

**TUSCOLA COUNTY BOARD OF COMMISSIONERS
MEETING AGENDA**

WEDNESDAY, DECEMBER 27, 2017 – 8:00 A.M.

**H. H. PURDY BUILDING BOARD ROOM
125 W. Lincoln Street
Caro, MI**

125 W. Lincoln Street
Caro, MI 48723

Phone: 989-672-3700
Fax : 989-672-4011

- 8:00 A.M. Call to Order – Chairperson Bardwell
Prayer – Rev. Darwin Highlen-Holiness Missionary Church, Vassar
Pledge of Allegiance – Commissioner Vaughan
Roll Call – Clerk Fetting
Adoption of Agenda
Action on Previous Meeting Minutes (See Correspondence #1)
Brief Public Comment Period for Agenda Items Only
Consent Agenda Resolution (None)
New Business
 -Controller/Administrator Summary of 2017 Successes and
 Accomplishments (See Correspondence #2)
 -HDC Third Party Agreement for Home Owner Rehabilitation Program
 (See Correspondence #3)
 -Dispatch Supervisors Wage/Step Schedule (See Correspondence
 #4)
 -Update Regarding Health Department Cost Based Reimbursement
 Funds
 -IRS 2018 Mileage Rate Change (See Correspondence #5)
 -1% Appreciation Compensation for Non-Union Employees-
 Consistent with Union Agreements (See Correspondence #6)
 -Register of Deeds Microfilm Storage Contract and Budget
 Amendment
 -Jail Medical Contract Renewal (See Correspondence #7)
 -Appointment of New Airport Zoning Administrator
 -Veterans Affair Committee
Old Business
 -Dental Program Update
 -Opioid Lawsuit (See Correspondence #8)
Correspondence/Resolutions

COMMISSIONER LIAISON COMMITTEE REPORTS

YOUNG
Dispatch Authority Board
County Road Commission Liaison
Board of Public Works

Senior Services Advisory Council
Saginaw Bay Coastal Initiative
Local Unit of Government Activity Report
MAC Agricultural/Tourism Committee
Strategic EDC Planning Committee
Jail Planning Committee
Genesee Shiawassee Thumb Works
Region VI Economic Development Planning
Tuscola 2020

BARDWELL

Economic Development Corp/Brownfield Redevelopment
Caro DDA/TIFA
MAC Finance
MAC 7th District
Local Unit of Government Activity Report
TRIAD
Behavioral Health Systems Board
MAC Workers Comp Board

KIRKPATRICK

Board of Health
Community Corrections Advisory Board
Dept. of Human Services/Medical Care Facility Liaison
MI Renewable Energy Coalition
MEMS All Hazards
MAC Environmental Regulatory – Vice Chair
Cass River Greenways Pathway
Local Unit of Government Activity Report
NACO- Energy, Environment & Land Use
Jail Planning Committee
Saginaw Bay Coastal Initiative
Tuscola In-Sync
Region VI Tourism Discussions

BIERLEIN

Genesee Shiawassee Thumb Works
Human Development Commission (HDC)
Recycling Advisory Committee
Local Emergency Planning Committee (LEPC)
Great Start Collaborative Council
Local Unit of Government Activity Report
MAC Board of Directors
Human Services Collaborative Council
MAC Judiciary Committee
Tuscola County College Access Network
MAC Agricultural/Tourism Committee

VAUGHAN

Board of Health

Planning Commission

Economic Development Corp/Brownfield Redevelopment

Local Unit of Government Activity Report

Mid-Michigan Mosquito Control Advisory Committee

Parks and Recreation Commission

Tuscola County Fair Board Liaison

Other Business as Necessary

Extended Public Comment

Adjournment

Note: If you need accommodations to attend this meeting please notify the Tuscola County Controller/Administrator's Office (989-672-3700) two days in advance of the meeting.

CORRESPONDENCE

- #1 December 14, 2017 Full Board, Statutory Finance & Budget Public Hearing Minutes
- #2 2017 Successes and Accomplishments
- #3 HDC Third Party Agreement for Housing Rehabilitation Program
- #4 Dispatch Supervisor Wage/Step Schedule
- #5 2018 IRS Mileage Rate Increase
- #6 1% Non-Union Appreciation Compensation
- #7 Jail Medical Contract
- #8 Opioid Lawsuit
- #9 December 15, 2017 Health Department Report
- #10 November 30, 2017 Road Commission Minutes
- #11 Caro Regional Center Update
- #12 "Lawmaker Tackles Conflict of Interest" Article

Draft
TUSCOLA COUNTY BOARD OF COMMISSIONERS
December 14, 2017 Minutes
H. H. Purdy Building

Commissioner Thomas 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 14th day of December 2017, to order at 8:05 o'clock a.m. local time.

Prayer – Pastor Jon Terry, Living Waters Chapel, Caro

Pledge of Allegiance – Commissioner Kirkpatrick

Roll Call – Clerk Fetting

Commissioners Present: District 1 - Thomas Young, District 2 – Thomas Bardwell, District 3 - Kim Vaughan, District 4 - Craig Kirkpatrick, District 5 – Matthew Bierlein

Commissioner Absent: None

Also Present: Mike Hoagland, Clerk Jodi Fetting, Pastor Jon Terry, Register John Bishop, Tim Wingert, Harry Kashat, Clayton Johnson, Bridget Palmateer, Tisha Jones, Caryn Michalak, Tracy Violet, Eean Lee, Renee Francisco, Clayette Zechmeister, Shelly Lutz

Adoption of Agenda -
17-M-207

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

Action on Previous Meeting Minutes -
17-M-208

Motion by Bierlein, seconded by Young to adopt the meeting minutes from the November 20, 2017 meeting. Motion Carried.

Brief Public Comment Period for Agenda Items Only -

-Tim Wingert, Wingert's Food Center, has spoken to 14 local retailers that sell beer, wine and spirits with those surveyed in favor of having Sunday liquor sales. The estimated loss of revenue for Wingert's in a one-year period could be up to \$30,000.

-Bridget Palmateer, Fostoria Grocery, explained that customers have expressed an interested in purchasing liquor on Sundays. She has had customers leave their cart at her store due to the ban on Sundays sales to drive the 2 miles to Lapeer County to purchase the liquor and then also purchase their other items. She employs Tuscola County residents.

-Harry Kashat, Lucky's Party Store, would also like to see Sunday liquor sales allowed.

Consent Agenda Resolution -
17-M-209

Motion by Bierlein, seconded by Kirkpatrick that the following Consent Agenda Resolution from the December 11, 2017 Committee of the Whole Meeting be adopted. Motion Carried.

CONSENT AGENDA

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that per the recommendation of the Court Administrator and Chief Judge that the In-Home Parenting Independent Contractor agreements with Heather M. Jensen and Janice Burgess be extended until March 31, 2018 (expire on December 31, 2017). Also, the Board Chair be authorized to sign said contracts.
- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that an initial fee of \$1,000 be set for applications submitted to the Airport Zoning Board of Appeals. Also, for each additional wind turbine, tower, antenna or other structure a fee of \$500 be established for each additional structure. Said fees to take immediate effect.
- Agenda Reference:** C
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that the Airport Zoning Administrator 2017 Annual Report be received and placed on file.
- Agenda Reference:** D
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that the 2018 Sheriff Department Police Services Contract with Millington Township be approved and all appropriate signatures are authorized.

- Agenda Reference:** E
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that the 2018 Sheriff Department Police Services Contract with Arbelá Township be approved and all appropriate signatures are authorized.
- Agenda Reference:** F
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that per request from the Medical Care Facility Director that \$83,208 be transferred from the Voted Medical Care Facility to the Regular Medical Care Facility for the items listed in the October 25, 2017 letter.
- Agenda Reference:** G
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that the 2018 Michigan State University Agreement to provide Extension Services to Tuscola County be approved and all appropriate signatures are authorized.
- Agenda Reference:** H
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that per the December 4, 2017 correspondence from the Human Development that the number of Tuscola County government representatives has to be reduced from 2 to 1 therefore, effective January 1, 2018 Commissioner Bierlein remain as the county government representative and Jerry Peterson county representative position be discontinued.
- Agenda Reference:** I
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that the county hiring freeze be lifted and authorization is given to fill a vacant part-time position at the recycling operation.

- Agenda Reference:** J
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move to rescind the previous Board motion appointing Cindy Kapa as a public representative to the County Parks and Recreation Commissioner but continue her appointment to the County and Recreation Commission as a liaison representative from the County Planning Commission.
- Agenda Reference:** K
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move that per the December 8, 2017 letter of request from the Sheriff Department that authorization is given to increase part-time employees pay from straight time to one and one-half pay when working in the county jail on the following holidays: New Year's Day, Memorial Day, Independence Day, Thanksgiving Day, Christmas Eve, Christmas Day and Labor Day.
- Agenda Reference:** L
- Entity Proposing:** COMMITTEE OF THE WHOLE 12/11/17
- Description of Matter:** Move the following fees be established for Vanderbilt Park effective January 1, 2018. Also, the County Buildings and Grounds Director notify the park attendant of these rate changes.
- VANDERBILT PARK
- 2018 CAMPING RATES
- RUSTIC – No Water or Electric
\$15 per night
\$90 per week
\$270 per month
\$825 per season
- ELECTRIC SERVICE
\$20 per night
\$120 per week
\$360 per month
\$1,250 per season

ELECTRIC AND WATER SERVICE

\$24 per night
 \$144 per week
 \$432 per month
 \$1,500 per season

PAVILION RENTAL

\$75 Rental Charge
 \$25 Deposit to Reserve (With No Refunds on Holiday or Weekend Rentals)

Agenda Reference: M

Entity Proposing: COMMITTEE OF THE WHOLE 12/11/17

Description of Matter: Move that the Agreement with Lamar to advertise recycling programs on billboards in the county using grant funds be approved and all appropriate signatures are authorized.

