

At a regular meeting of the Shiawassee County Board of Commissioners held on September 17, 2015, at 4:00 p.m. in the Commission Chambers, Surbeck Building, Corunna, Michigan:

The meeting was called to order by Chairman Aue.

Pledge of Allegiance was given.

Prayer was offered by Commissioner Holzhausen

Roll Call found Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue present.

It was moved by Commissioner Bartz, seconded by Commissioner Holzhausen to approve the minutes of the August 20, 2015 Board of Commissioners meeting. Motion carried.

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve of bills listed on the Invoice Edit Report dated August 26, 2015 in the amount of \$115,323.78, Invoice Edit Report dated August 31, 2015 in the amount of \$1,267,866.50, Invoice Edit Report dated August 31, 2015 in the amount of \$204,564.90, Invoice Edit Report dated August 31, 2015 in the amount of \$12,214.50, Invoice Edit Report dated August 31, 2015 in the amount of \$1,512,984.04, Invoice Edit Report dated September 1, 2015 in the amount of \$38,359.63, Invoice Edit Report dated September 9, 2015 in the amount of \$116,239.31, Invoice Edit Report dated September 14, 2015 in the amount of \$213,321.03, Invoice Edit Report dated September 15, 2015 in the amount of \$2,569,677.13, Invoice Edit Report dated September 15, 2015 in the amount of \$81,353.60 as provided by the Clerk's Office and to authorize that warrants be drawn from the treasury for same. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

Call to the public:

Matthew Shepard, 2264 Ellsworth Road, Perry – Maintain Constitution

A vote was taken to elect 2 new members of the Shiawassee County Board of Canvassers. Helen Cole was elected as the Republican member and Ann Arwin was elected as the Democratic member with the following vote: Horvath – McLaren/Arwin, Holzhausen – Cole/J. Ray, Schneider – Cole/J. Ray, Root – Cole/Arwin, Bartz – McLaren/P. Ray, Plowman – McLaren/P. Ray, Aue – Cole/Arwin.

The following resolution was presented:

RESOLUTION RE: Misteguay Creek Intercounty Drain Note, Series 2015

WHEREAS, proceedings have been taken by the Drainage Board for the Misteguay Creek Intercounty Drain for improvements to the Misteguay Creek Intercounty Drain (the "Project") pursuant to a petition filed with the Saginaw County Public Works Commissioner under the provisions of Chapter 8 of the Drain Code of 1956, as amended (the "Drain Code"); and

WHEREAS, in order to refinance a note previously issued by the Misteguay Creek Intercounty Drain Drainage District (the "Drainage District") in the principal amount of \$800,000 to pay for certain preliminary costs of acquiring and constructing the Project and to pay for certain additional preliminary costs of acquiring and constructing the Project, the Drainage Board is expected to authorize and provide for the issuance by the Drainage District of a note designated "Misteguay Creek Intercounty Drain Note, Series 2015" (the "Note") in the aggregate principal amount of not to exceed \$995,000, bearing interest at a rate not to

exceed 4.0% per annum, and maturing no later than March 1, 2017, in anticipation of bonds (the "Bonds") to be issued by the Drainage District to provide the permanent financing for the Project; and

WHEREAS, 17.0% of the cost of the Project has been apportioned by the Drainage Board to the County of Genesee, 43.0% of such cost has been apportioned by the Drainage Board to the County of Saginaw and 40.0% of such cost has been apportioned by the Drainage Board to the County of Shiawassee (the "County"); and

WHEREAS, the Drainage Board deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the limited tax full faith and credit of the County of Shiawassee on the Note to the extent that the cost of the Project has been apportioned to the County; and

WHEREAS, the Project is necessary to protect and preserve the public health and it is in the best interest of the County of Shiawassee that the Note be sold.

