

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

Harrison, Michigan 48625
February 17, 2016

3/16/16
UnApproved Minutes
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Meeting was called to Order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

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

Absent: None

Others Present, Signing In: Terry Acton, Kim Kennicott and Michelle Neff

APPROVAL OF AGENDA

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

Add: Approval of Minutes of Closed Session for January 20, 2016

Add: Under Health and Human Services, Resolution #16-07

Add: Under Health and Human Services, Reappointment of Joseph Phillips to Community Mental Health

Add: Under Physical Resources and Economic Development, Reappointment of Rob Sabisch

Add: Under Finance, Discussion of Administration and Finance Committee Approval Threshold

APPROVAL OF MINUTES

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse, to approve the minutes of the January 20, 2016, Board Meeting as presented. Motion carried.

It was moved by Commissioner Dale Majewski, seconded by Commissioner Donald David, to approve the Closed Session minutes of the January 20, 2016, Board Meeting as presented. Motion carried.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Pitchford, to approve the second Closed Session minutes and open them to the public. Motion carried.

GENERAL PUBLIC COMMENT

- Michelle Neff, MSU Extension provided a report on event is MSU. She indicated that the annual mock interview day with Clare, Gladwin, Isabella and Gratiot county schools is fast approaching and they were still seeking volunteer participants. Additionally 4-H is hosting a parliamentary procedures educational day in March.
- Terry Acton, Hayes Township Supervisor, appeared before the Board and invited all to stop to tour the newly renovated Hayes Township facility. He described it as a premiere facility in the county with capability to provide shelter in the time of a disaster. Mr. Acton indicated his main purpose in being present; however, was to specifically spearhead support for the Clare County airport located in Harrison, Hayes Township and enhance capabilities. Both City of Harrison and Hayes Township support the initiative. He said at this time, the airport is viewed as a hobbyist airport. By contributing \$20,000 in funding, which he suggested might be split 50% Clare County and 25% both by the City of Harrison and Hayes Township, he speculated that it would sustain the airport and funding could be utilized to advance the airport. Commissioner David then asked if there was any interest in the other entities taking ownership with response being, "Possibly."
- Dan Dysinger, Grant Township Supervisor appeared to briefly discuss HB 5169 and the impact to the county and other governmental entities of approximately \$33,000.00 - \$35,000.00 in lost revenue per year. He stated, "I am here to help the county put money back into the coffers as well as every other local unit of government and make the state pay for the exemption because that is really where it really belongs." Veteran issues with Hipaa would also be removed and eliminate any violation problem. And, out of respect for the Veterans it takes the violation of HIPAA for the confidentiality rule and respects the Veteran as filing would be with Michigan Department of Treasury where it should be. He encouraged everyone to read the bill and contact governmental leaders in Lansing to discuss the issue.

COMMUNICATIONS LIST

- Huron County, Resolution 16-9C, Urging State Lawmakers & Officials of Hypocrisy Exempting Themselves from Laws
- Huron County, Resolution 16-10C, Opposing HB 5016 Regarding One-Year Notice to Relocate Ground or Above Ground Utilities or Transmission Lines
- Huron County, Resolution 16-14, Supporting SB 703 Removing Restrictions on Communications with Constituents about Local Ballot Questions
- City of Clare Commission, Resolution 2016-007 Calling for Repeal of Language in Sec. 57, Subsection (3) of PA 269 of 2016
- Clare County Director of Emergency Management Urging BOC Members to Attend "Public Officials Conference Training" on March 16, 2016
- Department of Health and Human Services Letter regarding 2015-16 Annual Plan for Child Care Fund Expenditures Approval for State Reimbursement

Relevant to the Communication list, Clerk/Register Pamela Mayfield requested that the Board please consider concurring with the Huron County Resolution 16-9C. She indicated that State lawmakers ought to at least have to respond to transparency and FOIA requests at the same level as they have passed expecting counties to respond. She specifically detailed a recent request for election information that requires the office to review election data from 2002 to the present and she read the long list of information wanted. She noted that at least there would be some minor revenue generated from the lengthy request stating that often times there is an inability to charge because of the structure of the FOIA laws.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Don David to concur with Huron County Resolution 16-9C Urging State Lawmakers and Officials to Stop the Hypocrisy of Exempting Themselves From Laws. Motion carried.

It was moved by Commissioner Donald David, seconded by Commissioner Karen Lipovsky, to forward Resolution #16-07 which will be provided by Central Michigan Community Mental Health in opposition to Section 298 of the Governor's fiscal year 2017 Executive Budget transferring funds from mental health, substance use disorder and Healthy Michigan behavioral health and autism services to the Medicaid Health Plan (MHPS) by September 30, 2017.