Agenda Reference: N

Entity Proposing: COMMITTEE OF THE WHOLE 12/11/17

Description of Matter: Move that per the November 28, 2017 letter of request that Right to Life be authorized to use the Courthouse Lawn for a service on January 21, 2018 at 3:00 P.M.

*New Business -**-Sunday Liquor Sales Alternatives -*

Clayton Johnson explained the options available to the Board regarding Sunday liquor sales which include continuing the Sunday liquor ban as is or rescinding the previous board action that placed the Sunday liquor ban into effect. Board discussed the options at hand.

Commissioner Kirkpatrick is concerned that a potential lawsuit could be filed and the cost that could be associated with it.

Clerk Fetting advised if placed on the May 2018 ballot the county cost could be \$30,000 to \$40,000 without considering the costs to the locals.

Commissioner Bardwell has spoken to local law enforcement regarding the topic.

Commissioner Vaughan has talked to residents at local Township meetings and the response was favorable to rescind the board motion.

Commissioner Bierlein looks at the loss of business for Tuscola County businesses by maintaining the ban.

Clayton Johnson advised that the required number of signatures for a petition drive is 8% of the votes cast for Secretary of State to place the question of liquor sales on a ballot.

Commissioner Young asked if a public hearing could be held.

Board discussed option of the Public Hearing. Matter discussed.

17-M-210

Motion by Bierlein, seconded by Vaughan that now therefore it be resolved that the previous resolution of the Tuscola County Board of Commissioners to prohibit the sale of spirits and mixed drinks for consumption off the premises between the hours of 7:00 a.m. on Sunday and 2:00 a.m. on Monday in a retail establishment licensed under the Michigan liquor control code of 1998 within the County of Tuscola under the provisions of the law governing the sale of spirits and mixed drink for consumption is hereby rescinded; and be it further resolved that the previous resolution of the Tuscola County Board of Commissioners to prohibit the sale of beer and wine within the County of Tuscola for consumption off the premises between the hours of 7:00 a.m. and 12 noon on Sunday is also hereby rescinded.

Roll Call Vote - Young - No; Vaughan - Yes; Kirkpatrick - No; Bierlein - Yes; Bardwell - No. Motion Failed.

Recessed at 9:26 a.m.

Reconvened at 9:33 a.m.

-Public Hearing 2018 County Budget -

Board meeting recessed at 9:34 a.m. for 2018 County Budget Public Hearing.
Board meeting reconvened at 10:08 a.m. from the 2018 County Budget Public Hearing.

17-M-211

Motion by Bierlein, seconded by Kirkpatrick that the 2018 General Appropriations Act adopting the 2018 County Budget and incorporating the following final changes be approved:

- Reduced elections revenue budget by \$38,000 and expenditure budget by \$86,850 for a net gain of \$48,850. Anticipated special election to elect a new state senator was not required.
- Increased Register of Deeds overtime account by \$50 and training by \$300.
- Increased County Clerk budget by \$7,020 for Kofile imaging software which was previously agreed to be done.
- Increase Courthouse Security Budget by \$50 for supplies and \$11,000 for overtime which was overlooked when the initial budget was prepared.

- Increased Controller budget by \$9,831 for previously agreed wage change for Chief Accountant position.
- Increased Unified Court general fund budget by \$1,368 and child care fund budget by \$3,194 for previously agreed to wage schedule change for Circuit Court Administrator position.
- Increased Road Patrol Fund budget by \$400 for impounding expense, \$250 for telephone expense and \$500 for equipment rental.
- Approved funding for preservation of surveying documents at a cost of \$981 to be funded from the special programs activity budget without increasing the overall budget.
- Increased wages and step schedules for six essential court employees above the base 2% as requested by Chief Judge to help reduce turnover of critical court employees. Also, increase court revenue by \$14,000 to offset wage costs increases. These wage changes as summarized below:
 - Increase the top step for District Court clerks from \$16.49 per hour to \$17.30 per hour (effects one employee in 2018) – estimated 2018 cost \$1,580.
 - Promote and reclassify an employee from the title of Magistrate Clerk to Warrant Clerk (effects one employee) – estimated 2018 cost \$2,945.
 - Provide an additional 3% increase above the 2% base increase for the Assignment Clerk (effects one employee) – estimated 2018 cost \$1,364.
 - Provide an additional 3% increase above the 2% base increase for two Court Recorders (effects two employees) – estimated 2018 cost \$2,728.
 - Establish a new wage/step schedule for the Deputy Friend of the Court with seven step (As detailed in the December 5, 2017 email from the Chief Judge (effects one employee) – estimated 2018 cost \$1,640.
- Add \$30,000 to the capital improvement fund budget for new office windows in the administrative office areas of the jail.

Motion Carried.

Recessed at 10:14 a.m.

Reconvened at 10:24 a.m.

-Closed Session – Labor Negotiations -
17-M-212

Motion by Young, seconded by Bierlein that the Board meet in Closed Session under Section 8(2) of the Open Meetings Act to discuss labor negotiations with Shelly Lutz to be allowed to attend the closed session at 10:26 a.m. Roll Call Vote: Vaughan - Yes; Kirkpatrick - Yes; Bierlein - Yes; Young - Yes; Bardwell - Yes. Motion Carried.

Board resumed from closed session at 10:28 a.m.

17-M-213

Motion by Young, seconded by Bierlein that the Board meet in Closed Session under Section 8(2) of the Open Meetings Act to discuss labor negotiations with Shelly Lutz and Bob Kendrick to be allowed to attend the closed session at 10:28 a.m. Roll Call Vote: Kirkpatrick - Yes; Bierlein - Yes; Young - Yes; Vaughan - Yes; Bardwell - Yes. Motion Carried.

Reconvened from closed session at 11:04 a.m.

17-M-214

Motion by Bierlein, seconded by Kirkpatrick that the following 2018 - 2019 two-year union contracts be ratified per the negotiated terms for the six respective bargaining groups as explained by the county labor attorney:

- AFSCME Deputies
- AFSCME General
- POAM Corrections
- POAM Deputies
- POAM Dispatch
- POLC Command

Motion Carried.

-Potential 2018 Board of Commissioners Meeting Schedule -

Board reviewed proposed schedule for 2018 meetings. The March 26th Committee of the Whole meeting was removed due to a conflict with a MAC Meeting.

17-M-215

Motion by Bierlein, seconded by Kirkpatrick that the 2018 Board of Commissioners committee and full board meeting schedule as presented at the December 14, 2017 Board of Commissioners meeting be approved and posted in all normal locations for public access. Motion Carried.

-Debit Card Policy Proposed Amendment -

Clayette Zechmeister reviewed the proposed changes in the Debit Card policy that are being requested.

17-M-216

Motion by Kirkpatrick, seconded by Young that per the recommendation of the Chief Accountant that the County Debit Card Policy be amended per changes identified at the December 14, 2017 Board of Commissioners meeting which stipulate original receipts, not copies, must be provided. Also, vendor generated invoices and contractual payments for services cannot be paid with debit cards. This policy change is effective January 1, 2018. Motion Carried.

-Travel/Meal Policy Proposed Amendment -
17-M-217

Motion by Kirkpatrick, seconded by Bierlein that per the recommendations of the Chief Accountant that the County travel meal policy be amended as presented at the December 14, 2017 Board of Commissioners meeting to update standard allowed meal rates and identify meal rates for certain metropolitans that are higher than standard rates. Meal rates have not be updated for approximately seven years. This policy change is effective January 1, 2018. Motion Carried.

Board would like to have further information provided regarding out of state travel per diems. Matter to be placed on a future agenda. Board also discussed the 60 mile lodging rule.

-Board and Commissions Policy -
17-M-218

Motion by Bierlein, seconded by Kirkpatrick that the Boards and Commissions Appointment Policy be amended to add the following statement:

The County Clerk shall annually place a notice in the local newspaper and on the county web page identifying board and commission member terms that are expiring in the upcoming year and procedures for any interested parties who want to apply for said vacancies.

Motion Carried.

-2017 Year-End Financial Adjustments -

Clayette Zechmeister explained the various requested budget adjustments necessary.

The Legal Fees and Medical Examiner are the two Departments in the General Fund projected to be over budget at year end.

17-M-219

Motion by Kirkpatrick, seconded by Young that the 2017 general fund activity budgets be amended as shown in the December 14, 2017 report titled "Year-End Compliance with the Uniform Budgeting and Accounting Act" to prevent actual year-end expenditures from exceeding budget. Motion Carried.

The Special Revenue Funds that need adjusted are CDBG, Principal Residence, Voted Bridge, Work Comp Fund, Park and Recreation, Health Department, Local Correction Officer Training, Medical Care Debt, GIS and Capital Improvements.

17-M-220

Motion by Bierlein, seconded by Kirkpatrick that the 2017 special revenue fund budgets be amended as shown in the December 14, 2017 report titled "Year-End Compliance with the Uniform Budgeting and Accounting Act" to prevent actual year-end expenditures from exceeding budget. Motion Carried.