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

1. Pursuant to the authorization provided in Section 434 of the Drain Code, provided that the Drainage Board authorizes and provides for the issuance of the Note in the principal amount of \$800,000 solely for the purpose of refinancing the outstanding note previously issued by the Drainage District, and otherwise within the parameters set forth above, the Shiawassee County Board of Commissioners, by a 2/3 vote of its members, does hereby irrevocably pledge the limited tax full faith and credit of the County of Shiawassee for the prompt payment of 40.0% of the principal of and interest on the Note when due, and does agree that in the event that the Bonds are not issued prior to the date on which the principal of and interest on the Note are due and that moneys are not otherwise available to the Drainage District on such date to pay such principal and interest, the County Treasurer is directed to immediately make such advancement from general funds of the County to the extent necessary to pay the County's share of the principal of and interest on the Note when due. The ability of the County to levy taxes to pay its share of the principal of and interest on the Note shall be subject to constitutional and statutory limitations on the taxing power of the County.

2. In the event that, pursuant to said pledge of full faith and credit, the County of Shiawassee advances out of County funds, any part of the principal of and interest due on the Note, it shall be the duty of the County Treasurer, for and on behalf of the County of Shiawassee, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. This resolution shall become effective only if the Board of Commissioners of the County of Genesee and the Board of Commissioners of the County of Saginaw each adopt a resolution substantially in the form of this resolution that pledges the limited tax full faith and credit of each respective county to the payment of the principal of and interest on the Note to the extent of its apportioned share of the cost of the Project.

4 All resolutions and part of resolutions, insofar as the same may be in conflict with the provisions of this resolution, are hereby rescinded.

It was moved by Commissioner Root, seconded by Commissioner Bartz to approve Resolution #15-08-17 and pledge full faith and credit up to \$800,000 to pay Mrs. Lee and not to exceed a \$4,000,000 project total. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve the minutes of the September 16, 2015 Committee of the Whole meeting. Motion carried.

It was moved by Commissioner Horvath, seconded by Commissioner Plowman to approve Woodhull Township Planning Commission's request for a refund of the \$250 filing fee paid on August 11, 2015 for Appeal #PZBA15-014. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Horvath, seconded by Commissioner Holzhausen to approve a PA 116 Agreement for Chris and Rhonda Hajek for property located in Hazelton Township Parcel #78-004-11-400-002. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Horvath, seconded by Commissioner Root to approve the minutes of the September 14, 2015 Economic & Physical Development Committee meeting. Motion carried.

It was moved by Commissioner Root, seconded by Commissioner Bartz to authorize the Board to hire a Superintendent of Buildings & Grounds to fill a vacancy due to a resignation at a Pay Grade 8 on the Rye Salary Schedule with a salary range of \$38,074 - \$46,582. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Plowman to authorize the Sheriff's Office to hire a Corrections Officer to fill a vacancy at the Teamsters Non-Supervisory Corrections Officer range of \$38,014.00 to \$42,717.00. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Holzhausen to authorize the Health Department to hire an Emergency Preparedness Intern for up to 20 hours per week at \$12 per hour with no fringe benefits except those required by law for the period of October 1, 2015 through June 30, 2016. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Holzhausen to authorize Probate Court to hire a Youth Center Director to fill a vacancy due to a resignation at a Pay Grade 9 on the Rye Salary Schedule with a salary range of \$41,527 - \$50,805. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Plowman to authorize the Veterans Affairs and Services Office to hire a Part-time Travel Coordinator to fill a vacancy due to a resignation at 19 hours per week with no fringe benefits except those required by law at a Pay Grade 2 on the Rye Salary Schedule with an hourly rate of \$10.98 - \$13.44. Motion carried with the following roll call vote of 6 yeas and 1 nay. Yeas: Commissioners Horvath, Holzhausen, Root, Bartz, Plowman and Aue. Nay: Commissioner Schneider