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

Resolution adopted.

ADMINISTRATOR'S REPORT

Administrator Tracy Byard recalled several incidents provided in her report. She noted that the Department of Environmental Quality provided a presentation at a meeting regarding the testing of public waters, non-community type II. She stated that they claim that this was in the works before the Flint water crisis. Byard also notified Board that Equalization has hired to fill a vacancy with an employee who does have assessing experience.

Additionally, she met with Middle Michigan Development Corporation and Matt Fellon of the Great Lakes Bay Region provided a presentation on an alliance that they are trying to put together involving eight counties and seven Economic Development Centers. There were seven representatives from Isabella County but no representation from Gratiot, Gladwin or Clare County on that alliance. She indicated that it was recommended that Jim McBride inquire about Jack Kleinhardt representing Clare County because of his agricultural experience. She noted that they are looking to put \$1.5B into agriculture. A report was distributed for information and review.

SPECIAL PRESENTATION-NONE

JUSTICE

It was moved by Commissioner Dale Majewski, seconded by Commissioner Karen Lipovsky, to approve a Five-Year lease with HP Financial to cover the cost of camera servers in the amount of \$20,234.00. Motion carried.

HEALTH AND HUMAN SERVICES

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Lipovsky, to adopt Resolution of Intent #16-02 to apply for financial assistance for fiscal year 2015-16 for our public transportation program, Contract Resolution FY 2016-17 #16-03 which allows Tom Pirnstill to execute contracts with MDOT which are \$968,000.00 or less, Resolution authorizing adoption and ratification of Contract Clauses Certification #16-04 which governs how any transit project requirements apply and such clauses apply to all Federally funded contracts for FY 2015-16 and Resolution adoption and ratification of Public Act 51 to maintain an accessibility Plan with MDOT #16-05, addressing accessibility for all residents.

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

Resolution adopted.

It was moved by Commissioner Jim Gelios, seconded by Commissioner Dale Majewski, to reappoint Joseph Phillips to the Community Mental Health Board of Directors for a three-year term to expire March 30, 2019. Motion carried.

PHYSICAL RESOURCES and ECONOMIC DEVELOPMENT

It was moved by Commissioner Jim Gelios, seconded by Commissioner Dale Majewski to approve a match grant with the State of Michigan for runway repairs in the amount of \$7,400.00 with the County's portion being \$3,700.00 and funds to be paid from the airport fund. Motion carried.

It was moved by Commissioner Samantha Pitchford, seconded by Commissioner Jim Gelios, to appoint Sam Russell as the City of Harrison's DPW representative for a one-year term with term of office to expire February 29, 2017. Motion carried.

It was moved by Commissioner Donald David, seconded by Commissioner Karen Lipovsky, to allow Senior Services to purchase four vehicles, (2) 2013 Malibu vehicles and (2) 2015 Sonic Hatchbacks in the amount of \$49,848.00 with funds to come from Senior Services. Motion carried.

Lori Ware provided a brief presentation indicating that after the purchase of the vehicles her plan would be to hire four – five people to deliver meals. After doing some additional calculations she believes that there could be a cost savings or at least a break even by doing this.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Samantha Pitchford, to adopt Resolution #16-06, Transportation Millage Renewal Proposal for 2016 at the next State Primary Election to be held on Tuesday, August 2, 2016.

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

Resolution adopted.

It was moved by Commissioner Dale Majewski, seconded by Commissioner Karen Lipovsky, to Rob Sabisch as the Village of Farwell's representative to the DPW for a one-year term with term of office to expire February 29, 2017. Motion carried.

FINANCE AND ADMINISTRATION

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Karen Lipovsky, to approve the Statutory Finance Committee meeting minutes of January 19, 2016 in the amount of \$126,794.80 and February 2, 2016 in the amount of \$96,248.74. Motion carried.

It was moved by Commissioner Samantha Pitchford, seconded by Commissioner Karen Lipovsky to approve the expenditures for the month of January 2016 in the amount of \$1,903,899.91 with the General Fund expenditures totaling \$892,155.88. Motion carried.

It was moved by Commissioner Donald David, seconded by Commissioner Karen Lipovsky, to approve Budget Adjustment #16-23, #16-26, #16-27, #16-24, #16-29, #16-31 and #16-32 in the amounts of \$13,976.00, \$8,427.46, \$45,000.00, \$5,000.00, \$7,234.00, \$5,231.42 and \$48,120.00 respectively. Motion carried.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Dale Majewski, to approve a one-year preventative maintenance contract with Answer Heating and Cooling in the amount of \$9,479.00 to include the Courthouse, Sheriff's Department and Jail and allow chair to sign. Motion carried.