17-M-221

Motion by Bierlein, seconded by Kirkpatrick that as explained in the December 14, 2017 report titled "Year-End Compliance with the Uniform Budgeting and Accounting Act" that authorization is given to transfer \$713,000 in estimated delinquent tax fund net income to the general fund. Motion Carried.

17-M-222

Motion by Kirkpatrick, seconded by Young to authorize staff after consultation with the county auditors to conduct further year-end financial transactions and make other adjustments as necessary to gain compliance with the Uniform Budgeting and Accounting Act. Motion Carried.

-Potential Lawsuit Against Companies that Manufacture Addictive Pain Medicines -
Commissioner Bierlein stated Michigan Association of Counties (MAC) is conducting research to determine which law firm would be best to contract with.

Clerk Fetting told the Board she has been informed that Delta County and Leelanau County are going to join the lawsuit.

Board did not take action to join at this point.

-Airport Zoning Board of Appeals

Commissioner Vaughan spoke to William Campbell and he is no longer interested in serving on this Board.

17-M-223

Motion by Vaughan, seconded by Bierlein that because former Airport Zoning Board of Appeals member, William Campbell, has explained he no longer wishes to serve, the County Clerk be requested to advertise in the local newspaper and on the County Web page for interested individuals to serve on this appeals board. Motion Carried.

-Primary Road and Bridge Millage Transfer Requests

17-M-224

Motion by Bierlein, seconded by Kirkpatrick to approve the Primary Road Millage transfer request of \$1,020,605.52 as identified by Voucher #03-17 dated December 13, 2017 for transfer from the Primary Road Millage Fund to the Road Commission General Fund. Motion Carried.

17-M-225

Motion by Young, seconded by Bierlein to approve the Local Bridge Millage transfer request of \$355,544.75 as identified by Voucher #03-17 dated December 12, 2017 for transfer from the Local Bridge Millage Fund to the Road Commission General Fund. Motion Carried.

-2018 Committee Assignments -

- MEMS All Hazards will be transferred from Commissioner Kirkpatrick to Commissioner Bierlein beginning January 1, 2018.
- Finance Co-Chair Kirkpatrick would like Commissioner Young to begin shadowing him in the year 2018.
- Personnel Chair position will continue to be assigned to Commissioner Bardwell.
- Buildings and Grounds Co-Chair positions will continue to be assigned to Commissioner Young and Commissioner Vaughan.

-Vacation Request from Controller/Administrator -

- Commissioner Bardwell stated Mike Hoagland had requested additional vacation time be awarded to him due to his extended years of service. Board discussed matter.

17-M-226

Motion by Bierlein, seconded by Young that because of his extended years of service to Tuscola County, 10 additional vacation days be provided to the County Controller/Administrator retroactively to June 2, 2017 for a total of 30 vacation for the period of June 2, 2017 thru June 1, 2018. On June 2nd of each subsequent year of employment, a total of 30 vacation days shall be awarded. Motion Carried.

Old Business -

- Dental Clinic Update - Mike Hoagland was expecting a letter regarding the Dental Clinic but has not received it as of yet.

Correspondence/Resolutions -

- Mike Hoagland received the 2016 divided check from the Michigan Counties Workers Compensation Board of Trustees.

COMMISSIONER LIAISON COMMITTEE REPORTS

BARDWELL

Economic Development Corp/Brownfield Redevelopment

Caro DDA/TIFA

MAC Finance

MAC 7th District

Local Unit of Government Activity Report - Update provided regarding Ellington Township lawsuit.

TRIAD

Behavioral Health Systems Board

MAC Workers Comp Board

KIRKPATRICK

Board of Health

Community Corrections Advisory Board

Dept. of Human Services/Medical Care Facility Liaison

MI Renewable Energy Coalition

MEMS All Hazards – Committee to be assigned to Commissioner Bierlein beginning in 2018

MAC Environmental Regulatory – Vice Chair

Cass River Greenways Pathway

Local Unit of Government Activity Report

State Land Acquisition has been discussed again with Senator Green.

Commissioner Vaughan will be interested in continuing this discussion with

Senator Green. Senator Green has an interest in establishing horse riding trails

there. Commissioner Kirkpatrick would like the acquisition to be in the best

interest of Tuscola County. Committee to be assigned to Commissioner Vaughan beginning in 2018.

NACO- Energy, Environment & Land Use

Jail Planning Committee

Saginaw Bay Coastal Initiative

Tuscola In-Sync

Region VI Tourism Discussions

BIERLEIN

Genesee Shiawassee Thumb Works

Human Development Commission (HDC)

Recycling Advisory Committee

Local Emergency Planning Committee (LEPC)

Great Start Collaborative Council

Local Unit of Government Activity Report

MAC Board of Directors - Attorney General Opinion #7300 states a FOIA request needs to be responded to in the 5-day window although there is not a timeframe in providing the answer to the FOIA request.

Human Services Collaborative Council

MAC Judiciary Committee

Tuscola County College Access Network

MAC Agricultural/Tourism Committee

VAUGHAN - No Updates

Board of Health

Planning Commission

Economic Development Corp/Brownfield Redevelopment

Local Unit of Government Activity Report

Mid-Michigan Mosquito Control Advisory Committee

Parks and Recreation Commission

Tuscola County Fair Board Liaison

YOUNG

Dispatch Authority Board - Board has decided to not get new pagers at this time as there has not been much failure reported with the current pagers. The cost of the new system is excessive to replacing the pager itself.

County Road Commission Liaison - The Village of Cass City Manager, Debra Powell, attended the meeting and was able to have money awarded to upgrade Seeger Street. Also, she brought up Doerr Road and upgrades that will need to be made to that street.

Board of Public Works

Senior Services Advisory Council

Saginaw Bay Coastal Initiative

Local Unit of Government Activity Report

MAC Agricultural/Tourism Committee

Strategic EDC Planning Committee

Jail Planning Committee

Genesee Shiawassee Thumb Works

Region VI Economic Development Planning

Tuscola 2020

-Commissioner Young questioned what the precedence was to only have a Commissioner receive a per diem for a maximum of two meetings per day as sometimes there are more than two meetings scheduled in the same day for various committees. Board discussed the potential of abuse if the limit was not held in place. Board discussed the option of requesting a waiver for a day that this circumstance may arise. Commissioner Bardwell stated if the meeting is included on the Committee Liaison Listing it should be paid for even if it causes the number of meetings to exceed two.

-Commissioner Bardwell raised an issue in reference to the Road Commission regarding who would be responsible to pay the per day late fee if a job is not completed timely. Commissioner Young has the language included on the contracts and will provide a copy to Commissioner Bardwell.

Other Business as Necessary -

-Jail Planning Committee - Office window improvements were approved today. Lieutenant Harris and Mike Miller have drafted a proposed redesign of the Jail. The National Institute of Corrections will come in free of charge and make recommendations as to how to best design a jail layout. The communication with them has not been able to be established. Commissioner Kirkpatrick would like to have funds set aside and a design plan in place with deadlines established by the end of 2018.

Extended Public Comment -

-Register John Bishop would like clarification on how to establish a pay increase for the Register of Deeds position. Commissioner Bardwell stated it is a topic to be reviewed under Personnel at a Committee of the Whole meeting. Register Bishop stated the Board does not reward elected officials for a job well done nor do they show any detriment for not doing the job. Commissioner Bardwell stated there is no criteria to determine a job well done for an elected official position as it is at the hands of the voters.

Meeting adjourned at 1:04 p.m.

Jodi Fetting
Tuscola County Clerk

Draft
TUSCOLA COUNTY
County 2018 Budget Public Hearing
December 14, 2017 Minutes
H. H. Purdy Building

Commissioner Thomas Bardwell called to order the 2018 County Budget Public Hearing held at the H.H. Purdy Building in the City of Caro, Michigan, on the 14th day of December, 2017 to order at 9:34 o'clock a.m. local time.

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 – Kim Vaughan, District 4 - Craig Kirkpatrick, District 5 - Matthew Bierlein

Commissioners Absent: None

Present: Mike Hoagland, Clerk Jodi Fetting, Tisha Jones, Eean Lee, Tracy Violet, Register John Bishop, Shelly Lutz, Caryn Michalak

Mike Hoagland reviewed the 2018 draft budget. Various accounts were reviewed. The all funds 2018 budget is in the amount of \$56,126,730.00.

Tuscola County has 10 special mileages in place.

Commissioner Bardwell questioned the amount funded to the Economic Development Corporation (EDC). Board discussed the avenues that EDC uses the funding provided by Tuscola County. Commissioner Bardwell would like to see the Board of Commissioners become more comfortable with the projects the EDC is working on. Board discussed the \$30,000 was supposed to be one-time money to assist local communities attain CDBG grant funds.

Public Comment:

Register Bishop raised concern with potential Budget Item #7 included in the Board Agenda as he has concern with it placing limits on his discretion of policies within his direct office. The Board feels this relates to County financial policies not direct office policies.

Public Hearing closed at 10:07 a.m.

Jodi Fetting
Tuscola County Clerk

Statutory Finance Committee Minutes
December 14, 2017
H.H. Purdy Building
125 W. Lincoln St, Caro MI

Meeting called to order at 1:05 p.m.

