger proposed December 4, 2019, no comment was made.

**PUBLIC HEARINGS/SPECIAL PRESENTATIONS**

1. A Public Hearing on the language to be placed on the August 4, 2020 ballot stating "Shall the powers, duties, and functions of the elected Clare County Board of County Road Commissioners be transferred to and become the responsibility of the elected Clare County Board of Commissioners" for the County of Clare.

**Public Hearing opened at 9:14 a.m.**

The public hearing consisted of comments from Clare County Road Commissioners, Township Supervisors, Road Commission Employees, Citizens and Clare County Commissioners. Topics of the new manager, the role of the manager, having an engineer on staff, maintenance verses projects, communication with the citizens, and the Road Commissioners and Road Commissioners reaching out to each other and working together to solve this problem.

**PUBLIC HEARINGS/SPECIAL PRESENTATIONS - continued**

**Tim Haskin Clare County Road Commissioner** announced there has been a new Road Commission Manager hired and asked the Board of Commissioners to give the new Manager a chance to do his job. Road Commissioner Haskin pointed out the need for a 5 person elected Road Commission Board stating that appointed positions would be a disaster. He also asked for a countywide nepotism policy be put in place.

**Commissioner Majewski** confirmed the new manager was not an engineer and showed the job posting in which the Clare County Road Commissioners did not request the applicants have an engineering degree.

**Terry Acton Hayes Township Supervisor** asked for a description of what the County taking over the Road Commission would look like in detail. Supervisor Acton went on to explained that other counties that have taken over the Road Commission have experienced great increase in costs.

Multiple additional citizens and elected officials spoke regarding various issues and possible solutions along with many unanswered questions.

**Public Hearing Closed at 10:45 a.m.**

**Recess at 10:46 a.m.**

**Back in session 11:01 a.m.**

2. Judge Farrell- To discuss non-union raises and the vacant probation position.

Judge Farrell, Judge Mienk, Judge Klaus, and Magistrate Worpell were present to get approval to hire a District Court Probation Officer to replace the Probation Officer that recently resigned.

The Judge's then offered answers to some of the commissioners questions from last month's meeting and offered an offset to the increase in the cost for \$7,521.00 net costs (no fringes). Administrator Byard pointed out there would be an increase in unfunded accrued liability.

Chairperson Kleinhardt asked the Judge's to work with Administrator Byard to make the line item transfers since it wasn't going to cost the County any additional funds. Commissioner Haskell and Administrator Byard both responded that it would in fact cost the county more in the long run.

Judge Klaus invited the Commissioners to come and meet with her to go over their budget and ask any questions. She has been in office for 7 years and has never been visited by the commissioners.

It was moved by Commissioner Fitzpatrick, seconded by Commissioner Haskell to allow the 80<sup>th</sup> District Court to fill the position of Probation Officer. Chairperson Kleinhardt asked for discussion, hearing none motion carried.

Chairperson Kleinhardt stepped out of the meeting at 11:22 a.m.

Chairperson Kleinhardt returned to the meeting at 11:24 a.m.

3. Nathan Jeruzal, NOAA – Presentation to Clare County: NOAA Storm Ready Community Designation

Mr. Jeruzal from the National Weather Service presented the Clare County Board of Commissioners with an award for being a Storm Ready Community. Clare County, through the work and effort set forth by Clare County Emergency Manager Jerry Becker, is a NOAA Storm Ready Community and is prepared to protect the citizens of Clare County. Emergency Manager Jerry Becker was recognized for his role in this designation.

**PUBLIC HEARINGS/SPECIAL PRESENTATIONS - continued**

4. Shari Spoelman, MSU – Contract  
Ms. Spoelman explained the Agreement for Extension Services and to start discussion regarding a possible millage.  
It was moved by Commissioner Hoefling, seconded by Commissioner Strouse to approve FY 20 Agreement for Extension Services. Chairperson Kleinhardt asked for discussion, hearing none motion carried.
5. Tracey Connelly City of Harrison Manager is here to give an invitation to attend a meeting December 4, 2019 at City Hall.
6. Pam O'Laughlin, MMDC – 2020 United States Census  
Ms. O'Laughlin passed out a letter to the Board of Commissioners requesting designation and a letter of support from Clare County, and would like to establish a complete count committee. In 2010, the last time the Census was taken, there was a 78% response rate in Clare County, which means there was a large number of people that did not respond and that affects a great deal of financing issues. Ms. O'Laughlin feels the best way to get close to 100% is to establish a community committee.

**COMMUNICATIONS LIST**

No comments or discussion

**ADMINISTRATOR'S REPORT**

Administrator Byard reported that the Department Heads/Elected Officials and herself discussed the budget, ways to save money, possible cuts, and possible millages at the Department Head meeting. The Department Heads/Elected Officials and Administrator would like to have workshops with the Board of Commissioners to work on resolving the budget issues.

The County Christmas Party will be December 20, 2019 from 11:30 – 1:00 the Courthouse will be closed.

Administrator Byard recommended the Commissioners come up with a date to move the Security Station to the main entrance doors to make the entire courthouse secure. Chairperson Kleinhardt agreed.

Chairperson Kleinhardt reported he and a couple others met with an outside company (STT) and they recommended the security station be moved to the main entrance doors. Chairperson Kleinhardt instructed the Security Committee to start the process to doing so and asked that the committee look for grants to get a new metal detector. Administrator Byard suggested the first of the year.

Administrator Byard passed out a Policy regarding exempt employee's paid leave for review at next meeting.

Administrator Byard is working with Treasurer Beemer-Fritzinger on the County incentive plan.

**COMMUNITY SERVICES DIRECTOR**

No report given

**COMMITTEE REPORTS / CONSENT CALENDAR**

**A. Justice Committee**

**1. Roof top Duct Work**

It was moved by Commissioner Hoefling, seconded by Commissioner Strouse to approve the Sheriff's Dept. completing their Roof Top Duct Work repair project through Parsons Insulation in the amount of \$48,950.00 over the course of five years with no interest from existing funds within the 351-931-002 HVAC Line Fund. Chairperson Kleinhardt asked for discussion, Commissioner Strouse asked if this money was already in the budget, Commissioner Majewski confirmed there would be no additional money for different HVAC problems, Commissioner Fitzpatrick noted there is a quote to just repair the problem instead of purchasing new, Commissioner Majewski confirmed there would be no money left for 5 years for any repairs that may be needed. Motion carried.

**B. Health and Human Services Committee**

**1. FY20 Grant Region VII**

It was moved by Commissioner Fitzpatrick, seconded by Commissioner Hoefling to approve the Fiscal Year 20 grant from Region VII Area Agency on Aging in the amount of \$230,979.00. Chairperson Kleinhardt asked for discussion, hearing none motion carried.

**2. Meal Site**

It was moved by Commissioner Haskell, seconded by Commissioner Majewski to approve an alternate site for the Clare meal site as long as we stay in the original approved budget. Chairperson Kleinhardt asked for discussion, Commissioner Haskell asked if the first site fell through, Commissioner Majewski confirmed it did. Commissioner Haskell asked why Director Phelps couldn't find a site and then ask for permission. Commissioner Majewski stated the Board approved a specific location so Director Phelps needed to ask permission to look for a new site, motion carried.

**3. Senior Services Mileage**

It was moved by Vice Chairperson Pitchford, seconded by Commissioner Haskell to approve Senior Services to reimburse all mileage for staff and volunteers at the same rate as Region VII. Chairperson Kleinhardt asked for discussion, Vice Chairperson Pitchford asked what that rate was, Administrator Byard did not know, motion carried.

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

**1. Resolution 19-20**

It was moved by Commissioner Majewski, seconded by Vice Chairperson Pitchford to adopt Resolution #19-20, Clare County Transportation Millage Proposal. Chairperson Kleinhardt asked for discussion, there was discussion regarding their current budget, Mr. Tom Pirmstill explained the need for a .2 millage increase to expire at the same time the .3 expires and then in 2022 they will ask for a renewal of .5.

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

**Motion for Resolution carried**

**COMMITTEE REPORTS/CONSENT CALENDAR - continued**

**Physical Resources and Economic Development Committee**

2. Renew Clare County Airport Committee  
It was moved by Commissioner Strouse, seconded by Commissioner Majewski to approve the Agreement to Establish the Clare County Airport Committee between County of Clare, Township of Hayes and the City of Harrison. Chairperson Kleinhardt asked for discussion, hearing none motion carried.

**D. Finance and Administration Committee**

1. Statutory Finance Committee  
It was moved by Commissioner Hoefling, seconded by Commissioner Majewski to approve Statutory Finance Committee meeting minutes of October 21, 2019 in the amount of \$78,298.19 and November 4, 2019 in the amount of \$137,328.83. Chairperson Kleinhardt asked for discussion, hearing none motion carried.
2. Monthly Expenditures  
It was moved by Commissioner Fitzpatrick, seconded by Commissioner Haskell to approve the expenditures for the month of October 2019 in the amount of \$5,813,453.85 with the General Fund expenditures totaling \$1,417,769.60. Chairperson Kleinhardt asked for discussion, hearing none motion carried.
3. Budget Adjustments  
It was moved by Commissioner Haskell, seconded by Commissioner Majewski to approve Budget Adjustment #20-10, 20-11 and 20-12 in the amount of \$23,600.00, \$16,655.00 and \$8,694.24 to be distributed. Chairperson Kleinhardt asked for discussion, hearing none motion carried.
4. Gypsy Moth Discussion  
The previous 1 mil was discussed and Commissioner Majewski thought .5 mills would be sufficient for 2 years, and does not want to tax the people more than needed.
5. New Hardware  
It was moved by Vice Chairperson Pitchford, seconded by Commissioner Majewski to allow the Register of Deeds to purchase new hardware in the amount not to exceed \$34,011.25 out of the 256 automation account. Chairperson Kleinhardt asked for discussion, Register of Deeds Lori Martin explained she leases the hardware from the current vendor, and she has switched vendors and needs to purchase new hardware from existing funds, motion carried.
6. Board of Canvassers  
It was moved by Commissioner Majewski, seconded by Commissioner Haskell to appoint Jean Gaskill to the Clare County Board of Canvassers effective December 20, 2019 thru October 31, 2023. Chairperson Kleinhardt asked for discussion, hearing none motion carried.
7. Fee Veteran I.D. card  
It was moved by Commissioner Strouse, seconded by Commissioner Hoefling to set the fee for the purchase of a Veterans I.D. Card at \$10.00. Chairperson Kleinhardt asked for discussion, hearing none motion carried.

**CLERK/REGISTER OF DEEDS REPORT**

Clerk/Register of Deeds Lori Martin gave an update on the November 2019 election and that it has been certified. Clerk/Register of Deeds Martin echoed Sheriff Wilson's plea to start having workshops regarding the budget, and does not want to be in a panic again during budget time next summer.

**TREASURER'S REPORT**

Treasurer Jenny Beemer-Fritzinger gave an update on rabies clinic, they sold 101 dog licenses.

**CHAIRPERSON'S REPORT**

Chairperson Jack Kleinhardt reported that he signed and sent letters to the 3 young men that earned their Eagle Scout, Charlie Halmling, Nathan Allen, and Kyle Frost.

**VICE CHAIRPERSON'S REPORT**

Vice Chairperson Samantha Pitchford commented on the overstated revenues by the Department Heads. She doesn't think it does any good to sit around and talk about it, they need to do something. She indicated that they hold many budget meetings, make cuts, and then put them back in before the budget passes.

**COMMISSIONER'S REPORT**

Commissioner Majewski stated they have 10 years of revenues that they can use to go by for the budget process and questioned why if the 2018 revenues were \$12 million, why did they project for 2019 \$12.8 million.

Commissioner Strouse has been attending his meetings. It looks to him like the public wants to go to a 5-member board, he would like to see them appointed vs. elected.

Commissioner Hoefling echoed what Commissioner Majewski and Vice Chairperson Pitchford stated. He also agrees with the Department Heads that there needs to be 2 meetings a month in order to work on the budget.

It was moved by Commissioner Hoefling, seconded by Commissioner Haskell to add a workshop meeting every month in addition to the regular board meeting. Chairperson Kleinhardt asked for discussion Vice Chairperson Pitchford does not agree with the second meeting because no decisions are ever made. Commissioner Majewski stated they need to reassess the entire county. Prosecutor Ambrozaitis agreed that a budget workshop is needed each month. If we all work together and learn how each office works instead of a mandate that we must cut employees every May, which stresses all of our employees out. We need open lines of communications. Prosecutor Ambrozaitis agreed that the board makes many hard decisions and makes cuts, but then votes all the cuts back in, motion carried.

Commissioner Haskell left the meeting at 1:20 p.m.

Administrator Byard stated they can have a workshop, but it needs to be set up so they can make motions.

Commissioner Fitzpatrick discussed the road commission issue.

**STATE OF THE COUNTY BUDGET**

Treasurer Beemer-Fritzinger handed out the same sheet she handed out in September (Revenue Trends 2009 through Projected 2019), and explained that she had to put additional tax money into the general fund at the end of FY 2019 because of the additional unexpected money the county had to put out with DHHS and other items. Her job, as the Treasurer and Cash Manager, is to make sure the county ends the fiscal year with a positive cash balance. At the end of the fiscal year the county

**STATE OF THE COUNTY BUDGET - continued**

had to pay back two loans, the tax anticipation note in the amount of \$1,500,000.00 plus \$20,000.00 in interest and the delinquent tax and tax reutilization funds \$1,100,000.00 that she, the Treasurer, advanced on top of the \$600,000 appropriation from the delinquent tax revolving fund and \$450,000.00 appropriation from the tax reutilization fund, (\$1,050,000). The fund balance is being used for capital outlay, revenues are being inadvertently overstated without adjusting expenses, the child care funds are needing more funding, and the Indigent Defense Fund required at the end of the fiscal year an additional \$122,000.00 that was not budgeted. It appears FY 2019 will end with a lower ending fund balance than originally projected, which will trickle into the FY 2020 beginning fund balance.

Chairperson Kleinhardt suggested to put the HEADLEE override on the ballot. Commissioner Majewski thought the non-mandated services should be cut first. One suggested cut was courthouse security.

Clare County has lower millages than other Michigan Counties in comparison to the services provided.

**PUBLIC COMMENT**

None

**UNFINISHED BUSINESS**

Administrator Byard directed the Board of Commissioners that if they intend to give raises as requested by the Judges that there must be a motion to do so. It was discussed that the Board will make that decision once they are presented with the budget adjustments.

**NEW BUSINESS**

None

Meeting Adjourned at 1:55 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



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

Harrison, Michigan 48625

Unapproved minutes  
December 4, 2019

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.

**COMMISSIONERS ABSENT**

District 7 Jeff Haskell – excused

**OTHERS PRESENT**

Prosecuting Attorney Michelle Ambrozaitis, Michelle Neff, Sheriff John Wilson, Magistrate Steven Worpell, Treasurer Beemer-Fritzinger.