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Jim Gelios to adopt the I.T. Policy as presented.

Administrator Byard, reported that the policy presented went to the attorney and it had been viewed by department heads. The plan was an updated comprehensive plan. A lengthy discussion followed with Commissioner David speaking calling attention to several items. Of specific concern was I. (5) which says "Clare County" reserves the right He asked "who" is Clare County in that reference? Who is monitoring, should be monitoring and what and when and why do they monitor? These are the questions he'd like to have answered.

Commissioner Lipovsky and Commissioner Gelios withdraw the motion after discussion.

Recess – 10:52 a.m.

Resume - 11:12 a.m.

It was moved by Commissioner Dale Majewski, seconded by Commissioner Leonard Strouse, to approve the change order for HVAC system for Animal Control in the amount of \$60,829.00 with funds to be paid from the Animal Shelter Improvement Fund. Motion carried.

It was moved by Commissioner Jim Gelios, seconded by Commissioner Karen Lipovsky, to approve the replacement of current lighting fixtures with LED fixtures and lamps in the interior and exterior of the county building and jail in the amount of \$95,249.20 to be paid with bond money. Motion carried.

It was moved by Commissioner Leonard Strouse, seconded by Commissioner Karen Lipovsky, to approve the modernization of an elevator in the court house in the amount of \$54,600.00 with the funds to be paid from the bond money. Motion carried.

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FINANCE AND ADMINISTRATION

It was moved by Commissioner Karen Lipovsky, seconded by Commissioner Leonard Strouse, to increase the threshold for the purchasing policy to allow the Administrator the authority to approve up to \$6,000.00 for budget adjustments and purchases and the Finance Committee threshold up to \$10,000.00 with approval of two finance committee members. Motion carried with one opposed being Commissioner Donald David.

Commissioner David indicated that he was opposed because he felt that there are many things that are happening that are unknown. He noted that he has always felt that two meetings a month are necessary to discuss and decide business.

That sentiment was echoed by others and further discussion followed then on a second meeting being a night meeting. There were numerous drawbacks discussed about night meetings, mainly that county personnel would not be available and accessible to respond to questions if night meetings were initiated. A motion was suggested by Commissioner David to reinstitute a second meeting a month but after hearing all comments, it died. Most were not in favor of a night meeting.

CLERK'S REPORT

Clerk Pamela Mayfield reported that it has now been determined that there will also be a May election this year. The Clare-Gladwin Regional Education Service District (RESD) has presented a resolution for a millage for May.

TREASURER'S REPORT

Treasurer Jenny Beemer-Fritzinger reported that she had hired a replacement to fill a vacancy within the Treasurer's office. She also reported on various House Bills that impact operations within the Treasurer's office, HB4912, HB4913 and HB4984. Additionally, she reported that there will be one additional rabies clinic at the animal shelter, that she is beginning settlements with the local tax units, that she will be seeking information for the up-coming tax anticipation note and suggested that it might be a good idea to pay down the \$300,000 still owed on the old building authority bond.

COMMUNITY SERVICES DIRECTOR REPORT-NONE

COMMISSIONER COMMENTS & REPORTS

- Chairperson Kleinhardt elaborated on Walmart coming to Clare County and all the discussion of roads, potential roads, round-a-bouts and the need for a study.
- Commissioner Gelios reported that the DEQ referred any complaints of odors made by Mr. Elliott to Doug Fitzgerald of Central Michigan District Health Department and he has gone out on several occasions and found no public health concern. Additionally he reported that Steve Phelps is retiring from the Harrison DPW after thirty-five years of service. He also noted that Hayes is looking to place a special assessment on owners for brining roads.
- Commissioner Pitchford noted that there is much-to-do in the Village of Farwell and that there are probably a number of underlying issues not being disclosed. At this time, there have been two resignations being Elton Marshall and Jamie Conley and one firing, that of the Clerk Janet Conley.

UNFINISHED BUSINESS-NONE

NEW BUSINESS

It was moved by Commissioner Dale Majewski, seconded by Commissioner Leonard Strouse, to approve a stipend reimbursement of \$25.00 per month, per phone for the Animal Control Director and Officer with funding to come from the Animal Shelter fund. Motion carried.

Meeting adjourned at 12:33 p.m.

Pamela Mayfield

Pamela Mayfield, Clerk
Clare County Board of Commissioners

Jack Kleinhardt

Jack Kleinhardt, Chairman
Clare County Board of Commissioners