It was moved by Commissioner Root, seconded by Commissioner Holzhausen to approve the MERS Employer Delegate (Cheryl Grice) and Employee Delegate (Marcy Brady)

to attend the annual MERS Conference on October 8-9, 2015 with fees and expenses paid by the County. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Holzhausen to authorize the transfer of the required portion (50%) of the Convention Facility Development Funds (Cobo Hall Liquor Tax) in the amount of \$32,653.00 from account #701-000-285.000 to Mid-State Health Network per section 2 of Public Act 2 of 1986. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve setting the millage for Veterans' Relief as provided for by the Public Act 214 Veterans Relief Fund Act, in the amount of 0.09 of a mill to be levied December 1, 2015 and authorize the Board Chair and County Clerk to sign State Tax Commission Form L-4029. Motion carried with the following roll call vote of 6 yeas and 1 nay. Yeas: Commissioners Horvath, Holzhausen, Root, Bartz, Plowman and Aue. Nay: Commissioner Schneider

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve the Medical Care Facility Millage at 2.00 mills, the MSU Extension Millage at 0.05 mills and the Veterans Services Program Millage at 0.135 mills to be levied December 1, 2015 and authorize the County Clerk and Board Chair to sign State Tax Commission Form L-4029. Motion carried with the following roll call vote of 6 yeas and 1 nay. Yeas: Commissioners Horvath, Holzhausen, Root, Bartz, Plowman and Aue. Nay: Commissioner Schneider

The following resolution was presented:

**RESOLUTION NO. 15-09-18
BOARD OF COMMISSIONERS
SHIAWASSEE COUNTY**

**RESOLUTION OF SUPPORT AND AUTHORIZING PARTICIPATION IN THE
MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT'S
(MDARD) APPLICATION FOR GRANT FUNDS UNDER THE UNITED STATES
GEOLOGICAL SURVEY (USGS) THREE DIMENSIONAL ELEVATION
PROGRAM (3DEP) FOR THE ACQUISITION OF QUALITY LEVEL 2 (QL2)
LIGHT DETECTION AND RANGING (LIDAR) DATA.**

WHEREAS, the USGS has announced a grant program for matching and cost sharing associated with the acquisition of LIDAR data under its 3DEP program; and

WHEREAS, QL2 LIDAR data will provide communities with the data to produce hyper-accurate topographic contour mapping for GIS based spatial imaging; and

WHEREAS, QL2 LIDAR data has significant benefits for planning, roads, floodplain mapping, wildlife and habitat management, recreation, flood modeling, site planning and many other uses; and

WHEREAS, the Natural Resources Conservation Service (NRCS) has pledged significant matching funds for the program; and

WHEREAS, more than 20 counties in Southern Lower Michigan have expressed interest in participating in the program; and

WHEREAS, the broad support between the many interested agencies and local units of government will allow counties to acquire LIDAR data at roughly one-third the cost necessary to singly acquire the data; and

WHEREAS, the cost for individual counties to acquire the data and leverage the Federal agency matching funds will be \$100 per square mile of territory, for a total of \$57,900; and

WHEREAS, the acquisition of LIDAR data will provide an important data tool for the county's spatial data program at a much reduced cost.

THEREFORE BE IT RESOLVED that the Shiawassee County Board of Commissioners requests its inclusion and authorizes its participation in MDARD's application to the USGS' 3DEP grant program;

SECTION I: that the Board Chair is hereby authorized and directed to coordinate with MDARD and other partner agencies and governments in filing with the U.S. Geological Survey (USGS) for a grant to fund the 3D Elevation Program/National Geospatial Program within the County of Shiawassee.

SECTION II: That the Board Chair is hereby authorized and directed to provide and execute any additional documents, on behalf of the County of Shiawassee, which may be required by the USGS to secure the aforesaid grant.

SECTION III: That should said grant be approved and issued by USGS, the Board Chair is hereby authorized and directed to accept the same and comply with the conditions of the grant and the funding for the aforesaid project.