**APPROVAL OF AGENDA**

It was moved by Commissioner Majewski, seconded by Commissioner Strouse, to approve the agenda. Chairperson Kleinhardt asked for discussion, hearing none motion carried.

**GENERAL PUBLIC COMMENT**

Valarie Kuziak questioned if the Clare County Transit millage increase would reinstate Saturday services. Vice Chairperson Pitchford commented that there were no guarantees.

**2020 Budget Discussion**

a. General Budgetary Overview/Comments

Chairperson Kleinhardt asked Administrator Byard for any suggestions and she provided a packet regarding the HEADLEE rollback information. Discussion began between the Commissioners and Department Heads. Some of the ideas discussed were as follows:

1. Cut services provided by the county
2. Cut employees
3. Add a road patrol millage
4. Cut other office staff, not road patrol, at the Sheriff's Dept.
5. Cut Clerk's Staff
6. Cut Prosecutors
7. Cut benefits
8. Cut some of the programs that required hiring more employees
9. Add a Headlee rollback
10. Bid out items that can be each year, such as copiers, purchasing supplies, and food services for the jail
11. Shorten the work week
12. Cut overtime
13. Cut non-mandated services
14. Cut travel
15. Let go some assistants in some departments
16. Use our County Prosecutor instead of outside attorney when available
17. District Health be adjusted
18. Mental Health be adjusted

**2020 Budget Discussion - continued**

19. Talk with the Judge's to order more costs where available
20. Possible fee increase in the Clerk's office
21. Re-evaluating fax, copy, and email charges
22. Outsource the payroll department

Treasurer Beemer-Fritzinger made it clear to the Board of Commissioner what her role as County Treasurer is, she is not their budget person, she handles the cash. Commissioner Strouse asked about the projected shortfall of \$800,000.00 for FY 2019 affecting the FY 2020 budget. Treasurer Beemer-Fritzinger confirmed that any shortfall in FY 2019 will affect the beginning balance for FY 2020.

Chairperson Kleinhardt remembered in September approving the FY 2020 budget knowing there was approximately a \$240,000.00 shortfall in FY 2019 that is now around an \$800,000.00 shortfall because the projected revenues did not come in as expected and expenses have increased. Treasurer Beemer-Fritzinger again stated that she is not their budget person, and then went on to explain she works with the actual cash not the budget. Then explained further that the revenues are projected. She handed out documents of what the county budgeted the revenues would be and a hand out of what revenues actually came in at. Treasurer Beemer-Fritzinger also confirmed with the Board of Commissioners the revenues and expenditures should be watched all the time as they change daily, and she does not see that happening.

There was discussion regarding the budget being balanced exactly to the expenses without budgeting for any capital outlay knowing any capital outlay will then have to come out of the fund balance.

Commissioner Strouse gave a list of possible cuts, which included:

1. Cut all mileage 100%/restrict all travel except for state and federal mandates/no meal money at conferences/go to a conference pay for your own hotel
  2. Look at the insurance, the county is paying way too much for insurance
  3. HEADLEE rollback, if passed, put about half of it on the fund balance
- b. Headlee renewal or other millage discussion  
Administrator Byard explained that the Headlee rollback would give an increase to only the county. Headlee reset would take an advisory committee to determine the increases and would affect the county, townships, and schools.

Commissioner Strouse asked who would be affected if the hours were cut for the employees down to 30 hours a week, which offices and the dollar amount that would save. Courthouse security vs. road patrol officers, he would rather see the officers on the road than in the courthouse. Commissioner Strouse then addressed the competition of the police officer wages with two neighboring rich counties, and they would not be able to compete with Midland and Isabella Counties.

It was moved by Vice Chairperson Pitchford to go for the Headlee override in March, with the stipulation that if it doesn't pass Veteran's Affairs will have to go, Animal Control will have to go, and Road Patrol will have to go, if the people want those services, let them decide. Chairperson Kleinhardt asked for discussion, Chairperson Kleinhardt has been told if the Commissioners

**2020 Budget Discussion - continued**

support a Headlee override they probably won't get re-elected. There was no second therefore the motion was not voted on.

It was moved by Commissioner Strouse, seconded by Commissioner Majewski to cut out all travel and associated expenses and anything that is mandated be brought before the Board of Commissioners. Chairperson Kleinhardt asked for discussion, Administrator Byard informed the Board of Commissioners that only affected the non-union people, the union contract states the employees get mileage. Clerk/Register of Deeds asked what the savings would be, no one knew. Sheriff Wilson asked about Senior Services meal program and it was discussed that is those people's only income, Treasurer Beemer-Fritzing asked if there is a county car for people to use for county business, Administrator Byard said the county does not own a county vehicle, Commissioner Strouse commented the cost should be taken out of the person's wage.

Roll call vote revealed:

Yeas: (6) being Commissioners Strouse, Majewski, Hoefling, Fitzpatrick, Pitchford, Kleinhardt

Nays: (0)

Absent: (1) Commissioner Haskell

**Motion carried**

It was moved by Commissioner Majewski, seconded by Commissioner Strouse if an office is not occupied after hours to turn the lights off. Chairperson Kleinhardt asked for discussion, discussion regarding who enforces something like that, motion carried.

Commissioner Majewski suggested more cuts could be:

1. Cut department head assistance to part time
2. Cut Emergency Manager to part time

Commissioner Fitzpatrick stepped out at 10:44 a.m.

Commissioner Fitzpatrick returned at 10:45 a.m.

Sheriff Wilson talked about the increase in the fee they receive for housing federal inmates that should be approximately \$250,000.00 more per year beginning the first of the year.

Vice Chairperson Pitchford left the meeting at 11:18 a.m.

**Recess at 11:42 a.m.**

**Back in session 11:54 a.m.**

Commissioner Fitzpatrick wants more due diligence to get bids on projects that require a bid.

Michelle Neff was present and confirmed the MSUE would rather go on the ballot rather than fight to stay in the budget each year.

It was moved by Commissioner Strouse, seconded by Commissioner Hoefling start the process to have MSUE put on the August ballot. Chairperson Kleinhardt asked for discussion, hearing none

Roll call vote revealed:

Yeas: (5) being Commissioners Majewski, Strouse, Fitzpatrick, Hoefling, Kleinhardt

Nays: (0)

Absent: (2) Commissioner Haskell and Pitchford

**Motion carried**

**2020 Budget Discussion - continued**

It was moved by Commissioner Majewski, seconded by Commissioner Strouse to reduce the Administrator's Assistant to half time and the Emergency Manager Director down to half time. Chairperson Kleinhardt asked for discussion, hearing none

Roll call vote revealed:

Yeas: (4) being Commissioners Majewski, Strouse, Fitzpatrick, Kleinhardt

Nays: (1) Commissioner Hoefling

Absent: (2) Commissioner Haskell and Pitchford

**Motion carried**

It was moved by Commissioner Majewski, seconded by Commissioner Hoefling to reinstate a hiring freeze for all except road patrol and corrections. Chairperson Kleinhardt asked for discussion, no replacement of retiring employees or employees that leave. This motion was never voted on.

Kim Davis asked for clarification for transports. Chairperson Kleinhardt stated that they have to be reasonable and knows that is their only pay.

**COMMITTEE REPORTS/CONSENT CALENDAR**

**PHYSICAL RESOURCES AND ECONOMIC DEVELOPMENT COMMITTEE**

1. Resolution 19-20

It was moved by Commissioner Majewski, seconded by Commissioner Hoefling to adopt Resolution #19-20, Clare County Transportation Millage Proposal with corrected date. Chairperson Kleinhardt asked for discussion, hearing none

Roll call vote revealed:

Yeas: (5) being Commissioners Majewski, Strouse, Fitzpatrick, Hoefling, and Kleinhardt

Nays: (0)

Absent: (2) Commissioner Haskell and Pitchford

**Motion for Resolutions carried**

Meeting Adjourned at 1:16 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

**CLARE COUNTY BOARD OF  
COMMISSIONERS  
COMMUNICATIONS LIST  
December 18, 2019**

1. State of Michigan- EGLE, Pending New Source Review Applications Report
2. Eaton County-Resolution 19-11-122, urges the fee-for-service reimbursement model to be evaluated to assure that services remain accessible and responsive to community needs
3. County of Marquette- Letters to Governor Whitmer, Lee Chatfield and Mike Shirkey
4. Governor Whitmer- Letter to BOC about County Veteran Service Fund.
5. EPA- Seeks comments on Draft Underground Injection Permit
6. Huron County- Resolution #19-124C, Supports House Bills 4937-38 and Senate Bills 504- 505





GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
LANSING



November 12, 2019

Dear Interested Party:

Pursuant to Act 451, Section 5511, the Michigan Department of Environment, Great Lakes, and Energy, Air Quality Division's Pending New Source Review Application Report is enclosed. This report lists all of the pending applications submitted for sources within your county.

The Pending New Source Review Applications Report includes the following information: county, city, date received, applicant's name, site address, application permit number, and a brief description of the nature of the source or process.

This report will be sent to you on a monthly basis unless you request that your name be deleted from our mailing list. Please note that this information is updated weekly and is also available on the Internet. A list is available on the Permits to Install Internet page at <https://www.michigan.gov/air>. Click the "Permits" tab, click the link by the second bullet for PTI/NSR permits, and click the sixth bullet under "Application / PTI Information" entitled "Pending PTI Application List." You may obtain information on sources located in neighboring counties by accessing the above list or by contacting me.

Thank you for your interest in this matter.

Sincerely,

Sue Thelen  
Permit Section  
Air Quality Division  
517-284-6804

Enclosure



**MDEQ Air Quality Pending Permit to Install Applications****District: Saginaw Bay**

<u>County</u>	<u>City</u>	<u>SRN</u>	<u>Site Address</u>	<u>Applicant</u>	<u>Permit No.</u>	<u>Received</u>	<u>Application Reason</u>
CLARE	WINTERFIELD TOWNSHIP	P1075	NW 1/4 NW 1/4 OF SEC 12	LAYLINE OIL & GAS, LLC	130-19	8/2/2019	OIL TANKS, ONE HEATER TREATER AND ONE FLARE
HURON	HARBOR BEACH	B4942	305 N HURON AVENUE	DOW AGROSCIENCES, LLC	107-18B	10/21/2019	INSTALL THREE NEW FERMENTATION REACTORS
HURON	PIGEON	A1453	7190 BERNE ROAD	BERNE ENTERPRISES, INC	129-19	8/2/2019	FOUR CORELESS INDUCTION FURNACES
ISABELLA	WINN	N1701	8507 S WINN ROAD	MORBARK, LLC	511-89E	6/27/2019	INCREASE COATING THROUGHPUT
MIDLAND	MIDLAND	A4033	945 BUILDING	DOW CHEMICAL COMPANY USA	159-19	9/30/2019	SEPARATION OF EXISTING EU85
MIDLAND	MIDLAND	A4033	954 BUILDING	DOW CHEMICAL COMPANY USA	160-19	9/30/2019	SEPARATION OF EXISTING EU85
MIDLAND	MIDLAND	A4033	954 BUILDING	DOW CHEMICAL COMPANY USA	167-19	10/9/2019	SEPARATION OF EXISTING EU93 EMISSION UNIT
MIDLAND	MIDLAND	A4033	954 BUILDING	DOW CHEMICAL COMPANY USA	166-19	10/9/2019	SEPARATION OF EXISTING EU93 EMISSION UNIT
MIDLAND	MIDLAND	P1027	633 WASHINGTON STREET 458 BUILDING	DDP SPECIALTY ELECTRONIC MATERIALS US, INC	183-19	10/30/2019	TO ROUTE EMISSIONS FROM STACK VENTS SV88002 & SV88012 TO FG963THROX
MIDLAND	MIDLAND	P1028	701 WASHINGTON STREET	DOW AGROSCIENCES, LLC	108-19	6/24/2019	CORRECT EQUIPMENT CONNECTIONS TO CONTROL DEVICES
SAGINAW	SAGINAW	B1991	1629 N WASHINGTON AVENUE SAGINAW METAL CASTING OPERATIONS	GENERAL MOTORS, LLC	36-121	10/15/2019	VARIOUS CHANGES TO SPECIAL CONDITIONS



**EATON COUNTY BOARD OF COMMISSIONERS**

**November 20, 2019**

**RESOLUTION TO ENCOURAGE CHANGES TO THE APPLICATION OF  
A FEE-FOR-SERVICE MODEL FOR LOCAL SUBSTANCE ABUSE  
SERVICE DELIVERY**

**Introduced by Commissioner Joe Brehler**

Commissioner Brehler moved to approve for the following resolution. Seconded by Commissioner Lautzenheiser.

**WHEREAS**, The Eaton County Board of Commissioners was made aware of the unfortunate decision the Barry-Eaton District Board of Health was recently forced to make to cease the services provided by Eaton Behavioral Health; and

**WHEREAS**, The Board of Health made this difficult decision due to continued funding uncertainty which led to a staffing crisis; and

**WHEREAS**, the continued uncertainty made it an impossibility to recruit and maintain clinical staff to provide services; and

**WHEREAS**, Eaton Behavioral Health provided substance abuse services to the citizens of Eaton County for over 20 years; and

**WHEREAS**, during this time Eaton Behavioral Health was the sole provider of substance abuse services within Eaton County; and

**WHEREAS**, the services provided were designed to meet the local needs of rural Eaton County; and

**WHEREAS**, the cost structure to continue to provide these vital services in a rural setting was inconsistent with the one size fits all fee for service model sought by the 21 county "mega"-regional PIHP; and

**WHEREAS**, the closure of EBH and the loss of these crucial services to the community likely could have been avoided if the regional PIHP model had been implemented in more effective manner; and

**WHEREAS**, the continued regionalization cost Eaton County the experienced, locally-designed delivery system for the services it needed in the community; and

**NOW, THEREFORE, BE IT RESOLVED**, The Eaton County Board of Commissioners urges the fee-for-service reimbursement model to be evaluated to assure that services remain accessible and responsive to community needs; and

**BE IT FURTHER RESOLVED**, more importantly the Eaton County Board of Commissioners emphasizes that this evaluation must be done immediately so that other similar rural programs do not suffer the same unfortunate fate as Eaton Behavioral Health. Carried.





