

At a regular meeting of the Shiawassee County Board of Commissioners held on November 8, 2012, at 4:00 p.m. in the Commission Chambers, Surbeck Building, Corunna, Michigan:

The meeting was called to order by Chairman Fuja.

Pledge of Allegiance was given.

Prayer was offered by Commissioner Plowman.

Roll Call found Commissioners Cole, Elder, Holzhausen, Plowman and Fuja present.

Absent: Commissioners Roszman and Stewart.

It was moved by Commissioner Plowman, seconded by Commissioner Cole to approve the agenda as presented. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Elder to approve the minutes of the October 4, 2012 Board of Commissioner's meeting as presented. Motion carried.

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve of bills listed on the Invoice Edit Report dated October 10, 2012 in the amount of \$119,299.96, the Invoice Edit Report dated October 16, 2012 in the amount of \$356, 209.22, October 22, 2012 in the amount of \$6,139.00, the Invoice Edit Report dated October 24, 2012 in the amount of \$125,342.52, the Invoice Edit Report dated October 30, 2012 in the amount of \$515,862.75 and the October Wire Transfers in the amounts of \$50,000.00, \$5,037.50 and \$55,527.50 as provided by the Clerk's Office and to authorize that warrants be drawn from the treasury for same. The motion carried with the following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

The following Resolution was presented:

**RESOLUTION NO. 12-11-14**  
**BOARD OF COMMISSIONERS**  
**SHIAWASSEE COUNTY**  
**RESOLUTION OPPOSING THE PROPOSED COST OF THE MISTEGUAY CREEK**  
**INTERCOUNTY DRAIN PROJECT**

**WHEREAS**, the Shiawassee County Board of Commissioners opposes the proposed cost of the Misteguay Creek Intercounty Drain Project and the Board believes the project should be scaled back to complete only the necessary repairs; and

**WHEREAS**, the Shiawassee County Board of Commissioners understands that approximately the first four (4) miles of drain from Gary Road to Verne Road are in need of repairs; and

**WHEREAS**, the State of Michigan is currently experiencing tough economic times and this project would put a heavy financial burden on the County, Townships, Villages and residents; and

**WHEREAS**, Shiawassee County pays the highest share of the work on this Intercounty Drain, over 40% of the entire bill. Shiawassee County and its residents just completed paying on the #4 dam project in 2005 at a heavy cost; and

**WHEREAS**, moving forward with the Misteguay Creek Intercounty Drain Project as currently planned would be **catastrophic to the residents of Shiawassee County**; and

**THEREFORE BE IT RESOLVED**, that the Shiawassee County Board of Commissioners feel that the scope and cost of this project is completely out of line for the current economic situation and urges the Misteguay Creek Intercounty Drainage Board to scale the project back to complete only the necessary repairs.

It was moved by Commissioner Elder, seconded by Commissioner Cole to approve Resolution 12-11-14 Opposing the Proposed Cost of the Misteguay Creek Inter County Drain Project. Motion carried.

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve the minutes of the November 6, 2012 Committee of the Whole meeting. Motion carried.

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve renewing the current financial investment of \$25,000.00 per year for the period of 2013 through 2017 for the Shiawassee Economic Development Partnership. The motion carried with the following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

The following Resolution was presented:

#### RESOLUTION

WHEREAS, on October 2, 2012 the Shiawassee County Board of Commissioners (Board) received a request from Sharon Walworth for approval to have a certain parcel released from agreement number 76-27052A-123121 which was executed in accordance with the provisions of PA 116 of 1974, commonly known as the Farmland and Open Space Preservation Act; and

WHEREAS, the Board has reviewed this request and determined that at least one structure was located on the parcel was present prior to the original execution of said agreement; and

WHEREAS, the parcel proposed for release from the agreement is 2 acres or less in size or applicant provided documentation for larger than two-acre parcel: and

WHEREAS, the Board finds that the request for release of the particular parcel is acceptable:

NOW THEREFORE BE IT RESOLVED BY THE SHIAWASSEE COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

(1) That the Board hereby approves the request to release the following described piece of property from the PA 116 agreement,

Shiawassee County, Hazelton Township, Section 20; T8N R4E

Part of the NE ¼ of Section 20, T8N, R4E, Hazelton Township, Shiawassee County, Michigan, described as beginning at a point on the North Section line which is 708.00 feet East of the North ¼ corner of said Section 20; Thence continuing East along said North line, 200.00 feet; Thence S04°13'39"W, 250.00 feet; Thence West parallel with said North line, 190.00 feet; Thence N01°56'11"E, 249.46 feet to the point of beginning. Containing 1.12 Acres of land subject to the use of the Northerly 33 feet thereof as Henderson Road. Also subject to any easements, restrictions or right of ways of record.

