

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

Jim 2/21/18
**Unapproved Minutes
January 17, 2018**

Harrison, Michigan 48625

Meeting was called to Order at 9:00 a.m. by Clerk/Register of Deeds Lori Martin

PLEDGE OF ALLEGIANCE

Present: Commissioners: 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: Jim Gelios

Absent: None

Others Present, Signing In: None

Election of Chairman

Clerk/Register Martin called for nominations for the election of a chairperson. Commissioner Strouse moved and Seconded by Commissioner Bristol to elect Karen Lipovsky as Chairperson. Clerk/Register Martin asked for more nominations three times. Hearing none motion carried.

Election of Vice Chair

Chairperson Lipovsky asked for nominations for the election of Vice Chairperson. Commissioner Strouse moved and seconded by Commissioner Bristol to elect Jack Kleinhardt as Vice Chairperson. Chairperson Lipovsky asked for additional nominations three times. Hearing none motion carried.

Resolution #18-01 for one year term

Moved by Commissioner Kleinhardt and Seconded by Commissioner Gelios to pass Resolution #18-01 and approve the term of Chairperson and Vice Chairperson be a one year term. Chairperson Lipovsky asked for discussion. Hearing none

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

Resolution adopted

Review/Adoption of Board Rules

Moved by Commissioner Bristol and Seconded by Commissioner Pitchford to adopt the Board Rules with the changes to the order of business in which the Treasurer and Director of Community Services give their report immediately after the Administrators report. Chairperson Lipovsky asked for discussion. Hearing none motion carried.

APPROVAL OF AGENDA

It was moved by Commissioner Pitchford, seconded by Commissioner Bristol, to approve the agenda. Motion carried.

APPROVAL OF MINUTES

It was moved by Commissioner Bristol, seconded by Commissioner Kleinhardt, to approve the Minutes of the December 20, 2017 meeting with correction of adding on the last page the motion regarding closed session. Motion carried.

Moved by Commissioner Majewski and Seconded by Commissioner Pitchford to approve the closed session minutes with the correction of Administrator Byard's title in the fourth paragraph. Motion carried.

GENERAL PUBLIC COMMENT

Dale Ecklin spoke about the salt he believes has been being dumped into Budd Lake and offered his four years of research and documentation he has collected to the Board of Commissioners.

*Jim 2/21/18***GENERAL PUBLIC COMMENT - continued**

Community Services Director Lori Phelps gave her professional opinion and where she would like to go in the future to close the Lake meal site, and many health and safety issues. Director Phelps requested the Board allow her to close the Lake meal site and added she would like the vote to be a roll call vote.

Moved by Commissioner Bristol and Seconded by Commissioner Gelios to close the Lake meal site because it is not safe, not responsible of Clare County to keep it open. Chairperson Lipovsky asked for discussion. After discussion roll call vote was called.

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

Motion carried

COMMUNICATIONS LIST

Chairperson Lipovsky asked for discussion. No discussion.

ADMINISTRATOR'S REPORT

Administrator Tracy Byard reported that the MIDC Plan has been denied due to some wage information that the state wants changed. She will meet with Court Administrator Karen Moore, State Liaison Barb Commenski, and Chuck Hinmen from Gladwin County.

Administrator Byard provided the Board with a copy of the Personnel Manual with changes to be voted on at the next Board meeting.

The Board asked Administrator Byard to check with other counties about the opioid lawsuit and what they are doing. She has gotten a mixed response.

PUBLIC HEARINGS/SPECIAL PRESENTATION

Attorney Andrew Shotwell from the Law Office of Smith & Johnson was present and spoke on behalf of Tim Smith and the Smith & Johnson Law Office requesting the Board of Commissioners join the district wide lawsuit against the pharmaceutical companies regarding the opioid epidemic. After much discussion between the Board and Attorney Shotwell, Chairperson Lipovsky thanked Attorney Shotwell for coming, but the Board was not ready to make a decision today.

CHAIRPERSON REPORT

Chairperson Lipovsky asked for review appointments of commissioners to various boards and commissions. No changes were suggested or made.

COMMITTEE REPORTS/CONSENT CALENDAR**Justice Committee**

Rudy Hicks was present and asked for discussion regarding rescinding the current Pet Shelter Ordinance, and offered a revised Ordinance for the Board to review in an effort to protect animals from extreme temperatures. The Board instructed Animal Control and Administrator Byard to consult with the county attorney and report back.

Recess: 10:10 a.m.

Back in Session: 10:23 a.m.

Purchase of Boiler

Moved by Commissioner Gelios and Seconded by Commissioner Pitchford to approve the purchase of a boiler for hot water to the jail in the amount of \$11,218.00 to be paid from contingency. Chairperson Lipovsky asked for discussion. Commissioner Majewski questioned how much money was still in contingency. Administrator Byard stated no funds have been used out of contingency to date. Motion carried.

Health and Human Services Committee

Veterans Affairs - Discussion, cell phone reimbursement request. It was discussed that the other department heads get reimbursed for their cell phones, and there was no reason not to reimburse the Veterans Affairs Director also.

Moved by Commissioner Majewski and Seconded by Commissioner Strouse to approve cell phone reimbursement in the amount of \$30.00 per month to the Veterans Affairs Director. Chairperson Lipovsky asked for discussion. Hearing none motion carried.

Physical Resources and Economic Development Committee None

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FINANCE AND ADMINISTRATION COMMITTEE

Statutory Finance Committee

It was moved by Commissioner Strouse and seconded by Commissioner Majewski to approve Statutory Finance Committee meeting minutes of December 18, 2017 in the amount of \$111,577.70 and January 2, 2018 in the amount of \$43,639.91. Motion carried.