Commissioners Present: Young, Bardwell, Bierlein, Vaughan, Kirkpatrick

Commissioners Absent: None

Also Present: Mike Hoagland, Clerk Fetting, Tisha Jones

Claims and Per Diems were reviewed and approved.

Public Comment - None

Meeting adjourned at 1:10 p.m.

Jodi Fetting
Tuscola County Clerk

Commissioners

I put together the attached information to document the major accomplishments for county government in 2017. There is no question this was a highly productive year. There were numerous success stories. I wanted to reflect on these successes as a reminder that our hard work is paying off and our collective efforts are making a positive difference. We have momentum on our side now and we must continue to challenge ourselves for continued success in 2018 and future years. I will present this information in more detail at the December 27, 2017 board meeting. We may want to share this information with local news media, place it on the county web site and share it when you meet with local units of government. Major accomplishments in 2017 included:

- Assuring the new \$136 million state psychiatric facility will be built in Caro and not a different location of the state
- Gaining public approval to increase the senior citizen millage to meet the demand for home delivered meals and other senior programs
- Strengthening public safety with the addition of five road patrol officers and a K9 Unit with public approval of an increase in road patrol millage
- Continuing financial benefits from wind turbines with over \$1 million paid to the County general fund and over \$1 million paid to special purpose millage funds
- Achieving success with NextEra dismissing the assessing/taxation dispute with the county making available approximately \$667,000 in escrowed county funds
- Continuing successful financial management and strong bond rating
- Establishing the jail capital improvement fund bringing major jail upgrade needs closer to implementation
- Continuing the commitment to maintaining county buildings and grounds for long term preservation of these facilities
- Leading recycling role of the county continued by relocating to the new location to meet current and future needs
- Upgrading of Vanderbilt County Park with valuable improvements involving an investment of over \$50,000
- Improving veteran services with millage funds approved in 2015
- Containing retirement system costs by changing from defined benefit to defined contribution plan and issuing pension bonds
- Containing health insurance costs with assistance from Brown and Brown
- Strengthening data and computer system security through purchasing of key equipment and adding a security staff person
- Others identified in the attach report

Congratulations to all on these important accomplishments.

Mike

TUSCOLA COUNTY CONTROLLER/ADMINISTRATOR'S OFFICE

To: Tuscola County Board of Commissioners

From: Michael R. Hoagland, Controller/Administrator

Date December 27, 2017

2017 WAS A HIGHLY SUCCESSFUL YEAR WITH MANY ACCOMPLISHMENTS

There is no question 2017 was one of the most productive years for the county. There were numerous success stories. These positive actions and developments are outlined below. We are truly advancing the county for an even more efficient county government in the future.

It is important to reflect on our significant progress this year because our current success can create more success. All county employees should be proud of these achievements because it was our collective effort that produced a very productive year for the county. Our "can do" attitude is making a difference. We have momentum on our side now - we cannot let up. We must continue to challenge ourselves to achieve more successes for 2018 and future years.

1. Successfully Assured New \$136 Million State Psychiatric Center will be Built in Caro

Probably the most significant accomplishment in 2017 was assuring that a new State Psychiatric Facility would be built in Caro and not in some other location of the state. County officials were leaders and spent many hours in this successful effort working with the State, Caro, Intermediate School District and Economic Development Corporation officials.

The Caro Regional Center directly employs about 350 people and another 398 indirect jobs are created by having this facility in Caro. An estimated \$54 million dollars is infused every year into the regional economy from the people employed at the facility. The new facility is estimated to be a \$136 million state investment in our community with construction over the next three years.

2. Ability to Serve Enough Senior Citizen Home Delivered Meals and Other Senior Citizen Services was Accomplished with Public Approval of Increased Senior Citizen Millage

In August the public approved an increased millage for senior citizens. There were times during the year when senior citizens had to be put on a waiting list for home delivered meals because of insufficient funding. This millage increase also provided for another day of adult day care services to give relief to family and other caregivers. The millage approval shows public confidence in the management of and need for essential senior programs.

3. Public Safety was Strengthened with the Addition of Five Road Patrol Officers and a K9 Unit was Accomplished with Public Approval of Increased Sheriff Road Patrol Millage

Another major accomplishment in 2017 was gaining public approval of an increased road patrol millage to meet critical public safety needs. This millage increase will provide for five more road patrol officers and a K9 unit. Public safety is one of the most critical responsibilities of government. There were times when only one road patrol office was on the road for the entire county. This was an unacceptable public

safety situation and the public understood this with strong approval of the millage increase. The GF will realize relief of approximately \$170,000 by charging 50% of the sheriff and undersheriff wage/fringe benefit costs to the road patrol fund and charging indirect costs to the road patrol fund.

4. Significant New Revenue Available for the Delivery of County and Local Government Services from Wind Turbine Development

One of the most significant events to ever impact the county started in 2013 with the construction of the first wind turbine project in Gilford Township. Although in some situations controversial, wind turbine development has not only fundamentally changed the landscape, but also the financial capabilities of county and local government in the county.

Over \$6 million is now paid in property taxes to the county and local units of government in the county. Of this total, over \$2 million is paid to the County GF and to special purpose millage funds. Prior to 2013 the county received no wind turbine revenue. There is no question wind revenue at least on a near term basis has improved county finances. At the end of 2017 there were 208 wind turbines in the county. Preliminary information indicates there may be more wind turbines constructed in future years.

The Board of Commissioners encourages local units of government to use their legal authority to develop wind turbine ordinances that enable residents continued reasonable use of their property and protection to their health, safety and welfare. The Board also encourages ordinances that enable wind turbine construction provided the rights of residents are fairly protected.

5. NextEra Wind Turbine Dispute was Dismissed Resulting in \$667,000 County Financial Benefit

The county won a major victory when NextEra dismissed the dispute over the assessment and taxation of wind turbines in the county. This resulted in \$667,774 in previously escrowed funds becoming available. County leadership and involvement on the Michigan Renewable Energy Coalition played an important part in achieving this objective. Future funds will not have to be escrowed for NextEra wind turbine projects. Consumers Energy and other wind companies still have disputes. The county continues to escrow funds for these wind turbine projects in case an unfavorable ruling is received and reserved funds have to be refunded.

6. Continued Successful Financial Management and Strong Bond Rating

County officials continue to practice highly effective financial management. The County continues to receive the Government Finance Officers highest awarded for Excellence in Financial Reporting for our annual budget and audit processes. All county funds remain in a positive fund balance position and our annual budget remains balanced. The county bond rating remains strong at A+.

7. Establishment of the Jail Capital Improvement Fund Brings Major Jail Upgrade Needs Closer to Implementation

The commissioners took an important proactive approach to upgrading the county jail. The jail is over 60 years old and needs major upgrades. A jail planning committee was formed in 2017 and is beginning a review of how the jail should be remodeled and upgraded.

Commissioners have made it a priority to allocate funds if possible over the next several years to implement jail improvements. Previously escrowed wind turbine funds in the amount of \$667,774 were

transferred to a new Jail Capital Improvement Fund. By the end of 2017, it is projected that this fund may have \$1.4 million available. It will take several years depending on wind turbine development to establish the funding level necessary for the upgrade unless another method is determined.

8. Proactive Maintenance of County Buildings and Grounds

The Board of Commissioners understands the critical importance and is committed to allocating funds for the maintenance of county buildings and grounds for the long-term preservation of these facilities. County officials have an effective budgeting process and set annual priorities and allocate funds annually to maintain buildings and grounds.

Complete new plumbing was installed in 2017 at the jail at an estimated cost of approximately \$310,000. Important building maintenance was conducted by tuck pointing the Courthouse and Health Buildings. The parking lot at the Health Department was replaced. The federal government paid approximately half of the cost for new health department parking lot replacement. Other parking lots were protected through sealing. Several sidewalks were replaced to improve access and safety to county buildings. Substantial improvements were made at the animal shelter including upgrading animal pens, drainage and painting. New and improved security cameras were installed in the Courthouse.

9. Tuscola Officials Continue to be Recycling Leaders - Relocation of Recycling is Underway to Provide for Future Program Expansions

Over the years Tuscola County has proven to be a regional recycling leader. The current location does not provide opportunity for expansion. It has been the goal for several years to relocate the operation so there is room for expansion. County officials wisely reserved millage funds over the years to purchase land and building for a relocation. In 2017, this was accomplished with the purchase of the former Riverview Auto location near the Cass River along M 24. The property is being prepared and the building remodeled. It is anticipated that by the summer of 2018 the relocation can occur.

10. Effective Transition to New Department Leaders Successfully Accomplished

County officials were able to successfully transition to new directors in several key operations including the Medical Care Facility, County Sheriff, Health Department, Equalization, Human Resources and Michigan State University Extension. Change is also occurring with other key governments including new city managers in Caro, Reese and Cass City.

11. Vanderbilt County Park is Being Brought up to its Potential with Important Upgrades and New Amenities

Significant improvements were implemented at Vanderbilt County Park including roads, improved drainage, water line hookups, picnic tables, parking lot upgrades, basketball court and improvements to volleyball court and horseshoe facilities. It has been a long-term objective to make park upgrades, but until now has not been financially feasible. Approximately \$50,000 will be invested for this project. Donations from NextEra along with new tax revenue from wind turbine development made this park enhancement possible.

