



# MINUTES

## Board of Commissioners

### Meeting

8:00 AM - Thursday, August 15, 2024

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

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Commissioner Vaughan 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 Street, Caro, MI 48723, on Thursday, August 15, 2024, to order at 8:00 AM local time.

Prayer - Commissioner Vaughan

Pledge of Allegiance - Commissioner Bardwell

Roll Call - Clerk Fetting

Commissioners Present In-Person: Thomas Bardwell, Kim Vaughan, Bill Lutz, Matt Koch

Commissioners Absent: Thomas Young

Others Present In-Person: Clerk Jodi Fetting, Eean Lee, Neil Hammerbacher, Steve Anderson, Mike Miller, Renee Francisco, Shelly Lutz, Sheriff Glen Skrent, Katie Robinson

Also Present Virtual: Tracy Violet, Mary Drier, Mark Haney, Don Derryberry, Debbie Babich, Sheriff Glen Skrent, Greg Ryneerson, Jon Ramirez, Katie Robinson, Rebecca Evans, Dara Hood, Ashley Gaudett, Angie House, Karlee Romain, Angie Daniels, Cindy McKinney-Volz, Bob Baxter, Judy Cockerill, Barry Lapp, Amy Prill, Crystal Knoblock, Estee Bitzer, Debbie Englehart, Renee Francisco, Shannon Beach, Shirley Schaefer

At 8:03 a.m., there were a total of 16 participants attending the meeting virtually.

#### Adoption of Agenda

1. Adoption of Agenda -

2024-M-174

Motion by Bill Lutz, seconded by Matt Koch to adopt the agenda as amended. Motion Carried.

#### Action on Previous Meeting Minutes

1. Action on Previous Meeting Minutes -

2024-M-175

Motion by Matt Koch, seconded by Bill Lutz to adopt the meeting minutes from the July 25, 2024 Regular meeting. Motion Carried.

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

None

**Consent Agenda**

2024-M-176

Motion by Bill Lutz, seconded by Matt Koch that the Consent Agenda Minutes and Consent Agenda Items from the August 12, 2024 Committee of the Whole meeting be adopted. Motion Carried.

**CONSENT AGENDA**

1. Approve the Purchase of Additional Fogging Material for Mosquito Abatement -  
Move to approve the purchase of 1,650 gallons of truck fogging material (Kontrol 4-4) for Mosquito Abatement from the vendor Vesperis for \$34,650.00 as recommended by Larry Zapfe, Director of Mosquito Abatement.
  
2. Authorization for Out-of-State Travel for Heather Walther to Attend a Conference in Oklahoma City -  
Move to authorize out-of-state travel for Heather Walther to attend a conference in Oklahoma City as recommended by Cindy McKinney-Volz, Deputy Court Administrator.
  
3. Approval of Budget Amendment for the Voted Veterans Fund -  
Move to adopt budget amendment identified by JE22298.
  
4. Approve Sponsorship for Amanda Raymond from Dispatch/911 to Participate in the Next Leadership, Education and Development (LEAD) Program -  
Move to approve the sponsorship of Amanda Raymond of Dispatch/911 to participate in the next Leadership, Education and Development (LEAD) program as recommended by Jon Ramirez, Dispatch Director.

## New Business

1. Discussion of Reviving Employee Performance Evaluations for the Controller's Office Staff -

The matter of implementing employee evaluations in the Controller-Administrator's Office was discussed. There is currently not up to date job descriptions for those employees. Clerk Fetting stated that employee evaluations have been used in the Clerk's Office in order to set office goals and office improvements to build a team. No action taken on this matter at this time.

Shelly Lutz, Human Resource Director, stated the Personnel Manual was last reviewed in 2017. She is currently reviewing the Personnel Manual for any needed updates.

The Board also discussed the pending White-Collar Law that could impact some salary staff members. Shelly Lutz will notify Elected Officials and Department Heads when it takes effect.

2. Discussion of Controller-Administrator's Evaluation -  
Kim Vaughan, Chairperson of the Tuscola County Board of Commissioners, stated he has sought legal counsel for guidance on performing an evaluation on the Controller-Administrator. In discussion, it was noted that the Controller-Administrator's contract was prepared with the incorrect start date in the first paragraph of the contract as it was listed as August 8, 2024 instead of April 8, 2024. Commissioner Vaughan stated he did have a meeting with Controller-Administrator Hammerbacher but there were no minutes taken. Matter to be placed on the Committee of the Whole agenda on August 26, 2024.
3. Approval of Budget Amendment JE 22305 -  
Neil Hammerbacher, Controller-Administrator presented request from Chief Judge Amy Grace Gierhart.

