

TUSCOLA COUNTY BOARD OF COMMISSIONERS
October 31, 2019 Minutes
H. H. Purdy Building

Commissioner Bardwell called the meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building in the City of Caro, Michigan, on the 31st day of October 2019, to order at 8:02 o'clock a.m. local time.

Prayer – Pastor Phillip Burch, Providence Church of Caro

Pledge of Allegiance – Commissioner Young

Roll Call – Clerk Jodi Fetting

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 4 - Mark Jensen, District 5 – Daniel Grimshaw
(Arrived at 8:06 a.m.)

Commissioner absent - District 3 - Kim Vaughan

Also Present: Clerk Jodi Fetting, Clayette Zechmeister, Eean Lee, Phillip Burch, Angie Daniels, Steve Erickson, Jim McLoskey, Sandy Nielsen, Cory Skinner, Jeff Mallory, Randy Heckroth, Joe Greene, Register John Bishop, Treasurer Patricia Donovan-Gray, Mike Green, Mark Haney, Nancy Laskowski, Eileen Dowering, Carrie Nichols, Carmell Pattullo, Clayton Johnson (via Google Hangouts), Jim Tussey, Mike Pattullo

Adoption of Agenda -
19-M-192

Motion by Young, seconded by Jensen to adopt the agenda as amended.
Motion Carried.

Action on Previous Meeting Minutes -
19-M-193

Motion by Young, seconded by Jensen to adopt the meeting minutes from the October 17, 2019 Regular Board and Statutory Finance meetings. Motion Carried.

Brief Public Comment Period for Agenda Items Only - None

Consent Agenda Resolution -
19-M-194

Motion by Young, seconded by Jensen that the Consent Agenda Minutes and Consent Agenda Resolution from the October 28, 2019 Committee of the Whole Meeting be adopted. Motion Carried.

CONSENT AGENDA

Agenda Reference: A

Entity Proposing: COMMITTEE OF THE WHOLE 10/28/19

Description of Matter: Move to approve the recommendation of the Central Dispatch Director and Dispatch Authority Board that the current alpha-numeric paging system be replaced with MPSCS Unication paging system as identified in the report dated October 28, 2019 and authorize the purchase with Digicom Global be approved. Also, all appropriate signatures and budget amendments be authorized.

New Business

-2019 Apportionment Report - Angie Daniels presented the 2019 report.

19-M-195

Motion by Young, seconded by Jensen to approve the 2019 Tuscola County Apportionment Report as submitted by the County Equalization Director and all appropriate signatures are authorized. Motion Carried.

-Amended Resolution of the Tuscola County Board of Commissioners Approving a Revised Intergovernmental Agreement to Create the Tuscola County Land Bank Authority - Clayette Zechmeister reviewed history of the establishment of the Tuscola County Land Bank as well as the changes in the amended resolution. Board discussed the matter. Board has made recommendations of people that should be invited to the meeting. Board will submit questions to Clayette Zechmeister prior to the meeting in order to have responses prepared.

19-M-196

Motion by Young, seconded by Grimshaw to table the Amended Resolution of the Tuscola County Board of Commissioners Approving a Revised Intergovernmental Agreement to Create the Tuscola County Land Bank Authority to the November 21, 2019 Committee of the Whole meeting. Motion Carried.

-Presentation for County Lobbying - Mike Green presented to the Board regarding Tuscola County retaining a lobbyist to represent the County.

-Mental Health Services Contract for Jail Inmates with Tuscola County Behavioral Health Systems - Board discussed the matter.

19-M-197

Motion by Grimshaw, seconded by Jensen to approve the agreement with Behavioral Health Systems for county inmate psychiatric hospital services to inmates incarcerated in the County Jail from October 1, 2019 through September 30, 2020. This contract may be canceled by either party upon a written thirty (30) day notification. Also, authorize all appropriate signatures. Motion Carried.

-Legislative Update from Capitol Services (matter added) - Jean Doss provided a legislative update to the Board.

-Medical Care Facility Transfer Request - Clayette Zechmeister presented the request.

19-M-198

Motion by Grimshaw, seconded by Jensen that per the request from the Medical Care Facility Chief Executive Officer that \$84,712.91 be transferred from the Voted Medical Care Facility Fund (298) to the Regular Medical Care Facility (291) for the items listed in the October 30, 2019 letter. Motion Carried.

Recessed at 9:52 a.m.

Reconvened at 9:58 a.m.

-Commissioner Grimshaw discussed the client list of Capitol Services, Inc.

-Closed Session -

19-M-199

Motion by Young, seconded by Grimshaw that the Board meet in closed session under Section 8(h) of the Open Meetings Act to consider written material from the County's attorney that is exempt from disclosure by Section 13(1)(g) of the Freedom of Information Act with Clerk Jodi Fetting, Clayette Zechmeister, and Clayton Johnson being authorized to attend at 10:02 a.m.. Roll Call Vote: Young - yes; Jensen - yes; Grimshaw - yes; Vaughan - absent; Bardwell - yes. Motion Carried.

