

At the regular meeting of the Shiawassee County Board of Commissioners held on Thursday October 19, 2017 in the Commissioner Chambers, Surbeck Building, Corunna, Michigan:

The meeting was called to order by Chairman Root.

Pledge of Allegiance was given.

Invocation was offered by Chairman Root.

Roll Call found Commissioners Holzhausen, Bartz, McMaster, Bruff and Chairman Root present.

It was moved by Commissioner Root, seconded by Commissioner Bartz to approve the minutes of the September 14, 2017 Board of Commissioners meeting. Motion carried.

It was moved by Commissioner Bartz, seconded by Commissioner Holzhausen to approve the minutes of the October 18, 2017 Board of Commissioners Closed Session meeting, to be sealed. Motion carried.

It was moved by Commissioner Bruff, seconded by Commissioner Bartz to approve the bills listed on the Invoice Edit Report dated September 13, 2017 in the amount of \$294,700.25, Invoice Edit Report dated September 14, 2017 in the amount of \$1,600.00, Invoice Edit report dated September 20, 2017 in the amount of \$123,021.40, Invoice Edit Report dated September 20, 2017 in the amount of \$1,606,274.05, Invoice Edit Report dated September 21, 2017 in the amount of \$2,259,675.91, Invoice Edit Report dated September 27, 2017 in the amount of \$306,975.55, Invoice Edit Report dated September 29, 2017 in the amount of \$2,682.00, Invoice edit Report dated September 29, 2017 in the amount of \$3,531.00, Invoice Edit Report dated September 29, 2017 in the amount of \$359,412.78, Invoice Edit Report dated October 3, 2017 in the amount of \$323,998.67, Invoice Edit Report dated October 4, 2017 in the amount of \$116,992.98, Invoice Edit Report dated October 11, 2017 in the amount of \$4,245,893.02, Invoice Edit Report dated October 13, 2017 in the amount of \$691,863.75, a wire transfer for MERS in the amount of \$235,429.42 on September 14, 2017, as provided by Shiawassee County Administration Office and to authorize that warrants be drawn from the treasury for same. Motion carried with the following roll call vote of 5 years: Commissioners Holzhausen, Bartz, McMaster, Bruff and Root. 0 Nays

Stacey Childs for Jerry Beltnick, Durand. Update on an ongoing tax issue between Shiawassee County, the City of Durand and Mr. Beltnick.

Dave Bigos, Webberville. Owner, Owosso Speedway. Spoke about the Consent Judgment against Owosso Speedway that limits the number of days and types of races he is allowed to hold. Asked the Board of Commissioners for direction on the best way to go about expanding his operation.

Gene Ruess, Middlebury Twp. Extended support for Owosso Speedway.

It was moved by Commissioner Bruff, seconded by Commissioner Bartz to approve the minutes of the October 18, 2017 Committee of the Whole meeting. Motion Carried.

It was moved by Commissioner Bartz, seconded by Commissioner Bruff to accept and place on file the 2017 Drain Assessments as provided by the Shiawassee County Drain Office. Motion carried with the following roll call vote of 5 years: Commissioners Holzhausen, Bartz, McMaster, Bruff and Root. 0 Nays

It was moved by Commissioner Bartz, seconded by Commissioner Holzhausen to approve a waiver for the permit fees for Shiawassee Township for the building of their new township hall/fire department. Motion carried with the following roll call vote of 5 years: Commissioners McMaster, Bruff, Holzhausen, Bartz and Root. 0 Nays

It was moved by Commissioner Bartz, seconded by Commissioner McMaster to approve amending the official Zoning Ordinance and District Map of the County of Shiawassee, Michigan with a language amendment to Article 4, Section 4.3.77, Solar Energy Systems. Motion carried with the following roll call vote of 5 yeas: Commissioners Bruff, Holzhausen, Bartz, McMaster and Root. 0 Nays

It was moved by Commissioner Bartz, seconded by Commissioner Holzhausen to authorize release of the lien upon payment in full and mortgage discharge from the rehabilitation improvement on the property located at 903 N. Chipman Street, Owosso, Michigan 48867, and authorize the Board Chair to execute all necessary documents. Motion Carried.