12. Services to County Veterans were Significantly Improved – with the Public Approving Millage (in 2015) to Meet this Critical Need

County officials took the lead to strengthen services provided to Veterans. There are over 4,000 veterans living in the county with many that need assistance. Again, the public supported a new millage that provided the ability to strengthen veteran services.

Since this millage was approved a staff person was hired to assist the Director in helping veterans prepare the documents required to leverage available state and federal assistance. A second van was purchased to assist disabled veterans with medical and other transportation needs. Funds are now available for direct food, burial, medical and shelter assistance using millage funds. Veterans have positive comments and expressed appreciation for these service improvements.

13. Retirement Cost Containment Implemented for Effective Financial Management

Officials of the county took the important initiative to change the retirement system to control costs. Actuarial reports documented that costs were becoming unaffordable. The process to contain these costs began in 2016 when the county changed the retirement system for new hires from defined benefit to defined contribution and determined that it was financially advantageous to issue bonds to bring the retirement funding level to 100%. These same changes were implemented for the Health Department in 2017. Approximately \$9 million in pension bonds were issued to bring the funding level for the County and Health Department to nearly 100%.

These retirement system changes were necessary. They are already keeping retirement system cost increase in check. They are projected to avoid \$7 million in additional retirement system costs over a 20 year period that would have occurred if changes were not implemented.

14. Health Insurance Cost Containment for Effective Financial Management

With assistance from Brown and Brown, the county has been able to maintain very good employee health insurance coverage without major cost increases. In fact, with the current Administrative Service Plan and the proper setting of "stop loss" levels health insurance costs are expected to actually decline from 2017 to 2018. The current containment of county costs cannot be expected to continue indefinitely. The county remains below state set health insurance "hard cap" spending limitations.

15. County Data and Computer System Security Strengthened

The county has a multi-million dollar computer–technology operation that is critical to virtually all county departments. One of the key responsibilities of county government is data/record retention, storage and security. There are numerous records that have to be kept including court, land transaction, marriage licenses, death, tax payments, property values, drains, election, financial information, sheriff department, dispatch, health department etc.

Major equipment was purchased and staff added in 2018 to strengthen system security and backup capability. Several hundred thousand dollars have been spent over the last several years to protect computer-technology data and systems. The IT department established a Disaster Recovery site that will hold a live copy of Tuscola County's most valuable data assets. In the security realm, security of our email system was significantly increased. All of the county most valuable data assets were encrypted to prevent data from being read if security is compromised. Finally, the IT department

documented all of this work with new software and provide the Board of Commissioners with regular quarterly reporting to measure the success of this program.

The Register of Deeds office was successfully brought on board with the County network with their new Land Records system. This provided the users with updated technologies, centralized management of their systems, robust backups and eliminated the need for separate networks.

16. Other Positive Success Stories in 2017

- An Opioid Task Force was formed to educate and seek solutions to this major public health issue.
- Commissioner Matt Bierlein was elected President of the Michigan Association of Counties giving Tuscola County upfront knowledge and strong representation to influence policy and positive change.
- New election software was purchased to increase efficiency in the election process.
- Union contracts were settled for 2018 and 2019.
- The possibility of forming a dental clinic for Medicaid eligible residents with assistance from the Michigan Community Dental Clinic Association is under review.
- The County Economic Development Corporation received a \$600,000 EPA grant to conduct baseline environmental studies of brownfield sites to know what has to be done for cleanup.
- Emphasis was placed on protecting vital records by allocating \$75,000 for record retention in the Register of Deeds Office.
- Achieved full dispatcher staffing in 2017.
- A complete new parking lot at the health department was installed with about half of the cost paid by the federal government from wear and tear from the Center for Disease Control use of the lot.
- Court officials have been able to maximize state payment for child care fund costs.
- A state required Indigent Defense Plan was completed and will be implemented if the state provides funding.
- Courthouse security was strengthened with the purchase of new security cameras.
- The regional program administered by the Tuscola County Courts to overcome problems with driving while under the influence continues to be highly successful.

- The Airport Zoning Board of Appeals was re-established.
- Developed an explanation of the Delinquent Tax Revolving process and how this process fronts delinquent tax payments to local units of government and schools which provides positive cash needed to operate services. This is a very important service provided by county government.
- Significant savings of \$40,000 to \$50,000 annually has been achieved by converting to Voice Over Internet Protocol Telephone systems. This has been a multi-year effort and the final conversion will be completed in 2018.
- The road commission has been able to allocate an increase in funds to help improve health insurance and retirement system funding levels which has been recommended in prior road commission audits.
- New security cameras were installed at Dispatch along with power surge protectors to protect critical equipment and enable continued operations.

mhoagland@tuscolacounty.org

From: Brian Neuville <briann@hdc-caro.org>
Sent: Wednesday, December 20, 2017 11:34 AM
To: mhoagland@tuscolacounty.org
Subject: 3rd Party agreement
Attachments: Tuscola Agreement.docx

Mike,

Attached is the continuation of the 3rd party operating agreement for the Housing Rehabilitation Program including Program Income Administration. The main difference is the funding will no longer be received at this point from the Michigan EDC. We are constantly looking for additional funds and will apply on the county's behalf or as HDC for any funds that become available. The amount of program income funds received each year is not set in stone as it depends on what the homeowners do with their homes. The other difference in the agreement is we are requesting \$4,000 from each county per calendar year to support the program and pay staff time (Jeff) for the operation of the program. The only thing we will need is the approval of the agreement and authorization for your chair to sign the agreement.

Hope you have a great holiday season.

Brian

Brian Neuville, Deputy Director
Human Development Commission (HDC)
429 Montague Avenue
Caro, MI 48723
Phone: 989-672-1711 (Direct)
Fax: 989-673-2031



The mission of HDC is "Restoring Hope by Helping People and Changing Lives"

Visit us at www.hdc-caro.org or visit us on facebook at <https://www.facebook.com/pages/Human-Development-Commission-Community-Action-Agency/141105532612558>

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Disclaimer

ADMINISTRATIVE AGREEMENT
BETWEEN THE
TUSCOLA COUNTY BOARD OF COMMISSIONERS
AND
HUMAN DEVELOPMENT COMMISSION (HDC)

Terms and Conditions

Effective Date: January 1, 2018

Term of Contract: January 1, 2018- December 31, 2022

Title: Tuscola County Homeowner Rehab
Program & Program Income
Administration

Project Grantee: Tuscola County

Administrator: Human Development Commission
429 Montague Avenue
Caro, MI 48723
Federal ID# 38-1792679

Authorized Representative: Lori K. Offenbecher, Executive Director

Contacts: Lori K. Offenbecher, Executive Director
Brian Neuville, Deputy Director

The **Tuscola County Board of Commissioners** (County) and the **Human Development Commission** (Administrator) do hereby mutually agree to the following terms and conditions as outlined for this project and as defined in the grant agreement:

1. The Administrator acknowledges receipt of, and agrees with, the terms as contained within the copy of this agreement and has received copies of the following attachments:
 - Homeowner Rehabilitation Procedure Guide
 - Homeowner Emergency Procedure Guide
 - Section 8 Low- and Moderate-Income Limits
2. The County authorizes and the Administrator agrees to assume the responsibility for project management and utilize the allocated Homeowner Rehab administrative funds, including future income derived from the program, for project implementation and coordination, effective as of January 1, 2018.
3. The County agrees to release funds to the Administrator to carry out activities as approved in this agreement.
4. The County agrees to provide up to \$4,000.00 (per Calendar year) towards the cost of Program Administration based upon documentation costs.
5. The County authorizes and the Administrator agrees to assume responsibility for fiscal management and reporting and shall utilize the allocated Homeowner Rehab administrative funds to meet all pre-disbursement conditions prior to and after release of funds, effective as of January 1, 2018.
6. The Administrator shall prepare and provide to the County a copy of all such reports and documents which may be required under the grant agreement.
7. The County agrees to provide to the Administrator 100% of project funds within ten (10) days from date of submission of request from the Administrator.
8. The Administrator agrees to comply with all applicable Federal, State, and Local laws, regulations and Homeowner Rehabilitation Procedure Guide.
9. The Administrator agrees to and at the request of the County will provide any and all documents demonstrating compliance with all Federal and State regulations.
10. The Administrator agrees to allocate project rehabilitation dollars to 100% benefit Low- and Moderate-Income eligible participants.
11. The Administrator agrees to use copies of the Low- and Moderate-Income Certification Form to document and determine eligibility of households as defined by the Section 8 Income Limits.

**EQUAL OPPORTUNITY CLAUSE
(EXECUTIVE ORDER 11246)**

12. "During the performance of this contract, the Administrator agrees as follows:

"(1) The Administrator will not discriminate against any employee or applicant for Employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The Administrator will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

"(3) The Administrator will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

"(4) The Administrator will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

"(5) The Administrator will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

"(6) In the event of the Administrator's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

“(7) The Administrator will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.”

13. The Administrator agrees to maintain and adhere to the County/Administrative Agreement.
14. The Administrator agrees to allow authorized State representatives and officials access to all books, accounts, records, reports, files, and other papers or property pertaining to the project in order to make audits, examinations, excerpts and transcripts; each contract or subcontract shall also provide for such access to relevant data and records pertaining to the development and implementation of the project.

