



# MINUTES

## Board of Commissioners

### Meeting

**8:00 AM - Wednesday, November 10, 2021**

H.H. Purdy Building Board Room, 125 W. Lincoln St., Caro, MI 48723

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Commissioner Bardwell called the regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held at the H.H. Purdy Building Board Room, 125 W. Lincoln St., Caro, MI 48723, on Wednesday, November 10, 2021, to order at 8:00 AM a.m. local time.

Roll Call - Clerk Fetting

Commissioners Present In-Person: Thomas Young, Thomas Bardwell, Kim Vaughan, Doug DuRussel, Dan Grimshaw

Commissioners Absent: None

Others Present In-Person: Jodi Fetting, Clayette Zechmeister, Curtis Elenbaum, Eean Lee, Sandy Nielsen, Eric Morris, Shelly Lutz, Judge Amy Grace Gierhart, Mike Miller, Bob Baxter, Steve Anderson

Also Present Virtual: Tracy Violet, Mary Drier, Debbie Babich, Steve Root, Tom Montgomery, Cindy McKinney-Volz, Sheriff Glen Skrent, Mark Haney, Mike Miller, Dara Hood, Alecia Little, Barry Lapp, Bob Baxter, Brian Harris, Paul Novak, Michael Behm, Kim Brinkman, K. Bender

At 8:19 a.m., there were a total of 25 participants attending the meeting virtually.

#### **Adoption of Agenda**

2021-M-246

Motion by Thomas Young, seconded by Doug DuRussel to adopt the agenda as amended. Motion Carried.

#### **Action on Previous Meeting Minutes**

1. Action on Previous Meeting Minutes

2021-M-247

Motion by Doug DuRussel, seconded by Thomas Young to adopt the meeting minutes from the October 28, 2021 Regular meeting. Motion Carried.

## **Brief Public Comment Period for Agenda Items Only**

1. Judge Amy Grace Gierhart addressed the Board regarding Courthouse Security and the Local Administrative Order addressing the face mask policy.

Board discussed the two matters addressed by Judge Gierhart.

## **Consent Agenda**

Action on Previous Meeting Minutes and Adoption of Consent Agenda -

2021-M-248

Motion by Thomas Young, seconded by Dan Grimshaw that the Consent Agenda and Minutes from the November 8, 2021 Committee of the Whole be adopted. Motion Carried.

1. CA - Byrne Justice Assistance Grant (JAG) Subcontract with the County of Lapeer  
Move to approve the FY2022 Subcontract Agreement with Lapeer County for the Thumb Narcotics Unit (T.N.U.) through the Byrne Jag Grant. No matching funds are required. Also, all appropriate signatures are authorized.
2. CA - Mosquito Abatement 2021 Budget Amendment Request  
Move that per the November 4, 2021 letter of recommendation from Larry Zapfe, Mosquito Abatement Director, to authorize the purchase of 2,475 gallons of insecticide material for the 2022 mosquito season from the 2021 budget. Also, approve the budget amendments within the 2021 Mosquito Abatement budget of \$35,764.

## **New Business**

1. Dispatch Director Letter of Intent to Retire -  
Sandy Nielsen presented her letter of retirement to the Board. Tentative effective date is April 1, 2022.

Board discussed the Vehicle Locator Program with the local ambulance companies and which companies will be participating.

2021-M-249

Motion by Thomas Young, seconded by Doug DuRussel to receive and place on file the November 9, 2021 letter from the Dispatch Director regarding her intent to retire on April 1, 2022. Motion Carried.

2. Closed Session - To consult with its attorney regarding trial or settlement strategy in connection with pending litigation -

2021-M-250

Motion by Thomas Young, seconded by Doug DuRussel that the Board meet in Closed Session under MCL 15.268(c) to consult with its attorney regarding trial or settlement strategy in connection with the pending litigation in the United States District Court Northern District of Ohio Eastern Division Case No. 1:17-md-2804, as an open meeting would have a detrimental financial effect on the litigation and settlement position of the

County, with Michael J. Behm and Paul Novak with Behm & Behm Law Firm, Clayette Zechmeister, Eric Morris of Braun Kendrick, Jodi Fetting, and Eean Lee to be allowed to attend the closed session at 9:17 a.m.