County of Marquette  
BOARD OF COMMISSIONERS

Courthouse Complex  
Marquette, Michigan 49855  
Phone: (906) 225-8151  
Fax: (906) 225-8155  
www.co.marquette.mi.us

Gerald O. Corkin, *Chairman*  
Joe Beroha, *Vice-Chair*  
Karen Alholm  
Bill Sordeen  
Johnny DePetro  
Stephen Alunni

November 6, 2019

The Honorable Gretchen Whitmer  
Governor of the State of Michigan  
PO Box 30013  
Lansing, MI 48909

Dear Governor Whitmer,

On behalf of the County Board of Commissioners, I respectfully request that the leadership in the Michigan House and Senate set aside their differences and get back to the table to solve all financial issues regarding local government funding. It is critically important that you are aware of the significant impact of the Governor's line item vetoes and budget cuts in the 2020 State Budget. If the budget proceeds "as is", the loss to Marquette County totals over \$800,000 in budget cuts. Additionally, the loss to all 15 Upper Peninsula Counties is estimated at \$6.8 million. (attachment)

Similar to the other Upper Peninsula Counties, Marquette County will be significantly impacted by the budget vetoes. The proposed Marquette County 2020 Budget includes a recommendation for a one-time use of \$400,000 in reserve funds in order to balance the budget. The loss of an additional \$800,000 from the County budget will require employee layoffs and will eliminate and/or reduce various programs and services. The most notable impact across the Upper Peninsula is the loss of the Swamp Tax and other PILT tax payments; totaling \$5.4 million. The removal of the Swamp Tax and PILT funds are a direct hit to rural areas that already have limited tax revenues.

Over the years, rural counties have worked diligently to make difficult budgetary decisions within limited parameters of financial resources in order to provide state mandated programs and services to residents. This sudden reduction in revenue would be devastating to these beneficial programs and services. Marquette County does not have sufficient reserves to absorb a loss of revenue of this magnitude.

I strongly urge that both sides assemble to approve a Secondary Budget Amendment(s) which restores all local funding to the current County programs and services.

Respectfully,

  
Gerald O. Corkin  
Chairman

Cc: Upper Peninsula MI Legislature Members  
MAC  
Board of Marquette County Commissioners

County	County Jail Reimbursement Program	CCF/Indirect Costs	Secondary Road Patrol	PILT	Veterans Grants	Total Funding lost
Alger	\$11,500	\$15,000.00	\$27,000	\$541,125	\$25,000	\$619,625
Baraga	\$29,511		\$29,732	\$687,481		\$746,724
Chippewa	\$2,000		\$60,010	\$158,463		\$220,473
Delta	\$28,000	\$60,000	\$68,000	\$162,000	-	\$318,000
Dickinson	\$25,000	\$25,000	\$41,000	\$468,750	\$25,000	\$584,750
Gogebic	\$15,000	\$27,000	\$32,000	\$315,461	\$500	\$390,361
Houghton	\$36,500	-	\$54,000	\$86,000	\$50,000	\$226,500
Iron	\$12,000	\$9,000	\$33,000	\$248,000	-	\$302,000
Keweenaw	-	-	\$17,860	\$98,917	-	\$116,777
Luce		\$80,000	\$21,000	\$575,000		\$676,000
Mackinac	\$36,000	\$5,000	\$27,450	\$442,686	-	\$511,136
Marquette	\$55,000	\$70,000	\$77,000	\$590,000	\$25,000	\$817,000
Menominee	\$40,000	-	\$72,250	\$257,500	\$57,917	\$427,667
Ontonagon	\$2,000		\$30,000	\$206,000	-	\$238,000
Schoolcraft			\$26,000	\$566,000	\$50,000	\$648,000
<b>Totals</b>	<b>\$292,511</b>	<b>\$291,000</b>	<b>\$616,302</b>	<b>\$5,403,383</b>	<b>\$233,817</b>	<b>\$6,843,013</b>



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Karen Alholm  
Bill Surdeen  
Johnny DePetro  
Stephen Adamini

November 6, 2019

The Honorable Lee Chatfield  
Speaker of the Michigan House of Representatives  
P.O. Box 30014  
Lansing, MI 48909-7514

Dear Mr. Speaker,

On behalf of the County Board of Commissioners, I respectfully request that the leadership in the Michigan House and Senate, as well as the Governor, set aside their differences and get back to the table to solve all financial issues regarding local government funding. It is critically important that you are aware of the significant impact of the Governor's line item vetoes and budget cuts in the 2020 State Budget. If the budget proceeds "as is", the loss to Marquette County totals over \$800,000 in budget cuts. Additionally, the loss to all 15 Upper Peninsula Counties is estimated at \$6.8 million. (Attachment)

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Respectfully,

Gerald O. Corkin  
Chairman

Cc: Upper Peninsula MI Legislature Members  
MAC  
Marquette County Board of Commissioners

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Bill Nordeen  
Johnny DePetro  
Stephen Adamini

November 6, 2019

The Honorable Mike Shirkey  
Majority Leader of the Senate  
P.O. Box 30036  
Lansing, MI 48909-7356

Dear Senator Shirkey,

On behalf of the County Board of Commissioners, I respectfully request that the leadership in the Michigan House and Senate, as well as the Governor, set aside their differences and get back to the table to solve all financial issues regarding local government funding. It is critically important that you are aware of the significant impact of the Governor's line item vetoes and budget cuts in the 2020 State Budget. If the budget proceeds "as is", the loss to Marquette County totals over \$800,000 in budget cuts. Additionally, the loss to all 15 Upper Peninsula Counties is estimated at \$6.8 million. (Attachment)

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Gerald O. Corkin  
Chairman

Cc: Upper Peninsula MI Legislature Members  
MAC  
Marquette County Board of Commissioners

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received  
12-2-19

4.

GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
OFFICE OF THE GOVERNOR  
LANSING

GARLIN GILCHRIST II  
LT. GOVERNOR

November 26, 2019

Clare County Board of Commissioners  
225 West Main St.  
Harrison MI, 48625

Dear Commissioners,

I appreciate you for taking the time to reach out to my office and share your concerns regarding the County Veteran Service Fund. I am grateful for your outreach, and I thank you for your service to our state.

On October 10, 2019, Senator Curtis Hertel (D-East Lansing) introduced a supplemental budget that included \$2.1 Million dollars in funding for the County Veteran Service Fund. Earlier this month, the Speaker and I worked to negotiate a bipartisan agreement on a supplemental budget. Unfortunately, Senate Republicans were unwilling to compromise and chose to adjourn without finishing their work, and now state representatives and senators are on break for their Legislative Hunting and the Thanksgiving Holiday Recess until December 3rd. I am well aware that people's lives will be impacted by the current budget as is, and as I have said for weeks, I remain ready to work with the legislature to find a solution.

I wanted to take this opportunity to update you and share that I am committed to finding a solution. Please know if legislative leaders are serious about restoring funding to important programs like the County Veteran Service funds, they should work with me to pass a supplemental. If you have not yet do so, I would encourage you to contact them to urge them to do so.

**Michigan House of Representatives** – You can find your State Representative by calling the House Clerk's office at 517-373-0135 or by visiting [www.house.michigan.gov](http://www.house.michigan.gov).

**Michigan State Senate** – You can find your State Senator by calling Secretary of the Senate's office at 517-373-2400 or by visiting [www.senate.michigan.gov](http://www.senate.michigan.gov).

Again, thank you for taking the time to write. On January 1, 2019, I took an oath to serve the state of Michigan, and I am committed to building bridges from state government to real Michiganders. Please do not hesitate to contact my office at (517) 335-7858, should you have any questions or concerns.

Sincerely,

Gretchen Whitmer  
Governor of Michigan

NRB: SMB



Page 32



# EPA Seeks Comments on Draft Underground Injection Permit

Wolverine Gas and Oil Corporation

Kalamazoo County, Michigan

November 2019

## How to comment

You may comment on the proposed permit approval in writing. Please refer to Miller 29-2A SWD, MI-077-2D-0003

Mail or email your comments to:

**Felicia Chase**

U.S. EPA, Water Division  
Permits Branch, UIC Section  
(WP-16J)

77 W. Jackson Blvd.

Chicago, IL 60604-3590

Email: [chase.felicia@epa.gov](mailto:chase.felicia@epa.gov)

Phone: (312) 886-0240

## Comment period

The Agency will accept written comments until **December 24th** (midnight postmark).

## Information

You may see the draft permit at:

<http://go.usa.gov/3JwFP>

## Administrative Record

You may see the full administrative record, including all data Wolverine Gas and Oil Corporation submitted, at the EPA's Chicago regional office (*address above*), 9 a.m. to 4 p.m., weekdays. For an appointment to see the files, contact Felicia Chase (*see above*).

## Right to appeal

You have the right to appeal any final permit decision if you make an official comment during the comment period or participate in the public hearing. (A public hearing is not planned at this time.) The first appeal must be made to the Environmental Appeals Board.



The U. S. Environmental Protection Agency plans to allow Wolverine Gas and Oil Corporation, One Riverfront Plaza, 55 Campau, N.W. Grand Rapids, Michigan to inject fluid underground by approving the company's application for what EPA calls a Class II injection well permit.

If EPA makes its approval final, Wolverine Gas and Oil Corporation may inject produced brine into a rock formation 2233 feet below the surface through a well at NE ¼, Section 29, T3S, R9W, Kalamazoo County. Wolverine Gas and Oil Corporation also applied for a permit from the Michigan Department of Environmental Great Lakes and Energy (MDEGLE).

EPA is accepting comments from the public on this proposed permit approval (*see box, left*). The public comment period includes 30 days for comments as required by law, plus an additional three days for any delay caused by mailing.

During the comment period, you may ask EPA – in writing – to hold a formal public hearing (*see address, left*). Be sure to say specifically what issues you want to raise. EPA will hold a hearing if there is significant interest. If there is a hearing, EPA will publish a notice at least 30 days prior. You will have an opportunity to make oral comments or submit written comments. EPA will consider all comments it receives, and then issue a final decision along with a response to significant comments.

The Safe Drinking Water Act requires EPA to regulate the underground injection of fluids through wells to protect the quality of underground sources of drinking water. Issuing permits is one way EPA does this. You can find the regulations governing underground injection wells at Title 40 of the Code of Federal Regulations, Parts 144 and 146.

EPA does not have the authority to change the surface location of the injection well. If you have questions or concerns about the well's location, contact the MDEGLE P.O. Box 30256, Lansing, Michigan 48909 and phone number (517) 284-6826.

To learn more about EPA's Underground Injection Control program, or to join our mailing list visit <http://go.usa.gov/3JwFP>.



6

No. 19- 124C

**RESOLUTION**

To: The Honorable Board of Commissioners  
Huron County  
Michigan

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, the 1963 Michigan Constitution stipulated four-year terms for the county Board of Supervisors, the preceding body to today's Board of Commissioners; and

WHEREAS, the Legislature voted in 1966 to abolish Boards of Supervisors and formally replace them with Boards of Commissioners after the 1968 elections; and

WHEREAS, Public Act 261 of 1966 promulgated that the length of terms for the new county commissioners shall be concurrent with that of state representatives, as specified in Article IV, section 3 of the Michigan Constitution; and

WHEREAS, the scope of duties of a county commissioner has greatly increased in the last century – road patrols, indigent defense, mental health treatment and substance abuse prevention programming, solid waste pick-up and disposal, food and water supply safety, park operations, economic development efforts, emergency management and response; and

WHEREAS, Michigan is only one of five states in the United States that provides for exclusively two-year terms for county commissioners; and

WHEREAS, all other county and township elected officials in Michigan are elected to terms of at least four years; and

WHEREAS, the position of county commissioner is a highly complex oversight role that requires years to master; and

WHEREAS, legislation to amend state law to enact four-year terms has been filed in the form of House bills 4937-38 and Senate Bills 504-505; and

WHEREAS, the Michigan Association of Counties supports the legislation as introduced; now

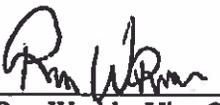
**THEREFORE, BE IT RESOLVED** that the Huron County Board of Commissioners supports House Bills 4937-38 and Senate Bills 504-505 to enact four-year terms for county commissioners; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Governor Gretchen Whitmer, Senator Dan Lauwers, Representative Phil Green, the Michigan Association of Counties and the other 82 Michigan Counties.

Respectfully submitted,

LEGISLATIVE COMMITTEE

  
Mary E. Babcock, Chairman

  
Ron Wruble, Vice Chairman

  
Todd Talaski, Member

Dated: November 13, 2019

**VOICE / ROLL CALL VOTE:**

COMMISSIONER	YES	NO	ABSENT	COMMISSIONER	YES	NO	ABSENT
SAMI KHOURY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JOHN L. BODIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MICHAEL H. MEISSNER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RON WRUBLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TODD TALASKI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	MARY E. BABCOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STEVE VAUGHAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

RESOLUTION:  ADOPTED       DEFEATED       TABLED

10:15am

Public  
Hearing  
Updated 5/31/19

**CLARE COUNTY  
EMERGENCY TELEPHONE SERVICE DISTRICT  
3<sup>rd</sup> DRAFT**

## CLARE COUNTY AMENDED E-911 SERVICE PLAN

### I.

#### INTRODUCTION

Michigan Public Act 32 of 1986, MCL §484.1101 et seq, as amended, ("Act") authorizes Clare County to enact a E-911 Service Plan ("Plan") that establishes a Service District ("Service District") in which enhanced 911 (E 911) services are provided to callers requesting emergency medical, police and fire services. The County, through the Clare County Board of Commissioners ("County Board") has adopted a plan and various amendments to that plan under the Act (collectively, the "Plan"; the "Plan" as used herein shall refer to the "E-911 Plan" or "Enhanced 911 Plan" as used in the Act). The Plan, as amended, is designed to replace, supersede and update any inconsistent provisions of the previous plan, and to augment, supplements or add such provisions that are not inconsistent with the original Plan. The purpose of these amendments is to address technological and legislative changes, and facilitating a superior and ever improving 911 system with the County.

This Plan implements a Service District covering the entire geographic boundaries of Clare County by addressing the following:

- Technical considerations of the service supplier including system equipment for facilities that would be used in providing emergency telephone service and/or other communication technologies.
- Operational considerations including the designation of primary public safety answering points ("PSAP's") secondary PSAP's and alternative PSAP's, and the manner in which 911 calls and texts would be processed, dispatch functions performed, and informational systems utilized.
- Managerial considerations including the organizational form and agreements that would control technical, operational, and fiscal aspects of the emergency telephone service.
- Fiscal considerations including projected recurring and non-recurring costs with a financial plan for implementing and operating the system

By facilitating the development and maintenance of enhanced 911 services in the County, this Plan provides multiple benefits, including but not limited to:

- 1.1 Use of the universal, simple, easy-to-remember, three digit number for all emergencies in any location within the County;
- 1.2 Automatic number identification (ANI) and automatic location identification (ALI) for wire-based calls and geographic positioning identification for mobile or wireless technologies and automatic selective routing to increase the effectiveness of emergency response and dispatch services;
- 1.3 Establishment of financial, management and operational mechanisms designed to put the community in the best position to implement and maintain an up-to-date E 911 System;
- 1.4 Establishment of a system for recruiting and training qualified telecommunicators, also known as "dispatchers" or "Emergency Communications Technicians (ECTs)";
- 1.5 Establishment of centralized dispatch to more efficiently and effectively serve all residents of the County regardless of location therein;

- 1.6 Creating the environment to order and, therefore, facilitate the transition from wire-based to NG911 technology.