### 2024-M-177

Motion by Matt Koch, seconded by Bill Lutz to approve Budget Amendment JE22305 reducing the Friend of the Court budget for an eliminated position and increase their budget for the costs of a Visiting Referee providing the services of said position. Also, approve correcting Journal Entry 22304 removing the charges associated with the Visiting Referee from the Courts budget and charging same to the Friend of the Court budget. Motion Carried.

4. Approval of New Hire for the Recycling Program -  
Mike Miller, Director of Recycling, explained that the potential employee discussed at the Committee of the Whole meeting did not accept the position. A conditional job offer was presented to a different candidate.

2024-M-178

Motion by Bill Lutz, seconded by Matt Koch that per the request from Mike Miller, Buildings and Grounds/Recycling Director, that Jason Kondziola be hired to fill the vacant part-time Material Handler position at Step 1 on the pay scale at \$16.67 per hour, contingent on satisfactory background check, drug and physical screens with a tentative start date on or around August 19, 2024. Motion Carried.

5. Consideration of Approving Resolution 2024-09, Regarding Committee and/or Subcommittee Meetings Held -

Thomas Bardwell, Tuscola County Commissioner, presented the request to rescind Motion 23-M-299 at the Committee of the Whole meeting.

2024-M-179

Motion by Thomas Bardwell, seconded by Bill Lutz to rescind previous Motion 2023-M-299 regarding meeting quorums for Committee and/or Subcommittee meetings held. Motion Carried.

2024-M-180

Motion by Thomas Bardwell, seconded by Matt Koch to adopt Resolution 2024-09, regarding Committee and/or Subcommittee meetings held.

Yes: Thomas Bardwell, Kim Vaughan, Bill Lutz, and Matt Koch

Absent: Thomas Young

Motion Carried.

6. Closed Session - Hull v. Coleman, et al. - To Consult With Litigation Counsel Regarding Trial or Settlement Strategy in Connection with Pending Lawsuit Because an Open Meeting Would Have a Detrimental Financial Effect on the Litigating or Settlement Position of the County

2024-M-181

Motion by Thomas Bardwell, seconded by Matt Koch that the Board meet in closed session under section 8(e) of the Open Meetings Act, to consult with our attorney regarding trial or settlement strategy in connection with Hull v. Coleman, et al. as an open meeting would have a detrimental financial effect on the litigating settlement position of the County with the following individuals allowed to attend this closed session: Holly Battersby with Rosati, Schultz, Joppich and Amtsbuechler, Neil Hammerbacher, Jodi Fetting, Katie Robinson, Eean Lee, Sheriff Glen Skrent at 9:02 a.m.

Yes: Thomas Bardwell, Kim Vaughan, Bill Lutz, and Matt Koch

Absent: Thomas Young

Motion Carried.

Closed Session at 9:02 a.m.

Reconvened Open Session at 9:38 a.m.

At 9:38 a.m., there were a total of 23 participants attending the meeting virtually.

2024-M-182

Motion by Bill Lutz, seconded by Matt Koch to accept the advice of litigation counsel in Closed Session regarding the Hull v Coleman et al. case Motion Carried.

Recessed at 9:39 a.m.

Reconvened at 9:50 a.m.

At 9:50 a.m., there were a total of 24 participants attending the meeting virtually.

7. Discussion and Consideration of Sending a Letter of Support for United States Department of Agriculture (USDA) Funding Opportunities for 2025 to Benefit the Residents of Tuscola County -

Thomas Bardwell, Tuscola County Commissioner, explained the request for the letter of support for USDA.

2024-M-183

Motion by Bill Lutz, seconded by Matt Koch to approve having Kim Vaughan, Chairperson of the Tuscola County Board of Commissioners, send a Letter of Support for USDA funding opportunities for 2025 to benefit the residents of Tuscola County. Motion Carried.