Yes: Thomas Young, Thomas Bardwell, Kim Vaughan, Doug DuRussel,  
and Dan Grimshaw

Motion Carried.

Recessed to Closed Session at 9:17 a.m.  
Reconvened from Closed Session at 10:12 a.m.

Recessed at 10:13 a.m.  
Reconvened at 10:26 a.m.

### 3. Closed Session - To Discuss Labor Strategy -

2021-M-251

Motion by Thomas Young, seconded by Kim Vaughan that the Board meet in closed session, pursuant to Section 8(c) of the Open Meetings Act, in order to discuss strategy connected with the pending negotiation of collective bargaining agreements with Eric Morris with Braun Kendrick, Clayette Zechmeister, Jodi Fetting, Shelly Lutz and Eean Lee to be allowed to attend the closed session at 10:26 a.m.

Yes: Thomas Young, Thomas Bardwell, Kim Vaughan, Doug DuRussel,  
and Dan Grimshaw

Motion Carried.

Recessed to Closed Session at 10:26 a.m.  
Reconvened from Closed Session at 11:36 a.m.

### 4. Closed Session - To Discuss the Contents of a Written Legal Memorandum -

2021-M-252

Motion by Doug DuRussel, seconded by Dan Grimshaw that the Board meet in Closed Session under Section 8(h) of the Open Meetings Act to discuss the contents of a written legal memorandum from its attorney, which is exempted from disclosure under Section 13(1) (g) of the Freedom of Information Act, with Eric Morris with Braun Kendrick, Clayette Zechmeister, Jodi Fetting and Eean Lee to be allowed to attend the closed session at 11:37 a.m.

Yes: Thomas Young, Thomas Bardwell, Kim Vaughan, Doug DuRussel,  
and Dan Grimshaw

Motion Carried.

Recessed to Closed Session at 11:37 a.m.  
Reconvened from Closed Session at 12:29 p.m.

Recessed at 12:31 p.m.  
Reconvened at 12:36 p.m.

5. Closed Session To Consider Material Exempt from Discussion or Disclosure Regarding Security Measures in the County -

2021-M-253

Motion by Doug DuRussel, seconded by Thomas Young that the Board meet in Closed Session under Section 8(h) of the Open Meetings Act to consider material exempt from discussion or disclosure by state or federal statute specifically, records and information of measures desired to protect the security and safety of County employees, officials and visitors as well as County property which are exempt from public disclosure under Section 13(y) of the Freedom of Information Act.” Also, Clayette Zechmeister, Jodi Fetting, Steve Anderson, Undersheriff Robert Baxter, Mike Miller, Shelly Lutz and Eean Lee are authorized to attend at 12:37 p.m.

Yes: Thomas Young, Thomas Bardwell, Kim Vaughan, Doug DuRussel,  
and Dan Grimshaw

Motion Carried.

Recessed to Closed Session at 12:37 p.m.  
Reconvened from Closed Session at 1:06 p.m.

At 1:06 p.m., there were 9 people attending the meeting virtually.

6. Request to Use the Courthouse Lawn from Caro Women's Interfaith Committee for Christmas -

2021-M-254

Motion by Dan Grimshaw, seconded by Kim Vaughan that per the request from the Caro Women's Interfaith Committee that authorization is given to use the Courthouse Lawn from November 27, 2021 to January 8, 2022 for the annual Christmas display.  
Motion Carried.

### **Old Business**

1. Letter to the Chief Judge in response to the Administrative Orders dated September 22, 2021 -  
No Board discussion at this time.
2. Guidehouse Consulting Services Contract -  
Clayette reviewed the proposed Guidehouse contract and addressed the concerns of the County Attorney. Board discussed the proposed contract.

2021-M-255

Motion by Thomas Young, seconded by Dan Grimshaw to approve the Statement of Work from Guidehouse to provide financial consulting services to Tuscola County as required for the financial administration, oversight and reporting of Federal and State grant monies as related to the American Rescue Plan Act (ARPA). Proposed fees and materials not to exceed \$200,000.00.