Unless otherwise defined herein, the terms used in this plan shall have their definition or meaning as used in the Act.

## II.

### PLAN ADOPTION

- 2.1 The Act requires the County Board to adopt by resolution, a Tentative Plan creating a Service District.
- 2.2 The Act requires the resolution to include a date, time and place for a public hearing to be held on a final Service Plan not less than 90 days after the date of adoption of the resolution.
- 2.3 The Act requires the County Clerk to give notice of the public hearing. Notice must be published twice in a newspaper of general circulation within the County. The first notice must be at least 30 days prior to the hearing, and the second notice within 30 days of the hearing.
- 2.4 The Act requires the County Clerk to forward a copy of the resolution, together with a copy of the Tentative Plan to the clerk of each community within the District.
- 2.5 Clare County Central Dispatch, which is also called "Central Dispatch" herein, will be the primary PSAP for Clare County. Any other agency within Clare County that wishes to be a PSAP agency has 45 days after the receipt of the resolution to file a notice of intent to function as a PSAP (see Appendix #1).
- 2.6 The Act requires the County Board to adopt the Tentative Plan as the Final Plan, except as modified by Plan Exclusions and PSAP Notices, as identified above.
- 2.7 Any public agency that wishes to withdraw from the Service District may do so only after strict compliance with Section 505 of the Act, including but not limited to, payment of any outstanding qualified obligations secured by any operational surcharge.
- 2.8 The Act permits the County to amend a plan by complying with the procedures described in Sections 301 to 310 of said Act.

## III.

### TECHNICAL CONSIDERATIONS

#### 3.1 Service District and Public Entities

The Service District created by this Service Plan shall be coterminous with the geographical area of the entire County. All cities, townships, villages and campuses wholly or partially located in the Service District, as public entities, are included in the Plan including, but not limited to, those identified in Appendix #2. The County Board shall supervise and, by default, provide primary PSAP and other 911 and central dispatch services for the Service District.

Nothing in this Section or Plan shall be construed as prohibiting the County Board from authorizing regional or other cooperative agreements including, but not limited to, authorizing Clare County Central Dispatch to serve as the primary PSAP for public service agencies outside of the County. The County Board is authorized to cooperate with the State 9-1-1 Committee or any other state, federal or

local body or official authorized to install, operate, modify and maintain universal emergency number service systems, whether wire-based, cellular, wireless, digital, radio-based, or other communication technologies within the Service District. In an Administrative Findings Resolution, the County Board is authorized from time to time to update the list of jurisdictions as provided in Appendix #2.

### **3.2 Enhanced 911**

This Plan includes the following services features:

1. Automatic Number Identification (“ANI”),
2. Automatic Location Identification (“ALI”), and
3. Selective Routing Network System (“SR”).

Such features include, but are not limited to, information to the telecommunicator consisting of, as a minimum, the telephone owner’s name, location and calling telephone number and, relative to wireless calls and texts, global positioning coordinates as mandated by the Federal Communications Commission (Collectively referred to as “Enhanced 911”).

Wire-based telephone companies providing Enhanced 911 services to service users in the County, and those companies must maintain their Enhanced 911 services in order to continue to provide services to the users in the County. All wire-based telephone companies interested in providing wire-based services within the County must provide and maintain Enhanced 911 and will cooperate to supply, in accordance with the Michigan Public Service Commission tariff rates, rules and regulations, the design, installation and maintenance of the network for all facilities involved in providing emergency response telephone service, including modifications to all pay telephones to provide free 911 service. Service suppliers will selectively route all Clare County District emergency telephone service calls to Clare County Central Dispatch.

The wire-based telephone companies’ equipment must be modified and/or maintained to provide Enhanced 911 services. The costs for such modification and maintenance are to be included in the technical surcharge installation and maintenance costs.

Clare County Central Dispatch shall maintain the Michigan Public Service commission’s (“MPSC”) infrastructure and maintain interface as required by the MPSC until NG911 technology is implemented. When NG911 technology is implemented, Central Dispatch shall provide primary PSAP services to interface with the NG911 technological system. When the county board has selected a NG911 service provider, it may direct that all communication services direct 911 calls and texts from within the County to the chosen NG911 service provider as necessary to facilitate the delivery of NG911 services.

### **3.3 Wireless Implementation**

All Commercial Mobile Radio Service (“CMRS”) or other wireless providers (collective “Wireless”) providing service within the Service District are requested and directed to deploy Phase II, E 911 Enhanced service as provided in the wireless emergency service order (“Order”), FCC Docket No. 94-102, adopted June 12, 1996, with an effective date of October 1, 1996, including but not limited to provision of number, location and name. The County is Phase II compliant.

### **3.4 VOIP Implementation**

All voice or internet providers and other providers of digital communication technologies (collectively described as “VOIP”) are required to provide Enhanced 911 services that are equivalent or exceed Enhanced 911 service or in the case of mobile or nomadic VOIP, the equivalent of Phase II service.

### **3.5 Implementation—General**

Commercial wire-based, wireless or VOIP providers are “Service Suppliers” as that term is used herein. Service Suppliers shall automatically route all 911 calls and texts originating from service users in the County to the primary PSAP serving the area from which the call originated, as identified in this Plan and under the Act. All calls and texts within the wire exchanges covered by the Service District and this Plan but originating from other counties shall be automatically routed as directed by the 911 service plans adopted by the county board of commissioners from those counties, or, if no such provisions exist, to the appropriate secondary PSAP for routing to the appropriate public agencies and EMS providers within those counties. Any Calls and texts which cannot be automatically routed shall be routed to the appropriate primary PSAP.

The County Board may require that every wire-based, CMRS/wireless or VOIP service provider billing service users within the Service District submit a written registration as a “service provider” under the Act, including a contact person, telephone number and the type of service supplied, number of customers within the Service District as well as other information that the Board periodically deems relevant. The County Board may, by resolution, impose reasonable time limits on the registration and require periodic updates. The current service suppliers known to operate within the Service District are listed in Appendix #4.

Nothing in the Plan is intended to limit the County Board’s authority under the Act, and it is the intention of this Plan that the County Board be fully empowered and authorized to exercise any right, power or discretion that is authorized in the Act, including but not limited to the financial authority to impose or set operational surcharges, millages or fees. In addition, the County Board may exercise its ordinance powers to enforce all provisions of this Plan. The County Board is authorized and directed to take any action necessary to implement the Order, the Act, this Plan or any other applicable state or federal laws existing or subsequently adopted.

### **3.6 Service Supplier and Public Entity Updates**

The service suppliers will provide a system with respect to design, installation and maintenance of the network that operates in accordance with the Michigan Public Service Commission Tariff rates, rules, and regulations appropriate system equipment for facilities used in providing emergency telephone service. This Plan for the County of Clare that the service suppliers will continue to change. Therefore, any service providers within Clare County, in accordance with appropriate state and federal laws are and will automatically be incorporated in the Plan for all of Clare County. In an Administrative Findings Resolution, the County Board may periodically update the public entity, wire, wireless and digital Service Supplier or provider information described or required as provided in this Section of the Plan and Appendix #3. The County Board may also direct routing and other instructions to such service suppliers and public entities for purposes of PSAP improvements, including but not limited to NG911 implementation.

### **3.7 Compliance with the Act**

All Technical Considerations should comply with the standards provided in the "Emergency 9-1-1 Service Enabling Act, Act 32 of 1986".

#### IV.

### OPERATIONAL CONSIDERATIONS

#### 4.1 PSAP Operations

This Plan and the Act recognize a variety of options for the organization of 911 services at the County level. The following terms describe the following types of 911 services:

**4.1(A)** "Consolidated Dispatch" or "Central Dispatch" refers to a county-wide dispatch operation that is organized by the County through the organizational auspices of this Plan. A Consolidated Dispatch provides 911 call answering and emergency service dispatching ("PSAP Services") to all portions of the Service District, and may also serve an area that is greater than the entire Service District. This Plan uses "Consolidated Dispatch" and "Central Dispatch" synonymously.

**4.1(B)** "County Dispatch" refers to a dispatch operation that is organized by the County either through an Urban Cooperation Act Agreement with another public agency or agencies; or through the organizational auspices of this Plan. The County Dispatch may provide PSAP Services to an area that is less than the entire Service District, the entire Service District or through contract, greater than the Service District.

Clare County Central Dispatch, presently located within the Sheriff's Department at 255 W. Main St., Harrison, MI 48625, will continue to serve as the "Primary" Public Safety Answering Point (PSAP)/Central Dispatch for all of Clare County. In the event that the County participates in the creation of a dispatch authority or otherwise contracts with such an authority under the Urban Cooperation Act, the County will employ a County Dispatch model as described in the Agreement prepared under the Urban Cooperation Act and as further provided herein.

All primary PSAP designations in any existing Plan, as well as accompanying notices of intent to serve as primary PSAP are preserved. Clare County Central Dispatch, presently located within the Sheriff's Department at 255 W. Main St. Harrison, MI 48625 shall serve as the primary PSAP for the entire Service District, provided it maintains the notice of intent to serve as primary PSAP as described in Appendix #1. If no notice of intent to serve as primary PSAP is currently on file with the County Clerk or if any public agency that filed a notice of intent to serve as primary PSAP withdraws such notice under the Act, the primary PSAP will be any such entity that the County Board contracts with to provide PSAP services. All PSAPs effective on the date of this Plan's effectiveness and the public agencies dispatched and dispatch methods are identified in Appendix #4.

In an Administrative Findings Resolution, the County Board is authorized from time to time to update the list of PSAPs, public agencies dispatched and dispatch methods as provided in Appendix #4.

The alternate or secondary PSAP for each primary PSAP is identified in Appendix #4, and incorporated herein by reference.

All primary PSAPs must be staffed 24 hours per day, every day of the year, and shall have at least one device for receiving calls and texts for service from hearing or speech-impaired persons.

If a local unit of government or public safety agency that is identified in the Plan as being a primary PSAP or that has filed an intention to serve as a primary PSAP under the Act and Plan, and subsequently files a notice of intention to cease to function as a primary PSAP, the Clare County Central Dispatch shall serve as the primary PSAP for the geographical area previously served by the local unit of government or public safety agency as soon as practicable. <sup>1</sup> Pursuant to 1986 PA 32, as amended, each public agency has 45 days after receipt of this tentative amended Plan to file with the County Clerk a notice of exclusion from the Clare County Central Dispatch service district.

#### **4.2 Dispatch Methods**

911 communications that result in a request for public safety agency response with the exception of emergency medical services, will be processed using the Direct Dispatch method. Requests for emergency medical services may be processed using manual transfer or relay methods to a secondary PSAP. 911 communications from jurisdictions outside the geographical boundaries of Clare County but which are included in this Service Plan will be handled by the Manual Transfer method. If, at any time, Selective Routing Transfer or the Manual Transfer method become unusable, 911 communications will be routed using the Relay Method.

Each public safety agency, designated above to serve as a PSAP or secondary, or back-up PSAP, shall file a notice of their intent, whether to serve or not to serve as a PSAP, not later than 45 days after the city or township which the agency serves, receive a copy of this Service Plan. Failure to file a notice of intent will result in the safety agency not being designated as a PSAP in the final 911 plan.

While the Plan is designed solely for the benefit of the residents and service users of Clare County, portions of other counties may be affected by the implementation of this Plan. Agreements shall be reached with these communities as to the proper forwarding of those 911 calls that originate beyond the boundaries of this Emergency Telephone Service District.

#### **4.3 Training**

The 911 Director on behalf of the County Board will ensure all ECTs who are required to meet State mandated designation are so designated and that all ECTs receive appropriate training for their function, including but not limited to maintaining their designation.

#### **4.4 Implementation-General**

The County Board may require that all public and private safety agencies providing emergency response services within the Service District register with the County Clerk and execute service agreements with the County on behalf of Central Dispatch. The County board may, by resolution, impose reasonable time limits on the registration and require periodic updates. The current PSAP operations and public and private safety agencies known to operate within the Service District are listed in Appendix #4. The County Board, in conjunction with the 911 Director, shall establish dispatch protocols consistent with the Act. The County Board will consider local government agreements with public and private safety agencies but is not obligated to restrict its dispatching based on those agreements. Furthermore, any

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<sup>1</sup> "Practicability" shall be determined in the sole discretion of the County Board after consultation with the 911 Advisory Board and local unit of government affected.

agreement that the County Board may make for the County with public and/or private safety agencies will take precedence over any inconsistent local governmental agreement.

#### **4.5 PSAP/Public Safety Agency Updates**

The public and/or private agencies to be dispatched within the County and their dispatch methods are identified in Appendix #4.

In an Administrative Findings Resolution, the County Board is authorized from time to time to update the list of public and private agencies providing emergency response services within the Service District and their corresponding dispatch methods.

#### **4.6 911 Resource Protection**

To the extent permitted by law, the County Board reserves the right to adopt plans, policies and ordinances relating to the control of county property or which concludes is reasonable and necessary to implement the purposes of this Plan. Such authority shall not be deemed abridged by any provision of this Plan or any other agreement.

### **V.**

#### **MANAGERIAL CONSIDERATIONS**

##### **5.1 Legal Status**

See Appendix #5.

##### **5.2 PSAP Management**

Clare County Central Dispatch and each additional public or private safety agency that files a notice of intent to function as a PSAP (either primary or secondary) accepts the responsibility for the management of the on-line public safety dispatch center including the operational configuration, level of service and equipment needs for the geographical and political boundaries identified in the notice of intent and the financing for all such operations.

Management of each PSAP will be in accordance with the policies and procedures of the public safety agency that operates the PSAP. The public safety agency that operates Clare County Central Dispatch is listed in Appendix #5. At any time, The County Board may create a separate legal entity known as a Central Dispatch Authority through an interlocal agreement under the Urban Cooperation Act. The Agreement establishing a Central Dispatch Authority will require a 911 Authority Board to be developed and the Agreement will need to detail what authorities are delegated to the 911 Authority Board. If such an Agreement is made, the Agreement will be added to Appendix# 5.

##### **5.3 9-1-1 District Board**

The County Board may create an emergency 9-1-1 district board and delegate certain powers to the board. The 9-1-1 district board bylaws are listed in Appendix #6. The County Board shall maintain continuing authority regarding delegated powers and authority, which shall not be deemed abridged by this Plan.

## VI.

### FISCAL CONSIDERATIONS

#### **6.1 Technical Charges**

##### **6.1(A) Estimated Network Costs<sup>2</sup>**

The Act presently provides for calculation of a 4% CAP for recurring charges and a 5% CAP for nonrecurring charges based on the highest monthly base rate in the emergency telephone district or \$20.00 whichever is lesser. This Plan authorizes the imposition and collection of this technical charge as provided in the Act. Each service provider shall provide the 911 Board with any technical surcharges authorized by the Michigan Public Service Commission, including any changes. If the Act is modified to reduce or expand these caps, this Plan shall be automatically adjusted without modification to authorize or establish such revised caps.