8. Replace the Committee of the Whole Meeting Scheduled for September 23, 2024 with the Full Board Meeting Scheduled for September 26, 2024 Due to a Conflict With the Michigan Association of Counties Annual Conference Dates -

2024-M-184

Motion by Matt Koch, seconded by Bill Lutz to cancel the Committee of the Whole meeting scheduled for September 23, 2024 and the Full Board meeting scheduled for September 26, 2024. The Full Board meeting will instead be held on Monday, September 23, 2024. This is due to a conflict with the dates of the Michigan Association of Counties conference being held September 24, 2024 through September 26, 2024. Motion Carried.

9. Approval of Sponsoring Miles Breinager, Corrections, and Martin Porzondek, FOC Deputy, to participate in the next Leadership, Education, and Development (LEAD) Program -

Neil Hammerbacher, Controller-Administrator, presented two additional employees to attend LEAD.

2024-M-185

Motion by Matt Koch, seconded by Bill Lutz to sponsor both Miles Breinager, Corrections Officer, and Martin Porzondek, FOC Deputy, for the next Leadership, Education, and Development Program as recommended by their supervisors. Motion Carried.

## Old Business

1. Approval of Purchasing Furniture for the Renovated People's State Bank (PSB) Building -

Commissioner Bardwell stated that the furniture for the PSB Building was not included in the original Request for Proposal (RFP).

Mike Miller, Director of Buildings and Grounds, stated the Purchasing Policy includes the option to have professional help in a design project and the purchase of furniture in the past has been handled this way. Also, Board discussed the building does not have an elevator but is considered ADA compliant as the 1st floor meets the requirements.

2024-M-186

Motion by Bill Lutz, seconded by Matt Koch that due to the essence of time to forego the sealed bid provision of the Purchasing Policy and to approve the purchase of furniture for the renovated People's State Bank (PSB) building for \$142,482.80 from Advantage Business Systems, LLC per quote dated July 31, 2024 as recommended by Mike Miller, Director of Buildings and Grounds. Motion Carried.

2. Medical Care Facility (MCF) Property Discussion -

Commissioner Lutz explained that the MCF is requesting their property be put back to how it was before the farmer cleaned out the ditch.

2024-M-187

Motion by Bill Lutz, seconded by Matt Koch to give direction to Mike Miller, Director of Buildings and Grounds, to approach the farmer to have the farmer restore the Medical Care Facility property as it was prior to the dirt being moved. Motion Carried.

## Correspondence/Resolutions

1. Commissioner Bardwell's Appointment to National Association of Counties (NACo) Rural Action Caucus (RAC) Committee.

Commissioner Bardwell stated there are only four appointments made to represent the State of Michigan.

2. Caro Dam on the Cass River and Its Impact on Tuscola County -

There is an informational meeting on August 26, 2024 at 7:00 p.m. The Board discussed the potential legacy cost to the County. The Caro Dam is currently privately owned. In order to receive any grant funding it would need to be government owned.

## Commissioner Liaison Committee Reports

**Young**

Absent

Board of Public Works

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

***Vaughan***

Board of Health  
Meets tomorrow  
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

***Lutz***

No Report  
Board of Health  
Community Corrections Advisory Board  
Department of Human Services/Medical Care Facility Liaison  
Genesee Shiawassee Thumb Works  
Jail Planning Committee  
Local Emergency Planning Committee (LEPC)  
MAC Judiciary Committee

MEMS All Hazard  
Local Units of Government Activity Report  
Human Development Commission Board of Directors Liaison

**Koch**

No report

Behavioral Health Systems Board  
Recycling Advisory  
Jail Planning Committee  
MI Renewable Energy Coalition (MREC)  
Local Units of Government

**Bardwell**

Behavioral Health Systems Board  
Caro DDA/TIFA  
Economic Development Corp/Brownfield Redevelopment  
MAC 7th District  
Tuscola County will host on October 15th, 2024 virtually. Eean and his team will provide assistance with the virtual connection.  
MAC Workers Comp Board  
The highest dividend thus far will be returned to the members.  
MAC Finance Committee  
NACo Rural Action Caucus (RAC)  
Local Units of Government Activity Report

**Other Business as Necessary**

Huron County MIFSM Contract - Huron County had signed a long-term contract with MIFSM which they are currently reviewing.

At 10:33 a.m., there were a total of 25 participants attending the meeting virtually.

**Extended Public Comment**

None



## **Adjournment**

2024-M-188

Motion by Matt Koch, seconded by Bill Lutz to adjourn the meeting at 10:34 a.m.  
Motion Carried.

Jodi Fetting  
Tuscola County Clerk, CCO