Yes: Thomas Young, Thomas Bardwell, Kim Vaughan, Doug DuRussel,  
and Dan Grimshaw

Motion Carried.

3. Circuit Court/Family Court Legal Services Contract for 2022-2023 -  
Matter was presented at the Committee of the Whole meeting on November 8, 2021.

2021-M-256

Motion by Kim Vaughan, seconded by Thomas Young that per the request from the Chief Judge the Circuit Court/Family Court Legal Services Contract for January 1, 2022 through December 31, 2022 in the amount of \$250,000.00 and January 1, 2023 through December 31, 2023 for \$257,500.00 be approved. Also, all authorized signatures are authorized.

Yes: Thomas Young, Thomas Bardwell, Kim Vaughan, and Doug  
DuRussel

No: Dan Grimshaw

Motion Carried.

4. Tuscola County Possible Conflict Policy -  
Clayette updated the Board on needing to have a County Conflict Policy to be in compliance with the VOCA Grant based on the audit findings. She has provided a copy of the Board Rules as section 11.2.1 addresses Board conflict. At this point, she feels that will be sufficient but the Board may need to adopt a separate policy in the future.
5. OMA Resolution 2021-13 (matter added) -  
Board discussed the support that has been received by other Board of Commissioners adopting the resolution passed by Tuscola County. Board discussed if Jean Doss should be contacted to see what the climate in Lansing is on this topic. Board would like Clayette to contact Jean to see if she would be available to assist in this matter and what a cost might be to engage with her.

### **Correspondence/Resolutions**

1. Department of Health and Human Services (DHHS) Letter Regarding Rates for Youth Placed in State Facilities
2. Tuscola County Road Commission Minutes from October 14, 2021
3. Muskegon County Resolution 2021-426
4. Branch County Resolution 2021-16
5. Oceana County Resolution

6. Marquette County Resolution
7. Jackson County Resolution
8. Great Lakes National Cemetery Advisory Ceremony on November 11, 2021
9. Tuscola County Community Foundation Fund Statement

## **Commissioner Liaison Committee Reports**

### ***Young***

Board of Public Works  
County Road Commission Liaison  
Dispatch Authority Board - Met yesterday  
Genesee Shiawassee Thumb Works - Meets Friday  
Great Start Collaborative  
Human Services Collaborative Council (HSCC)  
Jail Planning Committee  
MAC Agricultural/Tourism Committee  
Region VI Economic Development Planning  
Saginaw Bay Coastal Initiative  
Senior Services Advisory Council  
Tuscola 2020  
Local Units of Government Activity Report

### ***Bardwell***

Behavioral Health Systems Board  
Caro DDA/TIFA  
Economic Development Corp/Brownfield Redevelopment  
MAC 7th District  
MAC Workers Comp Board  
MAC Finance Committee  
TRIAD  
Local Units of Government Activity Report -  
Ellington and Almer Ambulance discussion. Eean updated the Board that MMR has responded that they will meet to work on getting on the locator system.  
  
Positive response from contractors regrading SafeBUILT.

Townships are discussing how to spend ARPA Funds they have received.

***Vaughan***

Commissioner Vaughan addressed the matter of engineering with Tuscola County Road Commission regarding contracting with Spicer Engineering. Townships are experiencing higher costs with having a contracted engineer rather than an on-staff engineer.

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

***DuRussel***

Board of Health

Community Corrections Advisory Board

Dept. of Human Services/Medical Care Facility Liaison

Genessee Shiawassee Thumb Works

Local Emergency Planning Committee (LEPC)

MAC Judiciary Committee

MEMS All Hazard - Met this morning. Steve Anderson had reported the meeting went well.

Local Units of Government Activity Report

***Grimshaw***

No Report

Behavioral Health Systems Board

Recycling Advisory

Local Units of Government

Jail Planning Committee

MI Renewable Energy Coalition (MREC)

**Other Business as Necessary**

None

At 1:30 p.m., there were 7 people attending the meeting virtually.

**Extended Public Comment**

None

**Adjournment**

2021-M-257

Motion by Thomas Young, seconded by Kim Vaughan to adjourn the meeting at 1:36 p.m. Motion Carried.

Jodi Fetting  
Tuscola County Clerk