##### **6.1(B) Estimated Network Charges**

Network Charge will be collected by each wire based Service Supplier from all subscribers in the Service district, as approved by the Michigan Public Service Commission.

The Act requires each agency operating a PSAP to pay for all terminal equipment installation and for the actual PSAP equipment either through rental or capital acquisition. If the Act is modified, this Plan shall be automatically modified regarding the provision of such terminal or technical equipment.

Clare County Dispatch will utilize existing equipment. The County Board shall, through the budgetary process, budget sums it considers necessary and reasonable for maintaining existing and acquiring new equipment. Grant monies, wherever applicable may be sought for equipment costs and planning and development of the database.

#### **6.2 Operational Funding**

To finance the delivery of primary PSAP services, the County Board is authorized to implement, receive and expend, consistent with all applicable laws and County resolutions, any voter approved millages, 911 operational surcharge, County 9-1-1 charge, State 9-1-1 surcharges allocated to the County or any other funding provided under state or federal law, including but not limited to such fees authorized, imposed, and collected under the Act in an amount not to exceed what is necessary and reasonable to implement, maintain and operate the Clare County system. The County Board is authorized to make any request for funding from the Michigan Public Service Commission, State 9-1-1 Committee or any other entity authorized under the Act.

In addition, the Clare County Central Dispatch is authorized to accept and, with the County Board's approval, expend wireless surcharge revenue as provided under the Act and to expend such funds on equipment, services or such other purpose as is authorized by the Act or funding restrictions. All service suppliers must collect any State 9-1-1 surcharge or any other charge, fee or funding permitted to be authorized, imposed and collected under the Act and consistent with all applicable laws set by the County Board through resolution or implementing ordinance from service suppliers located within the

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<sup>2</sup> All rates are subject to annual review and Tariff Revision. Revenue projections and rates are based on lines as existed in 1995. The terms of certain rates and charges have expired, but are retained for informational purposes. The inclusion of these rates is not designed or intended to provide new or renewed authorization for these rates beyond their original term, and shall not be so construed.

Service District and remit such funds as provided under the Act, to the County. The County Board may require that service suppliers furnish an accounting of all funds collected and charged, including an identification of the number of service users that it is billing within the District. Any service supplier who fails to collect such funds and timely remit them as provided in this Plan and Act or to provide the reasonable accounting required hereby maybe enjoined by the County Circuit Court from providing communication services to service users within the Service District. The County Board is authorized to sue such service supplier in the Circuit Court to obtain such injunctive relief and/or damage relief for the amount of uncollected or unremitted surcharge that the service supplier should have provided to the County.

In the event that millage and/or 911 operational surcharge revenues are insufficient to cover the costs of financing the Clare County Central Dispatch, the County Board is authorized in its discretion to fund and or negotiate fees for primary PSAP services rendered to public safety agencies and other emergency service providers dispatched by Clare County Central Dispatch, and if such fees cannot be negotiated, to set them at reasonable and fair levels in relation to the estimated cost of the services actually delivered to the public or private safety agencies. Furthermore, consistent with substantive due process and equal protection standards, the County Board is authorized to set a service user fee at reasonable and fair levels in relation to the estimated cost of the services actually delivered to the service user or on his or her behalf or on behalf of a person or entity receiving the benefit of the emergency public and/or private services. Nothing in this section shall be construed as authorizing a private or public safety agency or emergency medical service to assess or pass along any dispatch fee to any public safety agency or citizen. The County Board may impose such fees through resolution or implementing ordinance, including authorization to the State of Michigan District Court system to collect such fees from the party adjudicated at fault for creating the emergency service condition through civil and criminal infraction proceedings. The County Board may authorize the initiation of civil court proceedings to collect any such service user fee.

*All Fiscal Considerations shall comply with the standards provided in the “Emergency 9-1-1 Service Enabling Act, Act 32 of 1986 as amended”.*

### **6.3 Past Plans or Amendments**

These provisions are intended to modify, amend, supersede and replace any and all prior Plans or Plan Amendments. This Plan may be amended in any manner and at any time consistent with the Act.

### **6.4 Interpretation and Savings Clause**

The provisions of this Plan are designed to work in coordination with the Act. If there is any conflict between any provision in this Plan and the Act, the conflicting Plan provision shall be struck and the remainder of the Plan enforced without the conflicting provision.

### **6.5 Termination/Withdrawal**

This Plan may be terminated and participating municipalities may withdraw as provided in the Act.

**EXECUTION AND ACKNOWLEDGEMENT**

Date: \_\_\_\_\_

\_\_\_\_\_  
Jack Kleinhardt, Chairperson  
Clare County Board of Commissioners

I, Lori Martin, the Clare County Clerk, hereby attest that the Clare County Board of Commissioners approved this Plan on \_\_\_\_\_, and authorized the Chairperson to execute it on its behalf, which occurred in my presence.

Date: \_\_\_\_\_

\_\_\_\_\_  
Lori Martin, Clare County Clerk

## **ACRONYMS**

**ALI- Automatic Location Identification**

**ANI- Automatic Number Identification**

**E911- Enhanced 911**

**NG911- Next Generation 911**

**PSAP- Public Safety Answering Point**

**ECT- Emergency Communications Technician**

**MPSC- Michigan Public Service Commission**

**CMRS- Commercial Mobile Radio Service**

**VOIP- Voice Over Internet Protocol**

**FCC- Federal Communications Commission**

## **APPENDICES**

**Appendix #1** Notice of intent to function as a PSAP

**Appendix #2** Service District, Affected units of government within Clare County

**Appendix #3** Public Entities

**Appendix #4** List of Public Agencies Serviced by the 911 Network, includes Dispatch Methods

**Appendix #5** Legal Status

**Appendix #6** Clare County Central Dispatch 911 Advisory Board Bylaws

**APPENDIX #1**

**NOTICE OF INTENT TO FUNCTION AS A PSAP**

Pursuant to the provisions of the Emergency Telephone Service Enabling Act, Michigan Public Act 32 of 1986, as amended, each public safety agency has 45 days after receipt of this tentative 911 Service Plan to file with the County Clerk a Notice of Intent to Function as a PSAP. The notice shall be in substantially the following form:

**NOTICE OF INTENT TO FUNCTION AS A PSAP**

Pursuant to Section 307 of the Emergency Telephone Service Enabling Act, Clare County Central Dispatch shall function as a PSAP within the 911 Service Plan adopted by resolution of the Clare County Board of Commissioners on \_\_\_\_\_ (date).

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(Appropriate Official)

**APPENDIX #2**

**JURISDICTIONS WITHIN SERVICE PLAN**

The following townships, villages and cities exist in whole or in part with the County and, therefore, the service district created by this Plan:

**TOWNSHIPS OF:**

Arthur	Hatton
Franklin	Hayes
Freeman	Lincoln
Frost	Redding
Garfield	Sheridan
Grant	Summerfield
Greenwood	Surrey
Hamilton	Winterfield

**VILLAGES OF:**

Farwell

**CITIES OF:**

Clare	Harrison
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### APPENDIX #3

#### SERVICE SUPPLIERS

The following service suppliers, as that term is used in the Act, are believed to operate in whole or in part, within Clare county and, therefore, the service district created by this Plan. This list is not meant to be exhaustive and any service supplier operating within Clare County is automatically added to this list and subject to this Plan:

<b>911 Service Supplier: PFN- Peninsula Fiber Network</b>	
<b>Other Service Suppliers</b>	
123.Net	Met Tel of Michigan, Inc. dba Metropolitan Telecommunications
ACD.NET	Michigan Bell Telephone Company
A.C.N. Communications Services, LLC	Muskegon Cellular Partnership
Alltel Communications Wireless, Inc.	Network Services Telecom Group dba Anavon Technology Group
Advent Telecom	New Cingular Wireless PCS LLC
American Broadband + Telecommunications	New Par
Anybill T-Mobile	Nextiva, Inc.
AT&T Corp.	Newvortex, Inc
Bandwidth, Inc.	OOMA Inc
Birch Telecom of the Great Lakes Inc.	PNG Telecommunications Inc.
Boomerang Wireless, LLC	Qwest Communications
Budget PrePay, Inc.	Ready Wireless, LLC
BullsEye Telecom	Republic Wireless, Inc.
Charter Advanced Services CCVIII LLC	RJ Telecommunication
Clear Rate Communications, Inc.	Sage Telecom Communications LLC
CMS Inter.net, LLC	Spectrotel, Inc
Consumer Cellular, Inc.	Sprintcom, Inc.
Cricket Communications	Star2Star Communications, LLC
Dialpad, Inc.	T-Mobile Central LLC
First Communications, LLC	Tag Mobile, LLC
Frontier North Inc. (MI)	Talk America Services, LLC
Global Connection Inc of America	Telecom Management, Inc. dba Pioneer Telephone
Google North America Inc.	TelNet Worldwide Inc.
Granite Telecommunications LLC	Telrite Corporation dba Life Wireless
GreatCall, Inc dba Jitterbug	Thumb Cellular LLC
Hughes Network Systems, LLC	Ting Inc
Integrity Networks, LLC dba Bullfrog Group	Tracfone Wireless, Inc.
Interface Security Systems, LLC	Velocity the Greatest Phone Company Ever Inc
IP Networked Services	Verizon Wireless Personal Communications LP
Jupiter Networks Inc	ViaSat Inc
LDMI Telecommunications	Vonage America
Level 3 Communications	WindStream Communications, LLC
Matrix Telecom, Inc.	Winn Telecom
McLeod USA Telecommunications	Working Assets Funding Services, Inc.
MCImetro Access Transmission Svcs. Corp.	XO Communications
Metro PCS	YMAX Communications Corp.

**APPENDIX #4**

**PSAP, PUBLIC SERVICE AGENCIES AND DISPATCH METHODS**

Clare County Central Dispatch- Primary PSAP,

Clare Police Department- Back-Up PSAP,

Mobile Medical Response- Secondary PSAP

<b><u>PSAP Area</u></b>	<b><u>Public Agency<sup>3</sup></u></b>	<b><u>Dispatch Method</u></b>	<b><u>Back-Up PSAP<sup>4</sup></u></b>
<b>Law Enforcement</b>			
County of Clare	Clare County Sheriff's Department	Direct	
City of Clare	Clare Police Department	Direct	
County of Clare	Michigan State Police	Direct	
County of Clare	Dept. of Natural Resources- Law Division	Direct	
<b>Fire</b>			
Townships of Summerfield, Frost, Franklin, Hamilton, Hayes, Greenwood, Redding, Hatton and Arthur	Harrison Community Fire Department	Direct	
Townships of Lincoln and Freeman	Lincoln Township Fire Department	Direct	
Township of Garfield	Garfield Township Fire Department	Direct	
Township of Surrey	Surrey Township Fire Department	Direct	
City of Clare, Townships of Grant and Sheridan	Clare Fire Department	Direct	
County of Clare	Dept. of Natural Resources- Fire Division	Direct	
Township of Winterfield and Section 31 of Redding Township	Marion Fire Department	Relay	
<b>EMS</b>			
County of Clare	Mobile Medical Response	Manual Transfer or Relay	
<b>Other Agencies</b>			
County of Clare	Clare County Road Commission	Direct	
County of Clare	Emergency Management	Direct	
County of Clare	Animal Control	Direct	

<sup>3</sup> Depending on reciprocal aid agreements, authorization by the identified public agency and/or emergencies, CCCD has the right and authority to dispatch directly, by transfer or by relay methods, public agencies that are outside of the District and not specifically identified in this Appendix.

<sup>4</sup> This Plan anticipates that many neighboring 911 centers may serve as a backup, especially when NG911 is implemented. Upon recommendation of the 911 Director, the County Board may, in its discretion, enter into individual interlocal or regional cooperation and/or coordination agreements

## **APPENDIX #5**

### **LEGAL STATUS**

Clare County is a political subdivision of the State of Michigan and is governed by the County Board of Commissioners. Clare County Central Dispatch is established by the Clare County Board of Commissioners pursuant to this Plan and the Emergency 911 Service Enabling Act, MCL 484.1101 et seq. to provide emergency dispatch services in Clare County, but operational control is currently assigned by the Board of Commissioners to the Clare County Sheriff. The County Board, Clare County Sheriff and 911 Director shall operate and manage Clare County Central Dispatch pursuant to the Act and this Plan, as well as other County policies and practices.

**APPENDIX #6**  
**911 ADVISORY BOARD BYLAWS**

See Next Page



## **911 ADVISORY BOARD BYLAWS**

### **I.**

#### **AUTHORITY AND PURPOSE**

- 1.1 Consistent with the Clare County 9-1-1 Plan, this advisory board is established to provide recommendations on policy and operating procedures and also serve as a technical advisory board. Upon review by the County Board, the policy or dispatch procedure will be implemented by the director.
- 1.2 All actions of the Advisory Board and any committees established pursuant to these Bylaws shall comply with the county-wide policies, procedures, and standards established by the Clare County Board of Commissioners.

### **II.**

#### **DEFINITIONS**

For purposes of these bylaws:

- 2.1 "Advisory Board" shall refer to the Clare County 911 Advisory Board
- 2.2 "County Board" shall refer to the Clare County Board of Commissioners
- 2.3 "Plan" refers to the Clare County 9-1-1 Plan.
- 2.4 "Budget" refers to the annual fiscal plan compliant with Michigan Law regarding anticipated expenditures and revenue adopted by the County Board at the budget approval meeting set during the approval of the budget calendar.
- 2.5 "Director" refers to the chief administrative officer of Clare County Central Dispatch (CCCD)
- 2.6 "Quorum" refers to the minimum number of members that must be present at any of its meetings to make the proceedings of that meeting valid.
- 2.7 "Sheriff" refers to the Clare County Sheriff.

### III.

#### GOVERNANCE

**3.1** Status: This board is a policy, procedure and technical advising board and will make recommendations to the County Board on policies and procedures for the effective operation of the Plan and the effective administration of the 911 system. This may include, but is not limited to:

- Recommending standards for staffing.
- Providing recommendations to County Board and Sheriff, through its Administrator/Controller and Director, regarding policies and procedures as needed. This shall include, but is not limited to, an annual review of existing CCCD protocols
- Recommending a technical policy governing the operation and access to computers interfaced directly or indirectly with the LEIN or NCIC computer systems, including those which are used for the interstate exchange of criminal history record information. This includes “management control rights” only as it pertains to LEIN/NCIC operations.
- Making recommendations to the County Board regarding the selection of a Director.
- Providing recommendations to the Director and Sheriff to improve Central Dispatch Operations.
- Making recommendations to the Director and the County Board regarding the proposed annual budget and methods of financing operations.
- Making recommendations regarding any other technical matter relating to Central Dispatch as requested by the County Board, County Administrator/Controller, Sheriff, or Director.
- Making recommendations to the County Board to amend these Bylaws.
- Periodically reviewing the Plan and recommending changes to the County Board.