SECTION 3 IMPLEMENTATION

Tuscola County in partnership with the Human Development Commission certify to comply with HUD’s Section 3 requirements as they relate to the Homeowner Rehab Program:

15. Implement procedures designed to notify Section 3 residents about training and employment opportunities generated by Section 3 covered assistance and Section 3 business concerns about contracting opportunities generated by Section 3 covered assistance.
16. Notify potential contractors for Section 3 covered projects of the requirements of this part, and incorporating the Section 3 clause in all solicitations and contracts.
17. Facilitate the training and employment of Section 3 residents and the award of contracts to Section 3 business concerns by undertaking activities, as appropriate, to reach the HUD minimum numerical goals. The Administrator, at their own discretion, may establish reasonable numerical goals for the training and employment of Section 3 residents and award contracts to Section 3 business concerns that exceed those specified minimum numerical goals.

18. Assist and actively cooperate with the CDD in obtaining the compliance of contractors and subcontractors with the Section 3 requirements, and refrain from entering into any contract with any contractor where the Administrator has notice or knowledge that the contractor has been found in violation of the regulations.
19. Document actions taken to comply with the Section 3 requirements, the results of actions taken and impediments, if any.
20. Obtain from contractors, subcontractors and non-construction professional contractors, time records and any new certification documentation for Section 3 residents and business concerns with each payment request in order to accurately report Section 3 data.

This Administrative Agreement is hereby accepted and it is agreed that the funds made available will be used only as set forth herein based on current regulations in place with the Michigan Economic Development Corporation and the Michigan State House Development Authority.

Dated this ____ day of _____, 2015

By: Thomas Bardwell, Chairman

Tuscola County Board of Commissioners

Signature

Witness

Dated this ____ day of _____, 2015

By: Lori K. Offenbecher, Executive Director

Human Development Commission

Signature

Witness

Commissioners

There is a compensation issue involving shift supervisors at the dispatch operation. Shift supervisors manage dispatchers and are non-union. Below is the wage schedule which shows the starting pay for a shift supervisor which is less than the top pay of dispatcher. Even after one year the shift supervisor pay is only at the same pay as a step 5 dispatcher. With the current step schedule there is no incentive for a dispatcher to become a shift supervisor. The Human Resource Coordinator worked with the Dispatch Director to develop the proposed revised step schedule below that corrects this pay discrepancy.

- Potential Motion – Move that the dispatch supervisor wage/step schedule be changed as shown below. (Shift supervisors manage and are responsible for dispatchers and therefore should to be compensated at a higher rate).

	Start	6 Months	1 Year	2 Years	3 Years	4 Years	5 Years
Dispatcher/2018 Budget	\$15.87	\$16.14	\$16.41	\$17.87	\$18.49	\$18.82	\$19.28
Dispatch Supervisor/2018 Budget	\$18.89	\$0.00	\$19.28	\$19.86	\$20.46	\$21.07	\$21.71
2018 Proposed Supervisor Wages	\$19.55	\$0.00	\$19.95	\$20.56	\$20.97	\$21.60	\$22.25

Mike

Michael R. Hoagland
 Tuscola County Controller/Administrator
 989-672-3700
mhoagland@tuscolacounty.org

mhoagland@tuscolacounty.org

From: Rehmann <news@rehmann.com>
Sent: Monday, December 18, 2017 4:10 PM
To: mhoagland@tuscolacounty.org
Subject: IRS increases standard mileage rates for 2018



IRS increases standard mileage rates for 2018

The Internal Revenue Service (IRS) has released the 2018 optional standard mileage rates used to calculate the deductible costs of operating automobiles for business, medical, moving and charitable purposes.

Beginning January 1, 2018, the standard mileage rate has increased to 54.5 cents per mile for business travel and to 18 cents per mile for medical and moving uses. It will remain 14 cents per mile for charitable uses.

U.S. taxpayers and companies can deduct this new standard mileage rate amount on their 2018 tax return for recorded business miles in a personal vehicle. Taxpayers are still able to claim separate deductions for parking fees and tolls connected to business driving.

If you would like to learn more or discuss the mileage rate changes, please contact your Rehmann advisor today.



This message was sent to mhoagland@tuscolacounty.org from:

Rehmann
news@rehmann.com
1500 W Big Beaver
Troy, MI 48084 United States

From: mhoagland@tuscolacounty.org
Sent: Tuesday, December 19, 2017 3:03 PM
To: 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
Cc: Clayette Zechmeister (Clayette Zechmeister); Shelly Lutz
Subject: 1.0% union signing bonuses and non-union appreciation compensation

Commissioners

Union contracts were negotiated with base wage increases of 2% in 2018 and 2% in 2019. In addition a one-time bonus of 1% of 2017 wages was negotiated and awarded. This was called a signing bonus (for approving the contract). This one-time award does not increase base wage amounts. The signing bonus was calculated by determining total 2017 wages for each bargaining unit and multiplying this amount by 1.0%. This 1.0% amount was then divided by the number of members in each respective bargaining unit to determine the amount of signing bonus payment per employee. The total cost and amount paid per employee by bargaining unit is as follows:

1. AFSCME General - \$10,800 total which equals \$300 per employee
2. AFSCME Deputy - \$1,600 total which equals \$400 per employee
3. POAM Dispatch - \$4,000 total which equals \$400 per employee
4. POAM Corrections - \$6,970 total which equals \$410 per employee
5. POAM Deputy - \$7,000 total which equals \$500 per employee
6. POLC Supervisor - \$6,600 which equals \$550 per employee

The Board of Commissioners decided to implement the same compensation provision for non-union employees as was negotiated for the above union employees. For non-union employees this is called appreciation compensation since no contracts are being signed. The methodology for calculating the amount of compensation for non-union employees is as the same as union employees with one exception. Full-time and part-time employees were calculated as two separate groups. The total cost and amount paid per full-time and part-time employee is as follows:

1. FULL TIME - \$32,045 total which equals \$471 per employee
2. PART TIME - \$2,726 total which equals \$136 per employee

Although union contracts have been approved by previous board action motions are needed to implement this change for non-union employees. Potential motions are as follows;

- Move that full-time non-union employees be paid 1.0% appreciation compensation in 2018. This amount is calculated based on 1.0% of 2017 total non-union full-time employee pay divided by number of non-union full-time employees resulting in \$471 paid equally to each full-time non-union employee (this is a one-time award and is not reoccurring).
- Move that part time non-union employees be paid 1.0% appreciation compensation in 2018. This amount is calculated based on 1.0% of 2017 total non-union part-time employee pay divided by number of non-union part-time employees resulting in \$136 paid equally to each employee (this is a one-time award and is not reoccurring).

The 2018 budget only incorporated a 2% increase in base wage. The total estimated cost for the 1% union signing and non-union appreciation compensation is \$71,741. This cost is currently not included in the 2018 budget. A budget amendment is needed.

- Move that the 2018 county budgets be amended with \$71,741 for wages and \$5,488 in FICA for union contract signing bonuses and non-union appreciation compensation. This new cost will be budgeted through the use of fund balance in respective funds.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

VISIT US ON LINE FOR COUNTY SERVICES @ www.tuscolacounty.org

From: Robert Baxter <rbaxter@tuscolacounty.org>
Sent: Tuesday, December 19, 2017 9:48 AM
To: Mike Hoagland
Subject: Fwd: FW: Tuscola Co, MI renewal 2018
Attachments: Tuscola MI-2018 Renewal.pdf

Mike this is the Jail medical renewal that needs to be signed. The program is running well and we are seeing a savings. Recently the jail nurse was able to save about \$4,000 because she was able to enroll the inmate into Medicaid.

Tuscola County Sheriff's Office
Undersheriff Robert E. Baxter
420 Court St
Caro, MI 48723
989-673-8161 ext 2225
Fax: 989-673-8164



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----- Forwarded message -----

From: Brian Harris <bharris@tuscolacounty.org>
Date: Tue, Dec 19, 2017 at 9:09 AM
Subject: Fwd: FW: Tuscola Co, MI renewal 2018
To: Glen Skrent <ggs@tuscolacounty.org>, Robert Baxter <rbaxter@tuscolacounty.org>

FYI...here is the medical contract.

Lieutenant Brian Harris
Tuscola County Jail Administrator
420 Court St.
Caro, MI 48723
[989-673-8161](tel:989-673-8161) ext. 2228

----- Forwarded message -----

From: Jack Jadin <JJadin@correctcaresolutions.com>
Date: Mon, Dec 18, 2017 at 3:52 PM
Subject: FW: Tuscola Co, MI renewal 2018
To: "bharris@tuscolacounty.org" <bharris@tuscolacounty.org>
Cc: Stephanie Parkinson <SDParkinson@correctcaresolutions.com>, Jack Jadin



September 21, 2017

Lt. Brian Harris, Jail Administrator
Tuscola County Jail
420 Court Street
Caro, MI 48723

RE: 2018 Renewal Proposal

Dear Lt. Harris:

I hope this letter finds you well. Correctional Healthcare Companies (CHC) is pleased to be the provider of medical care services provided to detainees at the Tuscola County Jail, and we strive to continue to meet and exceed your expectations in the quality of service we provide.

As discussed, per Section 9.0 of our Agreement, the contract shall automatically renew on an annual basis for additional one-year periods, with mutually agreed upon increases. CHC respectfully requests an increase in the base contract amount consistent with the Consumer Price Index ("CPI") for Urban Consumers – US City Average for Medical Care Component. This CPI rate currently stands at 1.8%.