19-M-200

Motion by Young, seconded by Grimshaw to adjourn the closed session at 10:27 a.m. Roll Call Vote - Jensen - yes; Grimshaw - yes; Young - yes; Vaughan - absent; Bardwell - yes. Motion Carried.

-Adoption of Resolution regarding Board of Commissioner Committees -

19-M-201 *Rescinded by Motion 2023-M-299 on December 28, 2023*

Motion by Grimshaw, seconded by Young to adopt the following resolution:

RESOLUTION

WHEREAS, the Tuscola County Board of Commissioners previously established several committees and subcommittees consisting of less than a quorum of the Board of Commissioners; and

WHEREAS, such committees and subcommittees are and have been advisory in nature and are not authorized to exercise governmental authority; and

WHEREAS, the Board of Commissioners recently reviewed its practices with regard to meetings of these committees and subcommittees; and

WHEREAS, this process included a review of best practices and consultation with legal counsel; and

WHEREAS, Tuscola County desires to establish and maintain best practices with regard to transparency and openness in government.

NOW, THEREFORE, BE IT RESOLVED that future meetings of any committee and/or subcommittee consisting of less than a quorum of the Tuscola County Board of Commissioners shall be conducted pursuant to the standards established by Michigan's Open Meetings Act, Public Act 267 of 1976, as amended.

Roll Call Vote: Grimshaw - yes; Young - yes; Jensen - yes; Vaughan - absent; Bardwell - yes. Motion Carried.

-Clerk Copier Request to Seek Bids - Clerk Fetting explained the need to bring the request before the Board rather than waiting for the 2020 Budget to be approved.

19-M-202

Motion by Grimshaw, seconded by Young that per the request of the County Clerk that authorization is given to seek bids to replace a copier/printer/fax machine in the Clerk's Office. Motion Carried.

Old Business -

-Resolution Supporting Passage of Legislation to Adopt Four Year Terms for County Commissioners - Board discussed the matter.

19-M-203

Motion by Grimshaw, seconded by Young to approve the following resolution:

RESOLUTION**SUPPORTING PASSAGE OF LEGISLATION TO ADOPT 4-YEAR TERMS FOR COUNTY COMMISSIONERS**

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 one of only 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 **Tuscola County Board of Commissioners** supports House Bills 4937-38 and Senate Bills 504-505 to enact four-year terms for county commissioners.

Roll Call Vote: Young - yes; Jensen - yes; Grimshaw - yes; Vaughan - absent; Bardwell - yes. Motion Carried.

-Boards and Commissions Re-Appointments - Clerk Fetting provided clarification on a couple of the appointments discussed on Monday.

19-M-204

Motion by Young, seconded by Jensen that Matthew Foley be appointed to the 911 Dispatch Authority Board for a 2-year term with an expiration date of December 31, 2021. Motion Carried.

19-M-205

Motion by Grimshaw, seconded by Young that Marvin Klein, Ken Martin Jr., Keith Kosik, Steve Fetterhoff and Henry Hornung be appointed to the Construction Code Board of Appeals for a 2-year term with an expiration date of December 31, 2021. Motion Carried.

19-M-206

Motion by Young, seconded by Jensen that Jerald Gamm, Sandra Williamson, Patricia LaBair, Connie Pliska, Charlotte Brown, Gail Nesberg, Carolyn Wymore and Elaine Romain be appointed to the Council on Aging for a 1-year term with an expiration date of December 31, 2020. Motion Carried.

19-M-207

Motion by Young, seconded by Grimshaw that Ty Colling be appointed to the Department of Human Services Board for a 3-year term with an expiration date of December 31, 2022. Motion Carried.

19-M-208

Motion by Young, seconded by Grimshaw that Robert McKay be appointed to the Department of Public Works Board for a 3-year term with an expiration date of December 31, 2022. Motion Carried.

19-M-209

Motion by Grimshaw, seconded by Young that John Tilt, Keith Baur, Robert Wolak, Mike Green, Kim Vaughan, Gary Fritz, Zygmunt Dworzecki, Michael Rolando and Mike Day be appointed to the Economic Development Corporation (EDC) Board for a 6-year term with an expiration date of December 31, 2025. Motion Carried.

19-M-210

Motion by Young, seconded by Jensen that Eileen Hiser be appointed to the Health Department Board for a 5-year term with an expiration date of December 31, 2023. Motion Carried.

19-M-211

Motion by Grimshaw, Jensen that Matthew Bierlein be appointed to the Human Development Commission (HDC) Board for a 1-year term with an expiration date of December 31, 2020. Motion Carried.