**3.2** Administration:

**3.2(A)** Membership: The Advisory Board shall be made up of one representative from each of the following agencies/departments:

- Clare County Board of Commissioners
- Clare County Fire Chief
- Michigan State Police, Mt. Pleasant Post #63
- Clare County Emergency Management
- MI Department of Natural Resources, Harrison
- Citizen Representative, Clare County
- EMS Provider
- Medical Control Authority
- Clare Police Department
- Clare County Sheriff Department
- Clare County Central Dispatch

**3.2A (1)** Alternate members may be selected by the organization responsible for designating the regular member, providing this designation is made in writing and in

advance of any meeting. Alternate members may vote only in the absence of the regular member.

**3.2A (2) Officers:** Officers of the Advisory Board shall be the Chairperson and the Vice Chairperson which shall be elected from the membership of the Advisory Board. Their terms of office shall be two years. The terms of office shall be staggered with the Chairperson election on even years and the Vice Chairperson election on odd years. Officers shall exercise the following functions but not limited to:

- ***The Board Chairperson:*** The Chairperson shall decide all questions of order, shall preside at the meetings of the Advisory Board, and will coordinate activities of the Advisory Board. Minutes shall be taken at each meeting as directed by the Chairperson and distributed to each member.
- ***The Board Vice-Chairperson:*** The Vice Chairperson shall act as the Chairperson in the Chairperson's absence.

**3.2A (3) Appointed Members:** Applications will be made available by the 911 Director. The Citizen Representative must be a resident in Clare County. The Citizen Representative shall be a two year appointment requiring active attendance. The Advisory Board may review the applications and make a recommendation to the County Board. The County Board must appoint the citizen Representative.

**3.2(B) Meetings:** The Advisory Board shall meet no less than once a quarter at a date and time set by the Chairperson. The Advisory Board may meet more often at its discretion. The duration of individual public comments may be limited by rules of procedure adopted by the Advisory Board. Four (4) members of the Advisory Board may call a special meeting by notifying in writing the Director and all other Board members at least ten (10) calendar days in advance of the date, time, and place. Meetings shall comply with the Open Meetings Act, MCL 15.261, et seq.

**3.2B (1) Organizational Meeting:** The first meeting of the year shall be an organizational meeting and the following should occur:

- Elect Board Chairperson or Vice Chairperson, dependent upon year.
- Recognize the Citizen Representative upon County Board Approval (if applicable).
- Review Clare County 9-1-1 Plan and recommend changes to the County Board.
- Review of CCCD Protocols.

**3.2B (2) Voting:** One representative from each of the agencies listed in the membership shall have one vote on all matters to be voted on.

**3.2B (3) Quorum:** No official business shall be conducted without a quorum of the Board. A minimum of two-thirds membership must be present, equivalent to seven out of the eleven representatives. Advisory Board members may participate in meetings by teleconferencing consistent with the Open Meetings Act (1976 PA 267, as amended, MCL 15.261, et seq). Upon approval of the Chairperson, Advisory Board members may appear at a meeting via teleconferencing device, including speaker phone or interactive television, provided that a quorum is present at the meeting site and all individuals

attending the meeting can hear, and be heard by, the Advisory Board member(s) attending via teleconferencing device. The Advisory Board member wishing to participate in meetings by teleconferencing must notify the Chairperson or Director by 12:00 noon on the business day prior to the meeting that will be missed, and must provide the reason(s) for such absence. Failure to establish a video/audio teleconference due to technical or other problems shall not preclude conducting the meeting, as long as a quorum is present. In the event that an Advisory Board member participates via teleconferencing, this will be indicated on the meeting minutes as "Present via teleconferencing." Members present via teleconferencing shall be permitted to participate in Board deliberations and vote on matters before the Advisory Board, provided that there is a quorum physically present.

**3.2B (4) Committees:** The Advisory Board may establish additional standing or ad-hoc committees to serve specific purposes as set forth by the Advisory Board.

**3.2(C) Exercise of Authority:** The Advisory Board shall be advisory to the County Board and shall not have the authority to bind Clare County to any liability, whether contractual or otherwise, nor to the expenditure of any public funds.

#### IV.

#### CONSTRUCTION

- 4.1** Wherever possible, these Bylaws shall be construed in a manner consistent with Michigan Law and the Plan. Where there is a conflict with Michigan Law or the Plan, the conflicting terms of these Bylaws shall be null and void and considered severed from the remaining portions, which shall continue in full force and effect.

#### V.

#### AMENDMENT

- 5.1** The Clare County Board of Commissioners reserves the right to amend or rescind these Bylaws in part or in whole at any time by majority vote of the County Board and in compliance with the Open Meetings Act.

## **A. JUSTICE STANDING COMMITTEE**



AL



**Professional Services Contract**

This is a contract (hereinafter referred to as the "Contract") entered into by the **LAND INFORMATION ACCESS ASSOCIATION (LIAA)** (~~hereinafter referred to as "LIAA"~~) located at 324 Munson Avenue, Traverse City, Michigan 49686, and the **COUNTY OF CLARE** (~~hereinafter referred to as "the County"~~) located at 225 West Main, P.O. Box 438, Harrison, Michigan 48625, on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**WHEREAS**, the County desires to engage the services of LIAA to furnish technical and professional assistance concerning the project which is described as:

**SUBDIVISION SHAPEFILE MAPPING**

~~and~~ **WHEREAS**, LIAA wishes to furnish such technical and professional service to the County and has the education, expertise, capability and the necessary licenses to perform such services; and

WHEREAS, the County accepts LIAA's proposal, subject to the terms and conditions of this Contract;

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the parties mutually agree as follows:

1. **Contract Documents.** The following shall be deemed to be incorporated and made a part of this Contract:

- A. Request for Proposals, attached to this Contract and labeled "Attachment A".
- ~~A.~~
- B. LIAA's proposal dated October 2, 2019, attached to this Contract and labeled "Attachment B".

~~The Attached hereto as Attachment A and Attachment B are incorporated and made a part hereof.~~  
B. \_\_\_\_\_

2. **Scope of Services.** LIAA agrees to provide the County of ~~Clare~~ with geographic information system (hereinafter referred to as "GIS") services as described in ~~LIAA's proposal dated October 2, 2019~~ Attachment A and Attachment B, furnishing all labor, materials, equipment and appliances necessary and do all the work as set forth in the bid for the above project according to the specifications, plans, bids, bonds and other contract documents which are a part of this ~~contract~~ Contract, in a manner, time and place as herein set forth therein (hereinafter referred to as the "Services"). When interpreting this Contract, precedence shall be given to the respective parts in the following descending order: (a) this Contract, (b) Attachment A, and (c) Attachment B.



3. — Compensation and Method of Payment. It is expressly understood that the County shall pay to LIAA and LIAA agrees to accept as full compensation for Services under this Agreement-Contract the not-to-exceed amount of

3. \$30,175.00. The County shall pay LIAA for Services rendered on a monthly basis. LIAA will invoice for only those hours worked and costs incurred each month—and will expect payment within 30 days of the invoice. Each invoice shall identify the task(s) completed, the cost thereof, the total sum due, and such additional information as the County may require. It is understood and agreed that the costs to be invoiced to the County per task shall not exceed the estimated costs stated in Attachment B, unless such additional costs are mutually agreed upon in writing by the County and LIAA. The County, upon receipt of confirmation from the Deputy Equalization Director that the tasks invoiced have been satisfactorily completed, shall process and pay LIAA's invoices in accordance with the County's procedure for processing and payment of Accounts Payable.

4. —

4. Access to Books, Documents, Papers and Records. All books, documents, papers and records, including, but not limited to, canceled checks, invoices, vouchers, personnel time slips or time sheets, of LIAA pertaining to the Services to be performed under this Contract and billed to the County shall be open to inspection during regular working hours of 9:00 a.m. to 5:00 p.m. Monday through Friday, excluding holidays, by the Clare County Administrator or their designee or an independent contractor retained by the County for auditing services. Refusal to allow the County's representatives access to said records shall constitute a material breach of this Contract. In addition, the County shall be entitled to have an audit conducted of all books and records pertaining to the Services performed under this Contract and the costs billed to the County.

5. Maintenance of Records. LIAA shall keep and maintain records covering persons served, the Services rendered, expenditures made, and sums invoiced and received pursuant to this Contract for 3 years after termination of this Contract. If an audit or litigation concerning this Contract commences prior to the end of the required record retention period and is still under way at the end of the retention period, LIAA shall retain the records until the audit and/or litigation has been completed and a final determination has been made thereon (e.g., in case of litigation when a final judgment has been rendered and all appeals thereof exhausted).

6. Title to Records and Documents Pertaining to Activities Performed Under this Contract. The County, with the exception of LIAA's personnel and financial records, shall have the sole and exclusive right, title and ownership to any and all records, documents, papers,

reports, charts, maps, graphics or manuscripts prepared for or pertaining specifically to the Services to be performed under this Contract. Upon completion or termination of this Contract, all such materials shall be turned over to the County by LIAA. LIAA may retain reproducible copies of all such materials, but may not obtain any copyright, title or interest therein. LIAA agrees that if this Contract results in any patentable inventions and/or copyrightable material, the County reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for governmental purposes, as applicable to this Contract.

7. **Period of Performance.** LIAA shall commence performance of the Services and obligations required to be rendered hereunder on the date this Agreement-Contract is fully shall commence executed by the parties hereto, being the day and year first above written, upon written direction from the County and shall be completed within six-6 months of commencement (hereinafter referred to as the "Expiration Date") with the option for 3 additional 1 month renewal(s), upon written notice to the County, at the County's sole discretion.

Notwithstanding any other provision in this Contract to the contrary, the County may terminate this Contract, with or without cause, upon 30 calendar days' prior written notice to LIAA. In the event this Contract is prematurely terminated without cause as set forth herein, LIAA shall be compensated for all Services completed as of the effective date of termination.

8. **Findings Confidential.** No reports, information, documents, or any other materials given to or prepared by LIAA under this Contract which the County requests in writing to be kept confidential; shall be made available to any individual or organization by LIAA without the prior written approval of the County. However, LIAA shall be free to disclose such data as is publicly available.

5.

9. **Applicable Law.** This Contract shall be governed by the laws of the State of Michigan and any applicable Federal law. The County and LIAA agree that the venue for the bringing of any legal or equitable action under this Contract shall be established in accordance with the statutes of the State of Michigan and/or Michigan Court Rules. Any action brought under this Contract shall originate in the 80th District Court of the State of Michigan. In the event that any action is brought under this Contract seeking damages in excess of \$25,000.00, the venue for such action shall be the 55th Judicial Circuit Court of the State of Michigan.

10. **Compliance with the Law.** LIAA shall provide all the Services to be performed under this Contract in complete compliance with all applicable Federal, State and local laws, ordinances, rules and regulations.

11. **Nondiscrimination.** LIAA, as required by law, shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, disability that is unrelated to the individual's ability to perform the duties of a particular job or position, height, weight, marital status or political affiliation. LIAA shall adhere to all applicable Federal, State and local laws, ordinances, rules and regulations and policies prohibiting discrimination. Breach of this Section shall be regarded as a material breach of this Contract.

12. Independent Contractor. It is expressly understood and agreed that LIAA is an independent contractor. The employees, servants, agents, or subcontractors of LIAA shall in no way be deemed to be and shall not hold themselves out as the employees, servants or agents of the County and shall not be entitled to any fringe benefits of the County, such as, but not limited to, health and accident insurance, life insurance, longevity, or paid sick or vacation leave. LIAA shall be responsible for the supervision of its personnel and for paying all compensation due its personnel for Services they have performed under this Contract and for withholding and payment of all applicable taxes, including, but not limited to, income and social security taxes to the proper Federal, State and local governments. LIAA shall carry workers' compensation insurance coverage and pay unemployment compensation coverage for its personnel, as required by law.

13. Indemnification and Hold Harmless. LIAA shall, at its own expense, protect, defend, indemnify, save and hold harmless the County, its elected and appointed officers, employees, and agents from all claims, damages, lawsuits, costs and expenses, including, but not limited to, all costs from administrative proceedings, court costs and attorney fees, that the County and its elected and appointed officers, employees, and agents may incur as a result of any breach of this Contract, violation of Federal or State laws and/or rules or regulations, or negligent acts or omissions of LIAA or any of its employees, agents or subcontractors that may arise out of this Contract. LIAA's indemnification responsibilities under this Section shall include the sum of damages, costs and expenses which are in excess of the sum of damages, costs and expenses which are paid out on behalf of or reimbursed to the County, its officers, employees, servants and agents by the insurance coverage obtained and/or maintained by LIAA.

14. Insurance. LIAA shall purchase and maintain insurance not less than the limits set forth below. All coverage shall be with insurance companies licensed and admitted to do business in the State of Michigan and with insurance carriers acceptable to the County and have a minimum A.M. Best Company's Insurance Reports rating of A or A- (Excellent).

A. Worker's Disability Compensation Insurance including Employers Liability Coverage in accordance with applicable statutes of the State of Michigan and with limits of liability not less than \$1,000,000.00 per occurrence and/or aggregate combined single limit Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less \$1,000,000.00 per occurrence and/or aggregate combined single limit. Coverage shall include the following:

- 1) Contractual Liability
- 2) Products and Completed Operations
- 3) Independent Contractors Coverage
- 4) Broad Form General Liability endorsement or equivalent

B. Motor Vehicle Liability Insurance, including Michigan No-Fault Coverage, with limits to liability of not less than \$1,000,000.00 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned

vehicles, all non-owned vehicles, and all hired vehicles.

- C. Professional Liability Insurance (Errors and Omissions) shall be maintained during the life of this Contract with limits of liability of not less than \$1,000,000.00 per claim.
- D. Additional Insured - Commercial General Liability Insurance, as described above shall include an endorsement stating the following shall be "Additional Insured": Clare County, all its elected and appointed officials, all its employees, all its Boards, Commissions and/or authorities and Board member.
- E. Cancellation Notice - All insurance described above shall include an endorsement stating the following: "It is understood and agreed that 30 days advanced written notice of cancellation, non-renewal, reduction and/or material change shall be sent to: Clare County, 225 Main St., Harrison, MI 48625.
- F. Proof of Insurance - LIAA shall provide the County at the time the Contracts are returned by it for execution, 2 copies of the certificate of insurance for each of the policies mentioned above. If so requested, certified copies of all policies will be furnished.
- G. Maintenance of Policies - Any and all required insurance policies described above shall be maintained until all work required under the Contract has been completed to the County's satisfaction. It is LIAA's responsibility to provide evidence of the renewal of any insurance policy.
- H. Withholding Payments - The County may withhold payments to LIAA if LIAA has not delivered policies of insurance and endorsement, or evidence of their renewal, as required.