The monthly rate currently being charged to the County is **\$9,109.85**. If accepted, CHC will charge the County **\$9,273.83 (per month)**, or **\$111,285.96 (annually)** starting January 1, 2018.

If acceptable to the County, please sign and date the attached price quote and forward an electronic copy to Alexis Albers, Client Services Specialist at aalbers@correctcaresolutions.com to affirm moving forward with the proposed terms. If you have any questions or concerns, please do not hesitate to contact Elaine Kaiser, Operations Manager for Tuscola County directly at 989-280-2030, or you may contact Jack Jadin, Client Services Director at 920-304-6397. We greatly appreciate the relationship we have established with Tuscola County over the years.

Warm regards,

Stan Wofford
Senior Regional Vice President, Operations

Cc:

Elaine Kaiser, Operations Manager
Jack Jadin, Director of Client Services
Gina Rose, Senior Director of Client Services



The undersigned is authorized by Tuscola County to accept the above terms.

Authorized Tuscola Representative

Date Signed

Print Name

Title

PLEASE NOTE: Final delivery of the contract amendment will be via email. If hard copies with original signatures are required, please indicate the number of copies needed: ____.

From: Clayton J. Johnson <CLAJOH@BraunKendrick.com>
Sent: Wednesday, December 20, 2017 5:29 PM
To: 'MHoagland@TuscolaCounty.org'
Subject: FW: Opioid Multi-District litigation

Mike,

We reviewed the correspondence from the plaintiffs' firms regarding potential opioid litigation. Our initial assessment is that there is some momentum gathering behind this type of lawsuit, but even on a contingency fee basis, there are still costs (time, energy, possible staff resources) that would attach to this effort. For example, there would have to be some showing of the impact of these actions on Tuscola County which might mean resources expended to determine that impact. Additionally, though there are numerous cases already filed by municipalities in this area, the merits of the legal theory underlying are still somewhat unclear. This process has been compared to the tobacco litigation in the 90s, but it's still too early to assess the financial impact any possible future settlement might have on a local government like the County.

Overall, we suggest that the County consider allowing the local attorney (Behm) to make a presentation to Braun Kendrick and/or to you, to address the issues of:

- Getting a better understanding on the theory of liability
- Actual time and expense to the county
- The potential methods of proving damages
- Amount, timeline and method of distributing any settlement

If you agree with this assessment, we can listen to the details provided by this law firm and recommend whether we believe this proposal merits additional consideration by the County. We also recommend that the County move deliberately in evaluating this, since there does not appear to be a disincentive to waiting to obtain additional facts before committing to filing a lawsuit.

Thank you,
Clay

CLAYTON J. JOHNSON
Attorney
Tel: 989 399 0606
Fax: 989 799 4666
Email: clajoh@braunkendrick.com

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From: mhoagland@tuscolacounty.org [mailto:mhoagland@tuscolacounty.org]
Sent: Monday, December 11, 2017 1:34 PM
To: Clayton J. Johnson; Ann Hepfer; Glen Skrent
Cc: 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
Subject: FW: Opioid Multi-District litigation

Attached is a letter from a law firm that is inquiring to determine if we want to join a potential lawsuit against pharmaceutical companies involving opioid issues. What are your thoughts and comments.

Thank you.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

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From: Law Office of Behm & Behm [mailto:behmandbehm@ameritech.net]
Sent: Monday, December 11, 2017 12:39 PM
To: mhoagland@tuscolacounty.org
Subject: Opioid Multi-District litigation

Attached please find correspondence regarding Opioid Multi-District litigation

Valerie L. Talhelm
Legal Assistant
209 Schwartz Drive
Flint, Michigan 48503
(810) 234-2400 / (810) 239-5252 (fax)

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#9

Tuscola County Health Department
Board of Commissioners Monthly Report for December 15, 2017
Ann Hepfer RN, B.S Health Officer

Outcomes for the Month:

1. **Drug Task Force:** Last Meeting was held on November 16th from 8:30-10:30 at the Medical Care Facility Business Annex. Final draft of the toolkit was reviewed and approved for use. We completed our work on a referral flow chart for medical providers. There is a gap in county relating to drug treatment. We have a couple of leads and are working on a getting drug treatment provider in our community.
2. **Hepatitis A Outbreak in SE MI:** The outbreak of hepatitis A in Michigan is more acute than any other state in the country. As of early December, 583 confirmed cases of the disease — which attacks the liver and has led to 20 deaths in Michigan since August 2016 — have been reported to health officials, a rate of 5.3 per 100,000 people or 38 percent higher than Utah, the state with the second highest rate, according to multiple media reports.

While cases have been reported in other counties, the majority of cases are from the city of Detroit, and Macomb, Monroe, Oakland, Wayne, and St. Clair counties, according to the Michigan Department of Health and Human Services. The total number of cases represents about a 10 fold increase, the Detroit Free Press reported.

From 10/1/2017-12/11/2017 we have not had any reported cases of Hepatitis A in Tuscola County. We continue to follow the SE MI outbreak and are keeping the hospitals and physicians up to date with vaccination information and protocol. This outbreak is of serious nature and we must remain vigilant in our surveillance.

Vaccination Prioritization

In outbreak areas of the state the following individuals are prioritized to be vaccinated:

- Persons who are homeless.
- Persons who are incarcerated.
- Persons who use injection and non-injection illegal drugs.
- Persons who work with the at-risk populations listed above.
- Persons who have close contact, care for, or live with someone who has HAV.
- Persons who have sexual activities with someone who has HAV.
- Men who have sex with men.
- Travelers to countries with high or medium rates of HAV.
- Persons with chronic liver disease, such as cirrhosis, hepatitis B, or hepatitis C.*
- Persons with clotting factor disorders.

Low-risk populations - Individuals who are concerned about their risk of getting hepatitis A yet have no known exposure or risk factors can be referred to their healthcare provider or the LHD for discussion and education. When vaccine supply improves revised guidance will be provided regarding vaccination of low risk populations.

Hepatitis A vaccine second dose - MDHHS is currently recommending administration of the first dose only to protect individuals against the SE Michigan outbreak. One dose of hepatitis A vaccine is 90-95% effective. MDHHS is currently deferring the second dose due to supply constraints and will provide additional guidance as the supply improves

3. Dental: No additional update at this time.

November 30, 2017

A regular meeting of the Board was held in their offices at 1733 S. Mertz Rd., Caro, Michigan on Thursday, November 30, 2017 at 8:00 A.M.

Present: Road Commissioners John Laurie, Gary Parsell, Mike Zwerk, Julie Matuszak, and Pat Sheridan; Superintendent/Manager Jay Tuckey, Director of Finance/Secretary-Clerk Michael Tuckey.

Absent: County Highway Engineer Michele Zaverucha.

Also Present: County Commissioner Thomas Young.

Motion by Sheridan seconded by Parsell that the minutes of the November 16, 2017 regular meeting of the Board be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Payroll in the amount of \$96,379.70 and bills in the amount of \$540,711.24 covered by vouchers #17-61, #17-62, and #HRA-53 were presented and audited.

Motion by Zwerk seconded by Matuszak that the payroll and bills be approved. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Brief Public Comment Segment:

None.

Motion by Zwerk seconded by Sheridan that the agreement between Blasius, Inc. and the Tuscola County Road Commission allowing Designated and Special Designated All-Season loads for Ormes Road from their establishment west of Vassar Road to State Trunkline Highway M-15 be extended for an additional two (2) years with the conditions specified in the agreement. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Matuszak seconded by Parsell to approve and sign the title sheet for the Bay City-Forestville Road Bridge over the Wiscoggin Drain in Columbia Township Federal Aid Project, and to move forward with letting the project. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Director of Finance Michael Tuckey presented to the Board a revised 2017 Budget. After discussion and review of various financial reports, the following motion was introduced:

Motion by Parsell seconded by Zwerk to approve the revised 2017 Budget as presented. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Director of Finance Michael Tuckey presented to the Board a proposed 2018 Budget. After discussion and review of various financial reports, the following motion was introduced:

Motion by Sheridan seconded by Matuszak to accept the proposed 2018 Budget as presented, and to table approving the proposed 2018 Budget pending the Budget Hearing scheduled at the next regular meeting of the Board. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Zwerk that the Tuscola County Road Commission advertise to receive proposals for the professional services of the Road Commission's Labor Law Attorney. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Motion by Parsell seconded by Sheridan that the meeting be adjourned at 9:40 A.M. Sheridan, Matuszak, Zwerk, Parsell, Laurie --- Carried.

Chairman

Secretary-Clerk of the Board

mhoagland@tuscolacounty.org

From: mhoagland@tuscolacounty.org
Sent: Tuesday, December 19, 2017 2:44 PM
To: 'Bardwell Thom'; 'Bierlein Matthew'; 'Kim Vaughan'; 'Kirkpatrick Craig'; 'Tom Young'
Cc: 'Clayette Zechmeister (Clayette Zechmeister)'; 'Dibble Erica'; 'House Angie'; 'Renee McLane'
Subject: FW: FOR IMMEDIATE RELEASE: Design firm approved to build new psychiatric hospital in Caro

Commissioners

Good news the Caro Regional Center is moving forward.