Monthly Expenditures

Moved by Commissioner Pitchford and seconded by Commissioner Bristol to approve the expenditures for the month of December 2017 in the amount of \$1,766,438.61 with the General Fund expenditures totaling \$933,236.52.

Budget Adjustments

Moved by Commissioner Bristol and Seconded by Commissioner Pitchford to approve Budget Adjustment #18- 24, 18-25, 18-26 and 18-27 in the amount of \$11,218.00, \$6,197.00, \$126,118.77 and \$131,335.00. Motion carried.

Letter of Understanding

Moved by Commissioner Majewski and Seconded by Commissioner Strouse to approve a Letter of Understanding to put Colleen Ritchie into Unit 2 under "Chief Deputy Drain Commissioner" position with a salary level that is equal to the office manager after 3rd year scale. The parties agree this will be effective January 8, 2018. The parties also agree that Colleen Richie can return to her Unit 1 secretarial position if no longer needed as chief Deputy Drain Commissioner. Colleen Ritchie will have her Seniority and other benefits transfer with her as provided under Article 9 of the Collective Bargaining Agreement. Chairperson Lipovsky asked for discussion. The Board discussed the reason for the motion and motion carried.

CLERK/REGISTER OF DEED'S REPORT

Clerk/Register of Deeds Lori Martin reported she hired two new full time employees, Stacy Pechacek as Chief Deputy Register of Deeds and Peggy Chaffee as Deputy Clerk/Register of Deeds.

TREASURER'S REPORT

Chief Deputy Treasurer Janet Price was present in place of Treasurer Jenny Beemer-Fritzingler, but did not have a report.

COMMUNITY SERVICES DIRECTOR REPORT

Community Services Director Lori Phelps reported Clare County will probably be doing the code enforcement inspections for the Harrison Community Schools instead of the State of Michigan.

April 1, 2018 is the target date for the grand opening of the adult day care. There was also discussion about the cost to the participants (donation), grant funding, and funds to support the facility.

Director Phelps then updated the Board on the new nights and weekend services they have started. This is a self-supporting service.

CHAIRPERSON REPORT

Chairperson Lipovsky attended her meetings. Nothing to report.

VICE CHAIRPERSON REPORT

Vice Chairperson Kleinhardt reported it has been pretty quiet.

Chairperson Lipovsky mentioned she was signing a letter of support regarding becoming an Eagle Scout for Austin Mangus.

Chairperson Lipovsky asked the Board what they want to do about the Opioid lawsuit. The Board discussed their options, but no motion was made. Chairperson Lipovsky instructed Administrator Byard to let Attorney Andrew Shotwell from the Law Office of Smith & Johnson know they are not going to join the lawsuit at this time.

COMMISSIONER REPORT

Commissioner Gelios has been attending HEADCO and are still working on assisted living project, but is on hold because of funding. Hayes Township discussed a proposal for additional police protection in their township.

Commissioner Strouse received a letter from Grant Township Supervisor Dan Dysinger regarding the Little Tobacco Drain. City of Clare Lake Shamrock property owners are still trying to decide if they are going to pay to drudge the lake or not.

Commissioner Pitchford has been attending her meetings.

Commissioner Bristol has been attending her township meetings. The Road Commission has been doing a great job as reported by many of her townships. Commissioner Bristol is trying to put together a woman's committee. Parks and Recreation discussed that the County doesn't own the park property so they may be

COMMISSIONER REPORT - continued

operating outside of boundaries of the statute. They came up with some goals and a plan to turn things around.

Commissioner Majewski has been attending his meetings.

PUBLIC COMMENT

Mark Irwin spoke on the subject of opioids and the need for pain medication but the doctors are the problem because they are too free with their prescription writing.

UNFINISHED BUSINESS

Clare County Civil Infraction Ordinance

Moved by Commissioner Bristol and Seconded by Commissioner Gelios to approve Ordinance #27 Clare County Civil Infraction Ordinance. The County ordinance violations bureau is empowered to accept admissions of responsibility for County civil infractions for which County ordinance violation notices have been issued and served by authorized officials, and to collect, and retain civil fines for such admissions as prescribed in this article. Chairperson Lipovsky asked for discussion. The Board discussed changes made by the County Attorney.

Roll call vote revealed:

Yeas: (5) being Commissioners Bristol, Gelios, Pitchford, Majewski, and Lipovsky

Nays: (2) being Commissioners Kleinhardt and Strouse.

Absent: (0)

Motion carried

Resolution #18-02

Moved by Commissioner Kleinhardt and Seconded by Commissioner Bristol to approve Resolution #18-02, Clare County petitioning the West Michigan Regional Pathology Services Authority Board to amend Authority Agreement to allow participation in the Authority by the County of Clare as a party to the Agreement. Chairperson Lipovsky asked for discussion. The Board discussed liability and the County Attorney's opinion, roll call vote called.

Roll call vote revealed:

Yeas: (6) being Commissioners Kleinhardt, Bristol, Gelios, Pitchford, Strouse and Lipovsky

Nays: (1) being Commissioner Majewski

Absent: (0)

Resolution adopted

NEW BUSINESS None

Moved by Commissioner Bristol and Seconded by Commissioner Pitchford to go into closed session regarding pending litigation.

Roll call vote revealed:

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

Nays: (0)

Absent: (0)

Motion carried

Recess: 11:29 a.m.

Back in Session: 11:45 a.m.

Moved by Commissioner Strouse and Seconded by Commissioner Bristol to accept the recommendation of the County Attorney. Motion carried.

Commissioner Kleinhardt asked opinion of Attorney Field regarding the opioid lawsuit. Attorney Field could not give an opinion without looking it over.

Meeting adjourned at 11:55 a.m.



Lori Martin, Clerk
Clare County Board of Commissioners



Karen Lipovsky, Chairperson
Clare County Board of Commissioners