15. Notices. Any notice required to be given pursuant to the terms and conditions set forth in this Contract shall be in writing and shall be sent by first class mail to the County at:

Tina Moore, Deputy Equalization Director  
Clare County Office of Equalization  
225 W. Main St.  
P.O. Box 438  
Harrison, MI 48625

and to LIAA:

Matthew Cowall, Acting Executive Director  
LIAA  
324 Munson Ave.  
Traverse City, MI 49686

16. Waivers. No failure or delay on the part of either of the parties to this Contract in

exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall a single or partial exercise of any right, power or privilege preclude any other or further exercise of any other right, power or privilege. In no event shall the making by the County of any payment due to LIAA constitute or be construed as a waiver by the County of any breach of a provision of this Contract, or any default which may then exist, on the part of LIAA, and the making of any such payment by the County while any such breach or default shall exist, shall in no way impair or prejudice any right or remedy available to the County in respect to such breach or default.

17. Amendment or Modification. All modifications, amendments or waivers of any provision of this Contract or the Services to be performed hereunder, shall be made only by the written mutual consent of the parties hereto.

18. Assignment or Subcontracting. LIAA shall not assign, subcontract or otherwise transfer its duties and/or obligations under this Contract, without the prior written consent of the County.

19. Purpose of Titles. The titles of the sections set forth in this Contract are inserted for the convenience of reference only and shall be disregarded when construing or interpreting any of the provisions of this Contract.

20. Complete Contract. -This Contract and the attached Attachments A and B contain all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Contract or any part thereof shall have any validity or bind any of the parties hereto.

21. Survival Clause. -All rights, duties and responsibilities of any party that either expressly or by their nature, extend into the future, including, but not limited to, the retention of and access to records, confidentiality and indemnification provisions, shall extend beyond and survive the end of the term or termination of this Contract.

22. Invalid/Unenforceable Provisions. If any clause or provision of this Contract is rendered invalid or unenforceable because of any State or Federal statute or regulation or ruling by any tribunal of competent jurisdiction, that clause or provision shall be null and void, and any such invalidity or unenforceability shall not affect the validity or enforceability of the remainder of this Contract. Where the deletion of the invalid or unenforceable clause or provision would result in the illegality and/or unenforceability of this Contract, this Contract shall be considered to have terminated as of the date in which the clause or provision was rendered invalid or unenforceable.

23. Certification of Authority to Sign Contract. The people signing on behalf of the parties to this Contract certify by their signatures that they are duly authorized to sign this Contract on behalf of said parties and that this Contract has been authorized by said parties.

6. —

In witness of their ~~agreement~~ Contract to the terms above, the parties or their authorized agents hereby affix their signatures:

COUNTY OF CLARE

LAND INFORMATION ACCESS  
ASSOCIATION LIAA

By \_\_\_\_\_  
Jack Kleinhardt, Chair  
Executive Director  
County Board of Commissioners

By  \_\_\_\_\_  
Matt Cowall,

Date: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Name and Title (print or type)

\_\_\_\_\_  
N:\Client\Clare\_Agr\_Land\_Info\_Access\_Assn\LIAA\Clare Co GIS Contract v1.docx





November 25, 2019

Dear:

This letter serves as your formal notification of your acceptance into our 106<sup>th</sup> Basic Police Training Academy, which begins January 6 and ends May 1, 2020, pending MCOLES approval. The first day of the academy begins at 8:00 am sharp, at which time you are to report to Delta College, Room C111.

You will be fitted for your uniform at Delta College. Uniforms can be picked up in Delta College Public Safety on a date to be determined.

NOTE: While dressed in uniform, you are required to wear black boots that are able to be shined. You are required to wear the navy cap when you are outside of the building; once inside a building you must remove your cap.

On the first day of the academy, you will need to report in your dress uniform and bring the following:

- 1) Work out gear (shorts and t-shirt will be provided; you will need to supply running shoes, towels and toiletries) and gear bag.
- 2) Laptop/Notebook Computer.

In order to secure your position, payment of your tuition (In-District: \$7,806.00; Out-District: \$9,036.00) must be made by December 3, 2019. Checks should be made payable to Delta College and sent/delivered to Delta College, ATTN: Cashier Office, University Center MI 48710. If you have been approved for financial aid or a student loan, you must submit a copy of your approval to our office by December 3, 2019. If you are seeking financial aid or a student loan and experiencing difficulty with any of the paperwork, please let us know. We may be able to assist you. You must submit a receipt showing payment has been made to our office (Delta College Police Academy, University Center MI 48710) by December 3, 2019.

If you have any questions or concerns, please contact our office. We look forward to an outstanding academy.

Sincerely,

Michael Goodall, Coordinator  
Delta College Police Academy  
1961 Delta Road  
Room N102  
University Center MI 48710  
(989) 686-9287  
[michaelgoodall@delta.edu](mailto:michaelgoodall@delta.edu)

**Delta College Basic Police Training Academy**  
**Additional Required Equipment**

- White handkerchiefs
- White crew neck t-shirts
- Flip flops or shower shoes
- Swim suit – navy blue for men/navy blue 1 piece athletic suit for women
- Compression shorts for women (if desired to wear with swimsuit)
- Newer running shoes
- Bathing towels
- Shoe polishing kit
- White ankle athletic socks for PT
- Dark blue socks to cover the white socks when wearing boots
- Black gloves for cold weather (any kind)
- Computer thumb drive (USB memory sticks)
- Black leather boots, 8" tall
- Shirt Stays or Shirt Garter (recommended but not required)
- Duty belt
- Belt keepers
- Handgun (9mm or 40 Cal. Must be full sized or compact NOT subcompact) (Model selected should be one commonly used by area law enforcement agencies. Please contact Academy staff prior to purchasing any handgun for academy use.)
- Holster (threat level two with thumb break) (Holster must be designed for specific handgun used)
- 3 cartridge magazines
- Magazine holders
- Handcuff case
- Police Flashlight of your choice (Mag Lite, Stringer, Streamlight or similar)
- Flashlight holder
- Mouth guard
- Laptop Computer

## CLARE COUNTY SHERIFF'S OFFICE POSITION DESCRIPTION

<b>OFFICIAL POSITION TITLE:</b>	<b>Deputy Sheriff – Recruit / Cadet</b>
<b>DEPARTMENT:</b>	<b>Clare County Sheriff's Office</b>
<b>CLASSIFICATIONS:</b>	<b>Non-Exempt / Non-Union / Probationary Position - \$10 / hr in Academy with Benefits / In conjunction with Labor Contract After Successful Completion of Academy and MCOLES Exam</b>
<b>REPORTS TO:</b>	<b>Police Academy Staff / Assigned Road Sergeant</b>
<b>DEPARTMENT DIRECTOR:</b>	<b>Sheriff</b>
<b>DATE:</b>	<b>Upon Hiring thru Completion of Academy</b>
<b>APPROVED BY:</b>	<b>Undersheriff </b>

### General Summary

Under the supervision of academy staff and a department Sergeant to complete all MCOLES approved Police Academy requirements successfully and with positive behavior reflecting on the Sheriff's Office and Clare County community. Recruit / Cadets must complete the academy and be able to fulfill all the listed below requirements of a MCOLES licensed Deputy Sheriff. Candidates will possess health care / retirement benefits. Upon successful completion of the academy and MCOLES exam the recruit / cadet will become part of the road patrol POAM bargaining unit as if just hired as a full time Road Deputy.

### Essential Functions

- 1) Patrols the County to enforce traffic and other laws. Stops traffic violators and issues citations as appropriate, assists stranded motorists, provides assistance during hazardous conditions, and serves as a deterrent to crime.
- 2) Responds to a variety of citizen complaints such as robbery, breaking and entering, assault, vandalism and domestic disputes. Maintains radio communications with the

Communications Center to seek necessary information, request additional assistance and coordinate activities.

- 3) Assists complainants and initiates investigations by searching for physical evidence, collecting and preserving evidence, interviewing victims and witnesses, taking photographs, and protecting crime scenes. Makes arrests as appropriate and advises suspects of their rights.
- 4) Obtains arrest warrants through the Prosecutor's Office and signs before a judge or magistrate. Makes arrests on warrants authorized by the courts.
- 5) Reports to accident scenes to police the scene, render first aid, request medical service and transportation as appropriate, direct traffic, and investigate the cause of the accident. May take photographs, measurements, and statements as part of the investigation.
- 6) Prepares detailed reports of activity, including complaints, accidents, and arrests.
- 7) Appears in court to present evidence as arresting officer or witness.
- 8) Assists citizens in a variety of emergency and non-emergency situations. Provides assistance in times of emergency through crowd control and other measures.
- 9) May serve as a Detective which includes investigating all types of criminal complaints in order to gather clues and evidence that will lead to the arrest and conviction of guilty parties.

- 10) May serve as a Narcotics Officer to identify individuals engaged in the possession and sale of illegal narcotics, conduct investigations, conduct surveillance, and collect background information. Serves as an undercover officer to purchase narcotics.
- 11) May serve as a drug education officer, providing instructional programs related to drug issues, initiating community awareness and education, attending various school functions and interacting with students, teaching parent education component of program, assisting in the intervention of drug abuse cases, and providing related assistance to the schools and students. Assists with writing grant proposals and fund-raising, maintain program records and preparing reports, and performing other administrative tasks related to the program.
- 12) May serve in a variety of other specialized capacities such as marine officer, secondary road patrol officer, and other areas. Conducts presentations on hunter and boating safety and other areas.
- 13) Checks businesses after hours, homes that are temporarily vacated for security purposes. Checks establishments selling liquor to ensure they are complying with the State liquor laws.
- 14) Serves civil and criminal papers.
- 15) Provides assistance to Corrections Division by transporting prisoners and assisting in quelling disturbances in the Jail.
- 16) Serves as court security officer when inmates are in court, responsible for protecting court employees, inmates and the public. Serves as hospital security officer while inmates are hospitalized.
- 17) Transfers inmates to and from court, correctional and medical facilities.
- 18) Processes criminal complaints or incidents in the Jail.
- 19) May be a certified scuba diver and assist with dive operations.
- 20) May be required to obtain certification as breathalyzer operator.

This list may not be inclusive of the total scope of job functions to be performed. Duties and responsibilities may be added, deleted or modified at any time.

## Physical Requirements

This job requires the ability to perform the essential functions contained in this description. These include, but are not limited to, the following requirements. Reasonable accommodations will be made for otherwise qualified applicants unable to fulfill one or more of these requirements:

Ability to physically restrain assaultive persons.

Ability to lift and carry and otherwise assist injured persons.

Ability to climb stairs, ladders, fences and other obstacles.

Ability to walk/run over all types of terrain.

Ability to pursue individuals on foot.

Ability to drive a vehicle in all types of weather and engage in high speed pursuits.

Stooping, kneeling, and crawling in order to collect evidence and perform other functions.

Ability to withstand periods of prolonged sitting while conducting surveillances.

## Working Conditions

Required to deal with people in various states of intoxication, emotional and mental condition.

Required to work outside in all sorts of weather.

Exposure to extreme changes in temperature.

Exposure to a variety of foul odors.

Exposure to contact with the bodily fluids of others.

Exposure to assault by individuals with various weapons.



**D. FINANCE AND ADMINISTRATION  
STANDING COMMITTEE**



# STATUTORY FINANCE COMMITTEE

## MEETING MINUTES OF

### November 18, 2019

COMMISSIONERS PRESENT: Commissioner Kleinhardt, Commissioner Haskell and Commissioner Strouse

#### CALL TO ORDER

Committee member Strouse called the meeting to order at 9:00 a.m.

#### II. PUBLIC COMMENTS:

#### III. COMMITTEE ITEMS

##### A. November 18, 2019 Claims

Per legal counsel opinion, the County Board of Commissioners established separate meetings for review of claims by the Statutory Finance Committee.

It was moved by Commissioner Strouse and seconded by Commissioner Kleinhardt to approve the November 18, 2019 General Fund claims as submitted in the amount of \$ 242,932.27. Motion carried.

#### B. PRESENTATIONS

#### IV. UNFINISHED BUSINESS

#### V. NEXT MEETING DATE: December 4, 2019 at 9:00 A.M.

#### VI. ADJOURNMENT

The Statutory Finance Committee meeting adjourned at 10:00 a.m.

# **STATUTORY FINANCE COMMITTEE**

## **MEETING MINUTES OF**

**December 2, 2019**

**COMMISSIONERS PRESENT:** Commissioner Kleinhardt, Commissioner Haskell and Commissioner Strouse

### **CALL TO ORDER**

Committee member Strouse called the meeting to order at 9:00 a.m.

### **II. PUBLIC COMMENTS:**

### **III. COMMITTEE ITEMS**

#### **A. December 2, 2019 Claims**

Per legal counsel opinion, the County Board of Commissioners established separate meetings for review of claims by the Statutory Finance Committee.

It was moved by Commissioner Strouse and seconded by Commissioner Kleinhardt to approve the December 2, 2019 General Fund claims as submitted in the amount of \$ 48,324.66 Motion carried.

### **B. PRESENTATIONS**

### **IV. UNFINISHED BUSINESS**

**V. NEXT MEETING DATE:** December 16, 2019 at 9:00 A.M.

### **VI. ADJOURNMENT**

The Statutory Finance Committee meeting adjourned at 9:45 a.m.