(2) That the Board hereby certifies Sharon Walworth declared to them that at least one structure located on the certain piece of property were in place prior to the land being placed in the original PA 116 agreement referenced above.

(3) That the county clerk is hereby directed to transmit certified and sealed copies of this resolution to the person making the request and to the Farmland Unit of the Michigan Department of Agriculture.

It was moved by Commissioner Elder, seconded by Commissioner Holzhausen to approve Resolution #12-11-12 a Partial Termination of a Farmland PA 116 Agreement by Sharon M. Walworth for property located in Hazelton Township. The motion carried with the

following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve the minutes of the November 5, 2012 Economic & Physical Development Committee meeting. Motion carried.

The following Resolution was presented:

**RESOLUTION NO. 12-11-13  
BOARD OF COMMISSIONERS  
SHIAWASSEE COUNTY**

**WHEREAS**, on September 27, 2011, 2011 P.A. 152, an act to limit a public employer's expenditures for employee medical benefit plans, became immediately effective; and

**WHEREAS**, in keeping with the County's established, long-range budgeting practices that actively balance the interests of taxpayers and county employees, Shiawassee County Employees have been paying contributions toward their health care coverage since 1996; and

**WHEREAS**, vigorous challenges to the legality of Act 152 are expected and the cost associated with litigation required to support the validity of Act 152 will likely be substantial; and

**WHEREAS**, Section 8 of Act 152 authorizes a local unit of government, defined to include a county government, upon a 2/3 vote of the governing body, to exempt itself from the requirements of the act for the next succeeding year; and

**WHEREAS**, exempting Shiawassee County from Act 152 for calendar year 2013 is equitable considering that Shiawassee County's employees have already demonstrated by their actions a continuing willingness to fairly share in the burden of meeting the significant economic challenges associated with Michigan's long recession; and

**WHEREAS**, in addition sharing the burden of health care costs since 1996, many of Shiawassee County's employees made significant wage and salary concessions by accepting furloughs resulting in salary reductions, by accepting a salary freeze for many years; and

**WHEREAS**, the equitable nature of a 2013 exemption for Shiawassee County employees is further demonstrated by the fact that the State of Michigan, as the employer of some 45,000 workers, effectively exempted itself from the mandate of Act 152 by refusing to place the question of applying Act 152's limitations to state workers on the ballot.

**NOW THEREFORE BE IT RESOLVED** that acting pursuant to the authority granted a county under Section 8 of Act 152, the Shiawassee County Board of Commissioners hereby exempts Shiawassee County Government from the requirements of 2011 P.A. 152 for calendar year 2013.

It was moved by Commissioner Plowman, seconded by Commissioner Cole to approve Resolution #12-11-13 exempting Shiawassee County Government from the requirements of 2011 P.A. 152 for calendar year 2013. The motion carried with the following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

The following Holiday Schedule was presented:

**2013 COUNTY HOLIDAYS**

JANUARY 1  
JANUARY 21

NEW YEARS'S DAY  
MARTIN LUTHER KING, JR. DAY

FEBRUARY 18	PRESIDENT'S DAY
MARCH 29	GOOD FRIDAY
MAY 27	MEMORIAL DAY
JULY 4	INDEPENDENCE DAY
SEPTEMBER 2	LABOR DAY
OCTOBER 14	COLUMBUS DAY
NOVEMBER 11	VETERANS DAY
NOVEMBER 28 & 29	THANKSGIVING DAY & DAY AFTER
DECEMBER 24	CHRISTMAS EVE
DECEMBER 25	CHRISTMAS DAY
DECEMBER 31	NEW YEAR'S EVE

It was moved by Commissioner Plowman, seconded by Commissioner Holzhausen to approve the 2013 County Holidays. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Elder to approve an agreement with Genesee County for the provision of Michigan Prisoner Re-Entry Initiative for the period of October 1, 2012 through September 30, 2013 for a maximum contract amount of \$55,572.20 and authorize the County Administrator to sign the same. The motion carried with the following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