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve Resolution #15-09-18. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve acting pursuant to the authority granted a county under Section 8 of Act 152 to exempt Shiawassee County Government from the requirements of 2011 Public Act 152 for calendar year 2016. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Plowman to authorize the Board to hire a Director of Information Technology contingent upon the resignation of the current Director at a Pay Grade 9 on the Rye Salary Schedule with a salary range of \$41,527 - \$50,805. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve the minutes of the September 14, 2015 Finance & Administration Committee meeting. Motion carried.

It was moved by Commissioner Bartz, seconded by Commissioner Root to approve the Agreement between the Shiawassee County Health Department and Memorial Healthcare for the Maternal and Infant Health Program with a payment of \$75 per visit for the period of October 1, 2015 through September 30, 2016 and authorize Larry Johnson, Health Director to sign the same. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

The following resolution was presented:

RESOLUTION NO. 15-09-19
SHIAWASSEE COUNTY BOARD OF COMMISSIONERS
AUTHORIZATION TO PURCHASE LAND IN
THE NAME OF THE COUNTY AND
DETERMINATION TO ERECT MEDICAL CARE FACILITY
ON THE SITE

WHEREAS, on March 12, 2015, a motion was passed by the Board of Commissioners as follows:

It was moved by Commissioner Root, seconded by Commissioner Horvath to approve Phase II of the Medical Care Facility and Memorial Health Care. Motion carried with the following roll call vote of 6 yeas and 0 nays. Yeas: Commissioners Horvath, Holzhausen, Schneider, Root, Bartz and Aue.

and

WHEREAS, such Resolution needs clarification so as to provide the necessary statutory determination and authorization from the Shiawassee County Board of Commissioners to the Shiawassee County Board of Health & Human Services to proceed with acquisition of a 10-acre relocation site and commencement of pre-construction agreements with MHC Development Corporation of Owosso, Michigan.

THEREFORE, BE IT RESOLVED:

1. Pursuant to the authority set forth in MCL 400.58(5) the Shiawassee County Board of Commissioners hereby determines to erect a new County Medical Care Facility and authorize the Shiawassee County Board of Health & Human Services to acquire a 10-acre site for the purpose of relocation of and erection and construction of a new Medical Care Facility building and to authorize and direct that the warranty deed for such site convey the 10-acre parcel to and in the name of Shiawassee County.

2. Pursuant to the authority set forth in MCL 400.58(5) the Shiawassee County Board of Commissioners hereby approves and authorizes the Shiawassee County Board of Health & Human Services to enter into a pre-construction development agreement with MHC Development Corporation, Owosso, Michigan, in the amount of \$971,500.00 to provide architectural, engineering and development services for the construction of a 105,000 square foot 136 bed Medical Care Facility on a site to be acquired by the Shiawassee County Board of Health & Human Services in the name of Shiawassee County.

3. Pursuant to the authority set forth in MCL 400.58(5) the Shiawassee County Board of Commissioners directs the Shiawassee County Board of Health & Human Services to submit the plans for erection of a new County Medical Care Facility to the Michigan Department of Health & Human Services for its examination and approval and to present the Department's determination, once certified, to the County Board of Commissioners at its next regular meeting.

4. Pursuant to the authority set forth in MCL 400.58(5) the Shiawassee County Board of Commissioners directs the filing of this "Determination" with the Shiawassee County Clerk.

BE IT FINALLY RESOLVED.

It was moved by Commissioner Bartz, seconded by Commissioner Holzhausen to approve Resolution #15-09-19 Shiawassee County Board of Commissioners authorization to purchase land in the name of the County and determination to erect Medical Care Facility on

the site. Motion carried with the following roll call vote of 7 yeas and 0 nays. Yeas:
Commissioners Horvath, Holzhausen, Schneider, Root, Bartz, Plowman and Aue.

It was moved by Commissioner Bartz, seconded by Commissioner Holzhausen to
approve the minutes of the September 15, 2015 Health & Human Services Committee
meeting. Motion carried.

Call to the public:

Robert Sherwood, 4160 S. Durand Road, Durand – Veterans Affairs

The meeting was adjourned at 5:02 p.m.

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