It was moved by Commissioner Bartz and seconded by Commissioner McMaster to approve amending Resolution #17-01-02, Imposing a moratorium on the issuance of permits, licenses or approvals for wind energy conversion systems, extending it for another 6 months from January 01, 2018 through June 30, 2018 and bring back to the November, 2017 Board of Commissioners meeting for approval. Motion carried with the following roll call vote of 5 yeas: Commissioners Holzhausen, Bartz, McMaster, Bruff and Root. 0 Nays

It was moved by Commissioner Bartz, seconded by Commissioner Bruff to approve the minutes of the October 16, 2017 Economic & Physical Development Committee. Motion carried.

It was moved by Commissioner Bruff, seconded by Commissioner Bartz to authorize the Register of Deeds office to upgrade their office hardware with Kofile Technologies for the amount of \$43,658.00 to be paid from line item 256-268-970.000 and authorize the Board Chair to sign all necessary documents. Motion carried with the following roll call vote of 5 yeas: Commissioners Bartz, McMaster, Bruff, Holzhausen and Root. 0 Nays

It was moved by Commissioner Bruff, seconded by Commissioner Bartz to authorize adoption of the Shiawassee County Budgetary and Fiscal policies and authorize the Board Chair to sign all necessary documents. Commissioner Bartz moved to amend the Shiawassee County Budgetary and Fiscal policies to strike line 2 from paragraph 2 on page 2, seconded by Commissioner McMaster. Discussion took place. Commissioner Bartz moved to retract his motion to strike and moved to table this item, seconded by Commissioner McMaster. Motion Carried.

It was moved by Commissioner Bruff, seconded by Commissioner Bartz to authorize budget amendments #17-10 (General Fund), #17-12 (Act 245 Grant) and #17-13 (Special Revenue Funds) and authorize the Board Chair to sign all necessary documents. Motion carried by the following roll call vote of 5 yeas: Commissioners McMaster, Bruff, Holzhausen, Bartz and Root. 0 Nays

The following budget amendments were presented:

Budget Adjustment

		#17-10	Entry code: BA	
			Batch No:	
		Explanation	Genl Ledger Date:	10/19/2017
		<i>Budget Balancing year to date</i>		
Fund	Account #	Account Name/description	Debit	Credit
101	148-718.000	Probate estate retirement	4,000.00	
101	149-718.000	Circuit -family div retirement	7,000.00	
101	310-718.000	Court security retirement		5,000.00
101	351-718.000	Jail retirement		179,000.00
101	101-718.000	commissioners retirement	1,800.00	
101	101-860.000	commissioners mileage	6,250.00	
101	101-956.000	commissioners training	1,050.00	
101	101-716.000	commissioners health insurance		9,100.00
101	145-931.000	drains at large expense (no cy expense)		122,000.00
101	172-702.000	Administration regular wages	50,000.00	
101	172-715.000	admin FICA	3,400.00	
101	172-727.000	admin supply	8,000.00	
101	172-900.004	advertising - personnel	700.00	
101	191-702.000	election salary - to clerk 101-215		24,899.00
101	191-703.000	election per diem canvasser	175.00	
101	191-704.000	election temp help	1,823.00	
101	191-715.000	election FICA		1,864.14
101	191-716.000	election health insurance		9,791.00
101	191-716.010	election dental vision		431.38
101	191-716.020	election life insurance		67.09
101	191-716.030	election disability		57.36
101	191-718.000	election retirement		9,404.80
101	191-720.000	election flex plan fees		56.95
101	191-727.000	election supplies	12,000.00	
101	191-956.000	election training	2,000.00	
101	202-803.002	other professional contracts	5,000.00	
101	202-805.000	Auditor contracts - underbudgeted by me	27,000.00	
101	215-702.000	clerk salaries from elections	24,889.00	
101	215-715.000	clerk FICA from elections	1,864.14	
101	215-716.000	clerk health ins from elections	9,791.00	
101	215-716.010	clerk dental vision from elections	431.38	
101	215-716.020	clerk life ins from elections	67.09	
101	215-716.030	clerk disability from elections	57.36	
101	215-718.000	clerk retirement from elections	9,404.80	
101	215-720.000	clerk flex fees from elections	56.95	
101	228-803.000	Attorney fees - personnel: for contract negotiates	4,000.00	
101	234-727.000	purchasing dept supplies - practice stopped		1,000.00
101	301-550.000	Sheriff Federal Revenue		24,000.00
101	301-960.000	Gun range - maintenance to be done in 2017	24,000.00	
101	301-718.000	Sheriff retirement (2016 contribs paid in 2017)	400,000.00	
101	301-741.000	Sheriff uniforms	10,000.00	
101	301-746.000	Sheriff gas & oil - was underbudgeted (2 road shifts)	20,000.00	
101	351-546.000	Jail Diverted felons - excess rev. pay for fire panel		5,000.00
101	351-970.000	Jail capital - replace fire panel in 2017	5,000.00	
101	200-441.000	LSCA PPTx share not budgeted		109,146.29
101	200-665.000	Interest earned above budget		25,000.00
101	200-696.000	Insurance recoveries not budgeted		10,000.00
			639,759.72	535,818.01
			Difference	103,941.71
				From fund balance
		Prepared by	PA Fitnich	
		Approved by the Board of Commissioners	19-Oct-17	
		Signed		