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MONTHLY EXPENDITURES					
Nov-19					
GENERAL FUND	PARKS & RECREATION	FRIEND OF COURT	GYPSY MOTH	PUBLIC BLDG IMPROVEMENT	
101	208	215	239	245	
\$ 973,831.87	\$ -	\$ 26,583.36	\$ 3,695.11	\$ -	\$ 1,004,110.34
BLDG/ELECT DEPT	AUTOMATION FUND	INDIGENT DEFENSE FUND	911 SERVICE	LOCAL CORR CPL LICENSING	
249	256	260	261	263	
\$ 26,192.62	\$ -	\$ 27,901.72	\$ 59,809.15	\$ 2,952.34	\$ 116,855.83
LOCAL CORR	OFFICERS TRAIN FUND	DRUG LAW INF FUND	OWI FORFEITURE FUND	CLARE/GLADWIN RECOVERY CRT	LAW LIBRARY
	264	265	267	268	269
\$ -	\$ 761.82	\$ 1,921.67	\$ 11,480.61	\$ 316.89	\$ 14,480.99
HOUSING	COMM DEV ESCROW	COUNCIL ON AGING	SOCIAL SERVICES	CHILD CARE PROBATE	
274	275	288	290	291	
\$ 538.84	\$ -	\$ 120,040.70	\$ -	\$ 12,832.74	\$ 133,412.28
CHILD CARE SOCIAL SERV	SOLDIERS/ SAILORS RELIEF	VETERANS TRUST	AIRPORT	VETERANS SPECIAL PROJECTS	
292	293	294	295	296	
\$ 33,446.76	\$ 2,280.28	\$ -	\$ 1,311.46	\$ 296.67	\$ 37,335.17
CRTHOUSE RENOV DEBT	BLDG AUTH DEBT	BROWNFIELD DEBT FUND	ANIMAL SHELTER	CO CONST LOAN	
366	370	380	413	466	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
BROWNSFIELD AUTH-REV LOAN	BROWNSFIELD E P A	LAND BANK AUTHORITY	TAX REVOLVING	TAX FORECLOSURE FUND	
480	486	515	516	518	
\$ -	\$ -	\$ 229.71	\$ 658.36	\$ 4,593.25	\$ 5,481.32
TRANSIT	JAIL COMMISS FUND	TECHNOLOGY	HEALTH INSURANCE	T & A	
588	595	644	677	701	
\$ -	\$ 11,670.50	\$ -	\$ -	\$ 632,798.89	\$ 644,469.39
LIBRARY	CLEARING FUND	DRAIN	LAKE LEVEL	LAKE IMPROVEMENT	
721	777	801	841	845	
\$ -	\$ 223,678.31	\$ 890.00	\$ 887.43	\$ -	\$ 225,455.74
GRAND TOTAL	\$ 2,181,601.06		101 GENERAL FUND	\$ 2,181,601.06	
				\$ (973,831.87)	
			ALL OTHER FUNDS	\$ 1,207,769.19	





# CLARE COUNTY BOARD OF COMMISSIONERS

225 West Main Street, P.O. Box 438 Harrison, MI 48625  
Ph: (989) 539-7436 Fax (989) 539-2588

District 1: DALE MAJEWSKI District 2: SAMANTHA PITCHFORD District 3: LEONARD STROUSE  
District 4: JACK KLEINHARDT District 5: SANDRA BRISTOL District 6: KAREN LIPOVSKY District 7: JAMES GELIOS

## CLARE COUNTY STATUTORY FINANCE COMMITTEE 2020 MEETING DATES

At a regular Board of Commissioners' Meeting dated December 18, 2019 a motion was made by C/ \_\_\_\_\_ and seconded by C/ \_\_\_\_\_ to approve the following Finance Days set for the year 2020 all meetings to commence in Conference Room C at 9:00 a.m. on:

- |                   |                                    |
|-------------------|------------------------------------|
| January 13, 2020  | July 13, 2020                      |
| January 27, 2020  | July 27, 2020                      |
| February 10, 2020 | August 10, 2020                    |
| February 24, 2020 | August 24, 2020                    |
| March 9, 2020     | <b>September 8, 2020 (Tuesday)</b> |
| March 23, 2020    | September 21, 2020                 |
| April 6, 2020     | October 5, 2020                    |
| April 20, 2020    | October 19, 2020                   |
| May 4, 2020       | November 2, 2020                   |
| May 18, 2020      | November 16, 2020                  |
| June 1, 2020      | November 30, 2020                  |
| June 15 2020      | December 14, 2020                  |
| June 29, 2020     | December 28, 2020                  |

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Jack Kleinhardt, Chairperson  
Clare County Board of Commissioners

Exceptions are in bold for those meeting times that are changed due to holidays.





# CLARE COUNTY BOARD OF COMMISSIONERS

225 West Main Street, P.O. Box 438 Harrison, MI 48625  
Ph: (989) 539-7436 Fax (989) 539-2588

District 1: DALE MAJEWSKI District 2: SAMANTHA PITCHFORD District 3: LEONARD STROUSE  
District 4: JACK KLEINHARDT District 5: MARK FITZPATRICK District 6: DAVID HOEFLING District 7: JEFF HASKELL

## CLARE COUNTY BOARD OF COMMISSIONERS 2020 MEETING DATES

The 2020 regular meetings of the Clare County Board of Commissioners are scheduled for the third Wednesday of the month commencing in the Board of Commissioners Room at 9:00 a.m. as follows:

January 15, 2020	July 15, 2020
February 19, 2020	August 19, 2020
March 18, 2020	September 16, 2020
April 15, 2020	October 21, 2020
May 20, 2020	November 18, 2020
June 17, 2020	December 16, 2020
	January 20, 2021

All rescheduled meetings or special meetings shall be posted on the bulletin board located next to the main South entrance door of the Courthouse, 225 W. Main St., Harrison, Michigan 48625.

Adopted by the Clare County Board of Commissioners on the 18<sup>th</sup> day of December 2019.

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Jack Kleinhardt, Chairperson  
Clare County Board of Commissioners



**MICHIGAN ELECTION LAW (EXCERPT)**  
**Act 116 of 1954**

**168.28 Boards of election commissioners and boards of canvassers; compensation.**

Sec. 28. Members of the various boards of election commissioners and any other person charged with duties in connection with the conduct of primaries, elections, canvassing of returns, and recounts must receive compensation as is determined by the legislative body of this state, the county, the city, the township, or the village, as applicable. The county board of commissioners shall consult with the county clerk to determine the compensation for the board of county canvassers and any assistants employed by the county board of canvassers.

**History:** 1954, Act 116, Iff June 1, 1955;—Am. 2018, Act 614, Iff Mar 28, 2019

**Popular name:** Election Code



**COUNTY OF CLARE****EXEMPT EMPLOYEES PAID LEAVE UTILIZATION AND RECORDKEEPING POLICY****A. Policy**

This Policy shall be identified as the "County of Clare Exempt Employees Paid Leave Utilization and Recordkeeping Policy."

**B. Purpose**

The County of Clare has full-time employees who are exempt from overtime provisions under the Federal Fair Labor Standards Act and are compensated on a salary basis. Some exempt employees are also extended certain paid leaves pursuant to applicable provisions of the Non-Union Personnel Policy Manual, collective bargaining agreements, or employment agreement. It is important for the County to maintain accountability with regard to such paid leave to assure appropriate utilization of public tax dollars, and to establish a uniform method of applying these paid leave benefits to salaried exempt employees. Although salaried employees' compensation is not based on the quantity or amount of hours worked, it is important to maintain accurate recordkeeping as to time actually worked by salaried employees for a number of reasons. The County requires accurate records both as to the time worked, and the utilization of paid and unpaid leaves for accountability and operational reasons. These reasons may include the need to allocate costs to appropriate budgets, programs, and grants, to evaluate staffing needs, and to determine eligibility for certain fringe benefits that are based upon time worked. Many County fringe benefits are extended to full-time employees only, and full-time status is determined by the normal hours budgeted and scheduled for each

position under the County Non-Union Personnel Policy Manual and collective bargaining agreements. Examples of fringe benefits that require accurate time worked records include the County pensions<sup>1</sup> and health insurance<sup>2</sup>, as well as eligibility for certain statutory leaves, such as leave under the Federal Family and Medical Leave Act.<sup>3</sup>

**C. Scope of Policy.**

This Policy shall be applicable to all full-time County salaried employees exempt under the Federal Fair Labor Standards Act, including employees exempt as administrative, professional, or executive employees<sup>4</sup>, as well as full-time employees who are not covered by the Federal Fair Labor Standards Act, including the personal staff of Elected Officials.<sup>5</sup> These employees shall be collectively referred to as “Exempt Employees” under the terms of this Policy, even if the Fair Labor Standards Act provisions are not applicable at all to certain positions. The Policy is further limited to those Exempt Employees, as herein defined, who are employed on a “full-time” status and are eligible for paid leaves, including paid holidays, vacation, sick leave, personal leave and/or contractual compensatory time, pursuant to the County's Non-Union Personnel Policy Manual, applicable collective bargaining agreements, or employment agreements. The Policy does not apply to salaried County Elected Officials.

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<sup>1</sup> To receive monthly service credit under the County's MERS Pension employees must work a minimum of ten 7-1/2 hour days per month. MERS Plan Document Sec. 16(1)

<sup>2</sup> Eligibility for health insurance under the Federal Affordable Care Act is based on hours of service being 30 or more hours per week. 26 USC §4980H(4)

<sup>3</sup> Eligibility for FMLA leaves require an employee have actually worked 1,250 hours on the job in the prior 12-months [29 USC §2611(2)(A); 29 CFR §825.102]

<sup>4</sup> 29 CFR §541

<sup>5</sup> 29 USC §203 (e)(2); 29 CFR §553.11(b)

**D. Salaried Exempt Employees**

1. It is recognized by the County that the Exempt Employees to whom this Policy is applicable are also classified as “Salaried Employees” and entitled to compensation on a salary basis. As recognized by the Fair Labor Standards Act<sup>6</sup>, the Non-Union Personnel Policy Manual<sup>7</sup>, and current applicable supervisory collective bargaining agreement<sup>8</sup>, this means:

It is understood that these exempt employees will work varied hours and are compensated on a salary basis. Exempt employees shall regularly receive each pay period a pre-determined amount based on an annual salary amount. This amount is not subject to reduction for any week in which work is performed based on a variation in hours worked, except for unpaid leaves of absence or absences authorized by the Fair Labor Standards Act. In the event of termination of employment, the employee's salary will be pro-rated to the effective date of their termination.

2. Based on the foregoing, it is understood that Salaried Exempt Employees shall be entitled to their regular weekly salary unreduced based on variations in the quality or quantity of work performed, except for reasons recognized under the Federal Fair Labor Standards Act<sup>9</sup>, including:

- a. The Exempt Employee is absent from work for one or more full days for personal reasons, other than sickness or disability;
- b. The Exempt Employee is absent from work for one or more full days because of sickness or disability (including work-related accidents) and the salary deduction is made in accordance with the County's bona fide plan,

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<sup>6</sup> 29 CFR §541.602(a)

<sup>7</sup> Non-Union Personnel Policy Manual, Sec. V, B

<sup>8</sup> Clare County and UAW, Local 1974, Unit 2, Supervisory Unit contract, Article 17, B

<sup>9</sup> 29 CFR §541.602(b)

policy, or practice of providing compensation for loss of pay by such sickness and disability;

- c. The County employer imposes unpaid penalties in good faith for infractions of safety rules of major significance;
- d. The County employer imposes, in good faith, unpaid disciplinary suspensions of one or more full days for infractions of certain workplace conduct rules;
- e. The Exempt Employee takes unpaid leave under the federal Family and Medical Leave Act;
- f. The County is not required to pay a full salary in the initial or terminal week of employment, but shall pay only the pro-rated amount based upon the time the Exempt Employee actually worked; or
- g. The Exempt Employee is absent the entire workweek or performs no work during an entire workweek.

3. Notwithstanding the foregoing, it is understood that a Salaried Exempt Employee's weekly compensation may include applicable paid leave time and recognized holiday pay granted by the Non-Union Personnel Policy Manual, collective bargaining agreement, or employment agreement as a portion of that employee's weekly compensation, and that paid holidays and paid leave accruals may be deducted to cover a portion of such weekly salary when the criteria for such holidays and leaves are applicable. However, if a Salaried Exempt Employee has no available unused accrued applicable paid leaves, their weekly salary shall not be reduced unless one or more of the

exceptions under the Fair Labor Standards Act outlined in Section D, 2 above is applicable.

4. Salaried Exempt Employees may flex their hours within a workweek with the authorization of their applicable Department Head, Elected Official, or their designee.

**E. Paid Leave Utilization**

Paid leaves granted Exempt Employees shall be utilized in accordance with the terms of the applicable Non-Union Personnel Policy Manual, collective bargaining agreement, or employment agreement. This will include complying with notice and the criteria required for utilization of such paid leaves under the terms of those policies or contracts, and obtaining the requisite approvals from the employee's Department Head, Elected Official, or their designees, with regard to such paid leave utilization. The details of each such paid leave are outlined in the applicable Non-Union Personnel Policy Manual, collective bargaining agreement, or employment agreement, and clarifications regarding the same may be obtained from the County Administrator, if necessary.

**F. Recordkeeping and Accrued Bank Deductions**

1. Time Sheets: Salaried Exempt Employees are paid on a salary basis that is a predetermined amount based on the bi-weekly pro-rated established annual salary for their position. However, for payroll processing, recordkeeping, and accounting for paid leave time purposes, all Exempt Employees are required to fill out time sheets and submit them to the County Payroll Department. Even though these Exempt Employees are compensated on a salary basis, time sheets are required to accurately reflect the hours the employee actually worked, as well as paid holidays and any paid or unpaid leave utilized in the applicable pay period. Time sheets are required to be reviewed and

approved by the applicable Department Head, Elected Official, or their designee, prior to being submitted. For any workweek in which the Exempt Employee has worked less than their scheduled normal full-time hours (37.5 hours or 40 hours, as applicable), the employee shall report on their time sheet the source of leave to account for all scheduled time not worked that is less than the employee's regular workweek. The source of paid leave must be included for all absences from work in excess of one (1) hour.

2. Exempt Employee's respective paid leave accrual banks will accordingly be debited by the Payroll Department. If an Exempt Employee fails to specify the source of paid leave to be used, the Payroll Department will notify the employee's Department Head or Elected Official and will debit the employee's accrued leaves banks in the following order:

- a. First, any unused contractual compensatory time leave will be debited;
- b. Second, any accrued, unused vacation leave will be debited;
- c. Third, any unused personal leave will be debited; and
- d. Fourth, any unused sick leave will be deducted if the reason for absence otherwise qualifies for sick leave utilization.

If an Exempt Employee has insufficient unused accrued paid leave to fully account for an absence, the leave banks will be left at a zero balance and no negative balances will be used to offset future earned accumulated paid leaves. If the Exempt Employee's salary is reduced based upon any of the allowable reductions as provided in Section D, 2 of this Policy, the Payroll Department shall make the appropriate deductions.

3. In the event an Exempt Employee is on unpaid leave of absence as authorized pursuant to the applicable Non-Union Personnel Policy Manual, collective

bargaining agreement, employment agreement, or by law, the employee's salary will be pro-rated and paid leave will not be deducted, except as provided for under the terms of the applicable Non-Union Personnel Policy Manual, collective bargaining agreement, or employment agreement. (E.g., an employee on worker's compensation would not have their paid leave accumulations reduced unless the same is requested and/or called for by the applicable policy or contract. However, some of the County's policies and/or contracts may allow Exempt Employees to partially supplement their worker's compensation benefits with accrued paid leave time.)

4. If Exempt Employees have concerns over any salary deductions or the paid leave accrual deductions being applied, they shall first raise the issue with their Department Head, Elected Official, or their designee, and the issue if not resolved can then be submitted to the Payroll Department through the County Administrator. Unresolved disputes may be reviewed through the applicable complaint procedure for employees covered by the Non-Union Personnel Policy Manual, or the contractual Grievance Procedure under any applicable collective bargaining agreement.

5. Upon request, an Exempt Employee will be provided access to review and receive copies of their payroll and paid leave accumulation banks through the County Payroll Department in the County Administrator's Office.

6. Exceptions: Exceptions to this Policy shall only be made where the Board of Commissioners has expressly authorized an exception to this Policy by formal Board action, or if a collective bargaining agreement or individual employment contract approved by the Board of Commissioners has a provision that expressly provides for an exception.