Mike

Michael R. Hoagland
Tuscola County Controller/Administrator
989-672-3700
mhoagland@tuscolacounty.org

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From: Mary Drier [mailto:drier92@yahoo.com]
Sent: Tuesday, December 19, 2017 1:30 PM
To: Mike Hoagland <mhoagland@tuscolacounty.org>
Subject: Fw: FOR IMMEDIATE RELEASE: Design firm approved to build new psychiatric hospital in Caro

----- Forwarded Message -----

From: Michigan Department of Health and Human Services <MDHHS@govsubscriptions.michigan.gov>
To: drier92@yahoo.com
Sent: Tuesday, December 19, 2017 1:21 PM
Subject: FOR IMMEDIATE RELEASE: Design firm approved to build new psychiatric hospital in Caro



Press Release

FOR IMMEDIATE RELEASE: December 19, 2017
CONTACT: Angela Minicuci, 517-241-2112, minicucia@michigan.gov

Design firm approved to build new psychiatric hospital in Caro

LANSING, Mich. – A state Ad Board today is approved of a contract with a Troy firm to design the new Caro Center that will be on the same site as the existing state-operated psychiatric hospital. The contractor is Integrated Design Solutions, which will provide design, architectural and engineering services for the project.

"We are pleased to begin moving forward with the design of a new Caro Center that will better meet the needs of people who need mental health services," said Michigan Department of Health and Human Services Director Nick Lyon. "The State of Michigan made a commitment to the Caro community that the new psychiatric hospital would remain in the community, and we are keeping that promise."

Design of a more modern facility will allow the state to replace the aging hospital in Caro. The design phases kicks off in early 2018. State officials expect the new hospital to be completed in 2021.

An evaluation committee with representatives from the Michigan Departments of Health and Human Services and Technology, Management and Budget, as well as the State Budget Office, recommended Integrated Design Solutions from 14 firms that submitted proposals. The committee determined that Integrated Design Solutions, a premier design consultant with expertise in psychiatric facility design, provides the best value to the state. The contract is for \$5,483,490. The Caro Center is a regional state hospital for adults with mental illness. The new facility is proposed to be built as a separate standalone complex on the existing Caro Center grounds. The vision and goals are for a new hospital to provide 200 beds – compared to the capacity of 150 beds in the current hospital – in an environment that is safe, efficient and flexible for patients and staff.

###

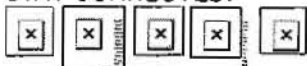
- [Caro+Center+Contract+PR.pdf](#)



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Huron Daily Tribune

<http://www.michiganstthumb.com/news/article/Lawmaker-nbsp-tackles-conflict-of-interest-nbsp-12434599.php>

#12

Lawmaker tackles conflict of interest

Brenda Battel Tribune Staff Writer Published 6:00 am, Saturday, December 16, 2017

UPPER THUMB – Planning officials who vote on developments when they have a conflict of interest could face criminal charges under a bill introduced in the Michigan House of Representatives.

State Rep. Gary Glenn introduced House Bill 4968 recently, which would prohibit members of local government planning commissions from voting on issues on which they or their families have direct financial interest.

The bill would amend Michigan's Planning Enabling Act.

It does not specify that the provisions are specific to wind development, although Glenn was inspired to craft the bill as a result of dealings with wind development on planning commissions and local boards of government.

"Public officials should act in the public's best interest – not their own personal financial interests," said Glenn, A Williams Township Republican. "Government officials shouldn't be voting on wind farm developments if they stand to personally profit from approval of the projects."

The legislation would allow local governments to appoint as many temporary planning commission members as is required to constitute a quorum if regular members have to recuse themselves as a result of conflict of interest. Glenn says that would ensure that planning commissions could continue work on wind farm proposals if multiple members hold wind leases.

"Existing law has not sufficiently addressed this issue," Glenn said. "We need legislation with teeth. We cannot have situations where members of a government board are allowed to vote on a project that would pay them \$1,000 or more a month if the project is approved."

Glenn said the need for this measure has been heightened because of the state's mandate that 15 percent of all energy in Michigan must come from renewable sources by 2021.

Glenn added he wants to ensure decision-making authority regarding industrial wind projects remains in the hands of local officials or local residents.

Huron's policy:

Huron County planning officials have visited the issue of conflict of interest regarding wind development extensively in recent years.

The Huron County Planning Commission's bylaws govern conflict of interest.

At a commission meeting earlier this year, county Building and Zoning Director Jeff Smith gave the following example of conflict of interest: If a planner has a contract with the developer who is bringing a project to the table, and the planner could financially benefit from the project, there is a conflict.

However, if a planner has a contract with a different developer, or in a different area than the one under consideration, this is also perceived as a conflict — even though the planner would not directly profit from the proposal at hand.

Glenn said the legislation only applies to those who directly profit from the development.

In Huron, if it were questionable as to whether a conflict of interest exists with a planner, the remaining members of the body would vote to determine whether a conflict exists, according to the bylaws.

As in Glenn's bill, the Huron planning bylaws consider it a conflict of interest for a planner to consider an issue that concerns his or her relative. Relatives are defined in the county's planning guidelines as a planner's spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents in-law, grandparents in-law, or member of his or her household.

Glenn's bill says there is a conflict if the following relatives have a financial interest in the matter: a spouse, parent or stepparent, child or stepchild, sibling or half sibling.

Considering the case of a neighbor is also considered a conflict of interest under the Huron planning bylaws.

And considering cases where a member's employer or employee is an applicant, agent for the applicant, or has a direct interest in the outcome is considered a conflict of interest in the bylaws as well.

When a conflict of interest exists, the bylaws state, "the member of the commission, or committee, shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists: a. declare a conflict exists at the next meeting of the commission or committee; b. cease to participate at the commission or committee meetings, or in any other manner, or represent one's self before the commission, its staff, or others."

According to Glenn's bill, failure of a member to abstain from voting when they or family members can financially benefit "is a felony punishable by imprisonment for not more than four years or a fine of not more than \$5,000, or both."

Huron's planners are currently wrapping up a review of the bylaws. The commission is expected to vote on the latest revisions at its February meeting.

Glenn's comments

Glenn told the Tribune this week that the legislation is to create uniformity in rules that planning commissions have to follow, and to raise local awareness of necessary regulations.

"We're trying to establish a threshold for a minimum degree of ethics in this situation," he said.

In some jurisdictions, planning commissions have the final say, and in some, the township or county boards do, he said.

Glenn said he has heard of officials amending ordinances during a meeting so that what someone was about to do no longer violated the ordinance.

"We want to ensure that officials are not making public policy decisions based on personal profit," Glenn said. "Current rules and regulations at the local level are deficient, ignored or amended on the fly to make decisions based on (members') own financial interests."

"Whether it passes or not, it casts a spotlight on the concern (of conflict of interest)," Glenn said. "It will get the attention of local planning commissions and make them more aware of existing rules, and what needs to change."

He said he considered making the provisions of the bill applicable only to wind energy, but decided that all matters that come before planning commissions should be included.

So, what would happen if the majority of a planning commission was comprised of farmers, and they were considering expansion of a grain elevator? Would temporary members have to be appointed to hold the majority of a planning commission's seats?

Glenn said that would not be the case.

In that instance, the grain elevator is of benefit to all farmers, he said.

But if a landowner who was considering leasing the necessary land to the elevator were on the planning commission, that landowner would have to declare a conflict of interest and not be involved in the decision to allow the elevator.

And in any conflict of interest situation, if several planners had to temporarily be appointed, and it slowed the process of approval, Glenn said, "The integrity of the process is far more important than the speed of it."

While Glenn describes himself as "meticulously neutral on wind development," he does oppose the state's 15 percent renewable standard.

Chair of the House Energy Committee, he feels that a free market approach should be taken to energy policy.

Some local officials have pointed out that anyone with an agenda, and who does not objectively consider whether developers meet the criteria of an ordinance could be perceived as having a conflict of interest.

Glenn disagrees.

"I'm a conservative Republican," he said. "I clearly have an agenda. I tend to promote principles I believe in. I'm not talking about somebody who has an opinion. It is not a conflict of interest to have strong feelings for or against wind."

Of the legislation, Glenn said: "It's a starting point. The impetus for the legislation is a widespread concern that existing rules and regulations are ignored and that they are not taken seriously."

"If it was working this legislation would not be necessary," he said.

Corporation counsel's perspective:

Stephen Allen, Huron County Corporation Counsel, said that criminalizing conflict of interest can discourage people from getting involved in local government.

"Criminalizing this stuff — it's hard to get citizen involvement in boards and commissions," he said. "Threatening them with a felony for getting involved, it's heavy handed"

Glenn pointed out that this is a bill in its early form.

If, as it goes through the legislative process, the penalties become misdemeanors, he said he would not have a problem with that.

Allen said there is nothing wrong with people who have opinions serving on government boards and committees.

But he said they should publicly admit where they stand on issues so the public can balance what they say, and know "how much stock" to put into their position.

"Very few people that comment or get involved are neutral," he said. "The Zoning Enabling Act and Planning Enabling Act require diversity on a planning commission so that we bring perspectives from the various walks of life."

"You can't expect anybody with no ties at all to get on these committees," Allen added.

He also noted that the Planning Enabling Act, Zoning Enabling Act and bylaws address the issues of conflict of interest sufficiently.

Not to mention, it's not necessary to "clog up the criminal justice system" with local officials who have a conflict of interest and don't disclose it.

For instance, Allen said, someone who is reviewing an application for Meijer to build a store may have Meijer stock in their portfolio, but inadvertently forget that while voting in favor of the development.

This legislation would then subject them to felony charges.

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