Budget Adjustment

#17-12			Entry code: BA	
			Batch No:	
Explanation			Genl Ledger Date:	10/19/2017
<i>Budget Balancing year to date</i>				
Fund	Account #	Account Name/description	Debit	Credit
101	245-579-000	Act 345 grant for 2017 correction	20,381.00	
101	245-580.000	REMON local unit contribution corrections		500.00
101	245-703.000	REMON per diem correction		1,350.00
101	245-705.00	REMON supervisory salary correction		1,261.00
101	245-715.000	REMON FICA correction		96.00
101	245-718.000	REMON retirement correction	29.00	
101	245-727.000	REMON Supply correction	857.00	
101	245-804.000	REMON contracts correction		14,300.00
<i>To adjust 2017 budget to grant awarded to County for 2017 - 20,381 less than originally budgeted \$3760 represents unspent grant funds from 2016</i>				
			21,267.00	17,507.00
			Difference	3,760.00
				From fund balance
Prepared by			PA Fitnich	
Approved by the Board of Commissioners			19-Oct-17	
Signed				

Budget Adjustment				
		#17-11	Entry Code: BA	
		<i>Sanitary Landfill Assessment</i>	Batch No:	
		Explanation	Genl Ledger Date:	10/19/2017
Fund	Account #	Account Name/description	Debit	Credit
101	228-805.001	Attorney fee DEQ litigation	63,720.81	
		To fund payment of 2nd assessment from 2016, and final assessment for 2017 for settlement of the Sanitary Landfill DEQ action. \$20,000 was funded in the 2017 budget, this is the difference to be paid.		
			63,720.81	-
			Difference	63,720.81
		Prepared by		
		Approved by the Board of Commissioners		
		Signed		

It was moved by Commissioner Bruff, seconded by Commissioner Bruff to authorize the MERS Adoption Agreement for SEIU-Clerical Bridged Plan and authorize the Board Chair to sign all necessary documents. Motion carried with the following roll call vote of 5 yeas: Commissioners Holzhausen, Bartz, McMaster, Bruff and Root. 0 Nays

It was moved by Commissioner Bruff, seconded by Commissioner Bartz to authorize the Ninth amendment to prisoner reentry residential stability contract for the period of October 01, 2016 through October 31, 2017 and authorize the Board Chair to sign all necessary documents. Motion carried with the following roll call vote of 5 yeas: Commissioners Bartz, McMaster, Bruff, Holzhausen and Root. 0 Nays

It was moved by Commissioner Bruff, seconded by Commissioner McMaster to authorize resolution #17-10-19, accepting grant funds from the Michigan Indigent Defense Commission, charging all MICD plan-related costs to said fund and for certification of local cost share for compliance plan submission, and authorize the Board Chair to sign all necessary documents. Motion carried with the following roll call vote of 5 yeas: Commissioners McMaster, Bruff, Holzhausen, Bartz and Root. 0 Nays

The following resolution was presented:

RESOLUTION #17-10-19

**RESOLUTION OF THE SHIAWASSEE COUNTY BOARD OF COMMISSIONERS
TO CREATE A NEW FUND WITHIN THE LOCAL CHART OF ACCOUNTS
FOR PURPOSES OF ACCEPTING GRANT FUNDS FROM THE
MICHIGAN INDIGENT DEFENSE COMMISSION AND CHARGING
ALL MICD PLAN-RELATED COSTS TO SAID FUND AND
CERTIFICATION OF LOCAL COST SHARE FOR
COMPLIANCE PLAN SUBMISSION**

WHEREAS, the United States constitution and the amendments thereto, as well as the Michigan constitution provide that people charged with criminal offenses are entitled to the right to have an attorney represent them in court proceedings; and

WHEREAS, the judicial system recognizes the rights of persons without the ability to pay for an attorney and/or other legal services (such as hiring investigators or expert witnesses have the same right of legal representation in the court system as a person who can afford to pay for an attorney and/or other legal services; and

WHEREAS, the State of Michigan (“State”) has created the Michigan Indigent Defense Commission (“MIDC”) within the Department of Licensing and Regulation; and

WHEREAS, the MIDC is purposed with creating more effective and equitable funding at the State and local level for persons who are charged with criminal offenses and do not have the financial ability to pay for an attorney and/or other legal services; and

WHEREAS, the State, through the MIDC, is separating the financial matters of court appointed cases away from the court system to local court funding units (i.e., in this case, the County of Shiawassee on behalf of the 64th District Court and the 35th Circuit Court), which requires creation of a separate fund within the local chart of accounts; and

WHEREAS, the MIDC is receiving grant applications to fund court-appointed attorney and related legal services from local court funding units to provide funding by the State to the local court funding units beginning October 1, 2018; and

WHEREAS, the MIDC allows for grant applications to request funds for limited construction costs to allow for criminal defense attorneys and their clients to meet in a private and secure setting at or near a courtroom, in furtherance of protecting attorney-client confidentiality; and

WHEREAS, this new fund within the local chart of accounts will accept all funds from the State through MIDC grants and will charge all MIDC-related costs to this fund; and

WHEREAS, the MIDC recommends any fund balance at the end of the County’s fiscal year should remain in the newly created fund and not revert to the County’s general fund so that funds are used exclusively for court appointed attorney and related legal services; and

WHEREAS, the MIDC recommends any fund balance at the end of the County’s fiscal year shall remain in the fund to carry over to the next year to be used for future compliance expenditures; and

WHEREAS, the County acknowledges that a separate fund will allow for better management of the grant funds and monitoring by the local and state interested parties; and

WHEREAS, the Shiawassee County Board of Commissioners determines that this is an important service and source of funding for defendants in criminal cases who do not have the ability to afford an attorney or legal services in the 64th District Court and 35th Circuit Court; and

WHEREAS, MIDC has required that the Shiawassee County Board of Commissioners certify the “local share amount” (consisting of the three-year average cost of indigent defense representation over the years 2010, 2011, and 2012, less reimbursements and recoveries received to date) in the amount of \$103,798.33.

NOW, THEREFORE BE IT RESOLVED that the Shiawassee County Board of Commissioners hereby resolves that the Shiawassee County Treasurer shall create a separate fund within the local chart of accounts to accept all funds from the State through MIDC grants and to charge all MIDC-related costs to this fund.

BE IT FURTHER RESOLVED that all funds received through the MIDC grants will be placed in this fund and all MIDC-related costs shall be charged to this fund; any fund balance at the end of the County’s fiscal year will remain in the fund and carry over to to the next year to be used for future compliance expenditures.

BE IT FURTHER RESOLVED that the Shiawassee County Board of Commissioners hereby certifies the Local Share Amount of \$103,798.33 required to be submitted to the

MIDC as part of the compliance grant application.

ROLL CALL VOTE:

YEAS:
NAYS:
ABSENT:

State of Michigan)
County of Shiawassee)

I, Caroline Wilson, Clerk of the County of Shiawassee and the Shiawassee County Board of Commissioners, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Board at a regular meeting on October, 19, 2017.

In witness whereof, I have hereunto set my hand a affixed the Seal of the County of Shiawassee on this 19th day of October, 2017.