19-M-212

Motion by Young, seconded by Grimshaw that Patricia Sauber be appointed to the Jury Board for a 6-year term with an expiration date of December 31, 2025. Motion Carried.

19-M-213

Motion by Grimshaw, seconded by Jensen that Jerry Petterson and Kim Vaughan be appointed to the Parks and Recreation Commission for a 3-year term with an expiration date of December 31, 2022. Motion Carried.

19-M-214

Motion by Young, seconded by Grimshaw that Nancy Barrios be appointed to the Parks and Recreation Commission for a partial term with an expiration date of December 31, 2020. Motion Carried.

19-M-215

Motion by Grimshaw, seconded by Young that Ann Westover, Lonnie Kester and Rick Boylan be appointed to the Planning Commission for a 3-year term to expire on December 31, 2022. Motion Carried.

19-M-216

Motion by Young, seconded by Jensen that Norma Wallace, Patricia Frazer and Matt Branding be appointed to the Recycling Committee for a 3-year term with an expiration date of December 31, 2022. Motion Carried.

19-M-217

Motion by Young, seconded by Grimshaw that Richard Horsch, Steven Myers and Gary Haas be appointed to the Veteran's Committee for a 4-year term with an expiration date of December 31, 2023. Motion Carried.

-Board directed Clerk Fetting to re-advertise for any vacant positions on the various Boards and Commissions.

-Building Codes Procedures and Next Steps -

-Commissioner Grimshaw provided an update that he received from Nancy Erdody as the School has placed a berm along her property line.

-Commissioner Grimshaw would like the Board to explore the option of bringing Building Codes back to being under the umbrella of the County. Board discussed the matter. Commissioners will reach out to their local Supervisors for

additional input. Board would like the topic to be placed on the next Committee of the Whole meeting.

-Survey of Land for Caro Center and Vanderbilt Park (matter added) - Commissioner Grimshaw provided an update regarding a conversation that he had with Robert McKay in regards to the two properties. Board discussed the matter.

-Reese School Water Trouble (matter added) - Matter discussed earlier in the meeting.

-Braun Kendrick Meeting Update (matter added) - Commissioner Bardwell provided an update of a meeting that was held with NextEra in regards to wind turbines in relationship to the airport.

Correspondence/Resolutions -

- Columbia Township Resolution on allowing golf carts
- Enbridge Invitation

COMMISSIONER LIAISON COMMITTEE REPORTS

YOUNG

Board of Public Works
County Road Commission Liaison
Dispatch Authority Board
Genesee Shiawassee Thumb Works
Great Start Collaborative
Human Services Collaborative Council (HSCC)
Jail Planning Committee
MAC Agricultural/Tourism Committee
MI Renewable Energy Coalition (MREC)
Region VI Economic Development Planning
Saginaw Bay Coastal Initiative
Senior Services Advisory Council
Tuscola 2020
Local Units of Government Activity Report - Drain Commissioner hosted a meeting of state-wide Drain Commissioners.

VAUGHAN - absent

Board of Health
County Planning Commission
Economic Development Corp/Brownfield Redevelopment
MAC Environmental Regulatory
Mid-Michigan Mosquito Control Advisory Committee
NACO-Energy, Environment & Land Use

Parks and Recreation Commission
Tuscola County Fair Board Liaison
Local Units of Government Activity Report

GRIMSHAW - No Report
Behavioral Health Systems Board
Recycling Advisory
Local Units of Government

JENSEN
Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
Genesee Shiawassee Thumb Works - Job fair event at the Dort Federal Credit Union to showcase careers that do not require a college degree
Jail Planning Committee
Local Emergency Planning Committee (LEPC)
MAC Judiciary Committee
MEMS All Hazard
Local Units of Government Activity Report

BARDWELL - No Report
Behavioral Health Systems Board
Caro DDA/TIFA
Economic Development Corp/Brownfield Redevelopment
MAC 7th District
MAC Workers Comp Board
TRIAD
Local Units of Government Activity Report

Other Business as Necessary - None

Extended Public Comment -

-Eileen Doering - Her husband is a pilot and he expressed his concerns at the AZBA meeting. Eileen shared her concerns over turbines being placed close to the airport.

-Jim Tussey - Documentation was provided to the Board from a court pleading entered by the County Attorney, Memo from Alan Armstrong and ad from Concerned Citizens of Juniata Township.

-Nancy Laskowski - Questioned the money the County has spent on MREC and what the County has done in planning to not be dependent on wind revenue.

-Mike Pattullo - Expressed his appreciation of the Board being considerate and listening to the concerns of residents. He expressed concern over how the court will rule tomorrow in the court case.

Meeting adjourned at 12:40 p.m.

Jodi Fetting
Tuscola County Clerk