It was moved by Commissioner Plowman, seconded by Commissioner Cole to approve an agreement for Central Dispatch performance audit services between Shiawassee County and Abraham & Gaffney, P.C. for the amount not to exceed \$1,500.00 to be paid from line item 216-325-956-000 and authorize the County Administrator to sign the same. The motion carried with the following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

The following budget adjustments were presented:

### Budget Adjustment 2012

Date: 11/5/2012

		Debit	Credit
	<b>12-14</b>		
	to record MMRMA reimbursement and Kiwanis donation for park pavilion rebuild at Pine Grove		
101-265-970.000	Bldg & Grds Capital Outlay	12,911.00	
101-200-671.000	Other Income		500.00
101-200-696.000	Insurance Recovery		12,411.00
	<b>12-15</b>		
	to adjust MAGNET budget for activity above projection		
262-302-502.001	Drug Enf Grant ARRA 2009-2012		50,000.00
262-302-727.000	MAGNET Expenditures	50,000.00	
	<b>12-16</b>		
	to adjust for amounts under/over budget to cover additional expenses		

101-145-931.000	Drains at Large		23,902.00
101-200-576.000	Hotel and Liquor Reimbursement		10,636.00
101-351-835.000	Jail Health Care Services	34,538.00	
	<b>12-17</b>		
	<b>to adjust elections</b>		
101-191-727.000	Election Supplies	44,636.00	
101-191-998.000	Elections Misc.	5,564.00	
101-191-678.000	Voter Reg. Reimbursement -QVF Costs		14,000.00
101-191-679.000	Elections/Canvass/Filing Fee		36,200.00
	<b>12-18</b>		
	<b>to adjust for Juvenile Court Indirect Cost reimbursement above budget and Child Care Fund needs</b>		
101-149-546.000	CCF-Indirect Cost Reimbursement		38,470.00
101-662-965.000	Transfer out to Child Care fund	38,470.00	
292-662-702.000	NSD Perm Salary	17,500.00	
292-662-832.000	Ch Care Local Port Chargeback	16,000.00	
292-669-716.001	Intensive Specialist Healthcare	4,970.00	
292-931-699.000	Child Care Transfer In		38,470.00
	<b>12-19</b>		
	<b>to adjust for misc other income and misc cut</b>		
101-225-998.000	Equalization Misc	17,031.00	
101-200-671.000	Other Income		17,031.00
		<b>241,620.00</b>	<b>241,620.00</b>

It was moved by Commissioner Plowman, seconded by Commissioner Elder to approve Budget Adjustments #12-14, #12-15, #12-16, #12-17, #12-18, #12-19. The motion carried with the following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

It was moved by Commissioner Plowman, seconded by Commissioner Cole to approve the minutes of the November 5, 2012 Finance & Administration Committee meeting. Motion carried.

It was moved by Commissioner Cole, seconded by Commissioner Holzhausen to approve Michigan Works! Career Alliance, Inc. Food Assistance Employment and Training Program Plan for the period of October 1, 2012 through September 30, 2013 with an allocation of \$256,539.00 and authorize the Board Chair to sign the same. The motion carried with the following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

It was moved by Commissioner Cole, seconded by Commissioner Holzhausen to approve the CPBC Agreement between the Michigan Department of Community Health and Shiawassee County in the amount of \$831,539.00 for the period of October 1, 2012 through September 30, 2013 and authorize George Pichette, Health Director to sign the same. The motion carried with the following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

It was moved by Commissioner Cole, seconded by Commissioner Holzhausen to approve an extension of the contract with the Valley Area Agency on Aging for the period of October 1, 2012 through September 30, 2013 in the amount of \$3,208.00 to provide Health Screenings and authorize George Pichette, Health Director to sign the same. The motion carried with the following roll call vote of 5 yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman and Fuja.

It was moved by Commissioner Cole, seconded by Commissioner Holzhausen to approve the minutes of the November 7, 2012 Health & Human Services Committee meeting. Motion carried.

The meeting was adjourned at 4:18 p.m.

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Lauri L. Braid, Shiawassee County Clerk  
and Clerk to the Board of Commissioners