Caroline Wilson. County Clerk

It was moved by Commissioner Bruff, seconded by Commissioner Bartz to authorize resolution #17-10-21, authorizing MERS plan participant Craig E. Lawson to purchase additional service credits as provided in the MERS plan documents, and authorize the Board Chair to sign all necessary documents. Motion carried with the following roll call vote of 5 yeas: Commissioners Bruff, Holzhausen, Bartz, McMaster and Root. 0 Nays

The following resolution was presented:

RESOLUTION #17-10-21

RESOLUTION OF THE SHIAWASSEE COUNTY BOARD OF COMMISSIONERS
TO AUTHORIZE MERS PLAN PARTICIPANT CRAIG E. LAWSON
TO PURCHASE ADDITIONAL SERVICE CREDITS

WHEREAS the MERS plan document for the Teamsters non-supervisory plan document provides for the ability of plan participants to purchase additional service credits; and that is in accordance with the County’s policy, and

WHEREAS that is in accordance with the County Policy; and

WHEREAS the plan participant wishes to purchase four years of additional service credits at his own expense,

NOW, THEREFORE BE IT RESOLVED that the Shiawassee county Board of Commissioners hereby authorizes the participant, Craig E. Lawson, to make a service credit purchase of 4 years from MERS.

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

State of Michigan)
County of Shiawassee)

I, Caroline Wilson, Clerk of the County of Shiawassee and the Shiawassee County Board of Commissioners, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Board at a regular meeting on October, 19, 2017.

In witness whereof I have hereunto set my hand and affixed the Seal of the County of Shiawassee on this _____ day of October, 2017.

Caroline Wilson. County Clerk

It was moved by Commissioner Bruff, seconded by Commissioner Bartz to approve the minutes of the October 16, 2017 Finance & Administration Committee meeting. Motion carried.

It was moved by Commissioner McMaster, seconded by Commissioner Bruff to authorize the Health Department to enter into agreement with Hedgerow Software, US in the amount of \$35,000.00 for a three-year period from date of signature and authorize, Larry Johnson, Health Director, to sign all necessary documents. Motion carried with the following roll call vote of 5 yeas: Commissioners Holzhausen, Bartz, McMaster, Bruff and Root. 0 Nays

It was moved by Commissioner McMaster, seconded by Commissioner Holzhausen to authorize the Health Department to contract with Shiawassee Regional Education Service District in the amount of \$10,000.00 for the period of October 01, 2017 to September 30, 2018 and authorize, Larry Johnson, Health Director, to sign all necessary documents. Motion carried with the following roll call vote of 5 yeas: Commissioners Bartz, McMaster, Bruff, Holzhausen and Root. 0 Nays

It was moved by Commissioner McMaster, seconded by Commissioner Holzhausen to authorize the Health Department to contract with Michigan Department of Health and Human Services in the amount of \$910,082.00 for the period of October 01, 2017 to September 30, 2018 and authorize, Larry Johnson, Health Director, to sign all necessary documents. Motion carried with the following roll call vote of 5 yeas: Commissioners McMaster, Bruff, Holzhausen, Bartz and Root. 0 Nays

It was moved by Commissioner McMaster, seconded by Commissioner Holzhausen to authorize the Health Department to sign a contract with Qualified Staffing for a data entry temporary position for the period of October 01, 2017 to December 31, 2017 and authorize, Larry Johnson, Health Director, to sign all necessary documents. Motion carried with the following roll call vote of 5 yeas: Commissioners Bruff, Holzhausen, Bartz, McMaster and Root. 0 Nays

It was moved by Commissioner McMaster, seconded by Commissioner Bruff to approve the minutes of the October 17, 2017 Health and Human Services Committee meeting. Motion carried.

Call to public:

Gerald Novak, Shiawassee Township. Thanked the board for the waiver of permit fees for Shiawassee Township's new Township Hall/Fire Department.

Gene Ruess, Middlebury Township. Clarified with Commissioner McMaster regarding a possible conflict of interest in voting on wind turbines.

Meeting adjourned at 6:16 p.m.

 /s/ [Heather Cramer]

Heather Cramer
Chief Deputy Clerk

FENVAL