

At a regular meeting of the Shiawassee County Board of Commissioners held on November 19, 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 Plowman, seconded by Commissioner Holzhausen to approve the minutes of the October 15, 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 October 21, 2015 in the amount of \$117,215.19, Invoice Edit Report dated October 27, 2015 in the amount of \$2,042,543.50, Invoice Edit Report dated October 29, 2015 in the amount of \$586,512.52, Invoice Edit Report dated October 30, 2015 in the amount of \$14,298.27, Invoice Edit Report dated October 30, 2015 in the amount of \$1,385,433.02, Invoice Edit Report dated November 4, 2015 in the amount of \$115,008.30, Invoice Edit Report dated November 10, 2015 in the amount of \$1,612,632.11, Invoice Edit Report dated November 10, 2015 in the amount of \$83,847.16, Wire Transfer dated October 26, 2015 in the amount of \$3,575.00 and Wire Transfer dated October 28, 2015 in the amount of \$68,742.50 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.

The following Consent Agenda was presented:

1. Approve the 2016 County Holidays.
2. Appoint Chief Kyle Bawks as the Law Enforcement Representative to the Central Dispatch Board to fill a vacancy with a term expiring on December 31, 2015 or until a successor is appointed.
3. Appoint Cathy Mulholland as the Village Elected Representative to the Central Dispatch Board to fill a vacancy with a term expiring on December 31, 2017 or until a successor is appointed.
4. Appoint Richard Warner, Emergency Management Coordinator as Shiawassee County's Representative and Commissioner Jeffrey Bartz as the Alternate to the Region 1 Homeland Security Planning Board.
5. Appoint Kathleen Olund to the Shiawassee County Community Mental Health Authority Board to fill a vacancy with a term expiring on March 31, 2017 or until a successor is appointed.
6. Approve the Proclamation honoring Lori S. Kimble.

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve the consent agenda. 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 Proclamation was presented to Register of Deeds, Lori Kimble:

**PROCLAMATION  
Of the Shiawassee County**

### **Board of Commissioners**

**WHEREAS**, In January of 2005, Lori S. Kimble began her term of office as the newly elected Shiawassee County Register of Deeds and has been reelected and served for eleven consecutive years; and

**WHEREAS**, Lori began her career with Shiawassee County in March of 1984 working in the Friend of the Court's Office; and

**WHEREAS**, Lori has been an active member of the Michigan Association of Registers of Deeds since 2005 and she currently serves as District 5 Chair for the Association; and

**WHEREAS**, She has previously served on the Board of Directors of the Association as Treasurer and as Board appointee for two different Presidents in 2013 and 2014; and

**WHEREAS**, She has also served on the Legislative, Manual, Conference, Retiree and Registration Committees and is currently the Chair of the Vendor Committee; and

**WHEREAS**, Lori incorporated numerous technology upgrades and advancements within the office and played an integral role in the remodeling of the Register of Deeds' Office creating greater efficiency, customer service and making the records more accessible to the public; and

**NOW THEREFORE BE IT RESOLVED**, that the Shiawassee County Board of Commissioners pauses today to honor and congratulate the Shiawassee County Register of Deeds, Lori S. Kimble for being named the 2015 Register of the Year by the Michigan Association of Registers of Deeds.

It was moved by Commissioner Root, seconded by Commissioner Horvath to authorize Probate & Family Court to hire two Part-time On-call Youth Specialists at a rate of \$10.19 - \$11.29 per hour with only the fringe benefits required by law. 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 November 18, 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 the reimbursement of Woodhull Township meeting expenses in the amount of \$489.80. 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 Bartz to approve the new intergovernmental agreement with Rush Township to manage floodplain development for the national flood insurance program and authorize the Board Chair to sign the same. Motion carried.

It was moved by Commissioner Horvath, seconded by Commissioner Root to approve the minutes of the November 16, 2015 Economic & Physical Development Committee meeting. Motion carried.

It was moved by Commissioner Root, seconded by Commissioner Holzhausen to enter into an engagement letter with Dickinson Wright PLLC for Bond Counsel and authorize the Board Chair 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:

WHEREAS, the County of Shiawassee (the "County") proposes to issue its tax-exempt bonds (the "Bonds") to finance all or part of the cost of acquiring, constructing and equipping a new 136-bed County medical care facility to be located on an approximately ten acre parcel of land in the development known as The Commons on North Caledonia Drive north of M-21 in Caledonia Township and acquiring and improving the site thereof (the "Project") for use by the Shiawassee County Medical Care Facility to provide skilled nursing facility related services; and

WHEREAS, it is anticipated that the County, through the Shiawassee County Medical Care Facility, may advance all or a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the County intends by this resolution to qualify amounts advanced by the County to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

BE IT RESOLVED by the Board of Commissioners of the County, as follows:

1. The County hereby declares its official intent to issue its bonds in one or more series in the aggregate principal amount of not to exceed \$14,000,000 to finance the costs of the Project. The County hereby declares that it reasonably expects to seek reimbursement for its advances to the Project as anticipated by this resolution. The bonds shall be authorized by proper proceedings subsequent to this resolution.
2. The County Clerk is hereby instructed to publish the notice attached hereto once in a newspaper of general circulation in the County, which notice shall not be less than ¼ page in size in such newspaper, with such changes as the County Clerk shall deem necessary or appropriate, upon the advice of bond counsel.
3. All prior resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

It was moved by Commissioner Root, seconded by Commissioner Bartz to approve Resolution #15-11-21. 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 approve the Subcontract Agreement between the State Court Administrative Office and the 35<sup>th</sup> Circuit Court for the Adult Circuit Drug Court in the amount of \$24,000.00 for the period of October 1, 2015 through September 30, 2016 and authorize Judge Stewart 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.

It was moved by Commissioner Root, seconded by Commissioner Plowman to authorize the Shiawassee County Courts to purchase the BIS Digital Recording System for each Court for a total amount of \$30,592.18 to be paid by the Courts. 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 a Public Health Nurse II to refill a vacancy at the SEIU Nurse salary range of \$42,545.34 - \$52,365.20. 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 2015 Apportionment Report prepared by County Equalization. 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 15-11-22  
BOARD OF COMMISSIONERS  
SHIAWASSEE COUNTY**

**WHEREAS**, the Employer’s Negotiation Team entered into a Tentative Agreement (TA) with the AFSCME on October 26, 2015, in the General Courthouse Unit; and

**WHEREAS**, the Union has informed the Employer that on October 27, 2015, it ratified the agreement reached which included:

1. Duration – Two year contract from 1/1/16 through 12/31/17.
2. Wages: 0.0% - wage freeze
3. Pension: The Union agreed to “bridge” the B-2 Plan (2.0 multiplier) for past service with the C-1 (New) Plan (1.5 multiplier) for future service performed after January 1, 2016. The employee contribution would change to 1% on January 1, 2016, also.
4. Agency Shop: Agency Shop was replaced with the Right to Work language.

**THEREFORE**, I move to ratify the above Tentative Agreements reached with the AFSCME for the General Courthouse Unit as the AFSCME informed the Employer that the bargaining unit has ratified the Tentative Agreement.

It was moved by Commissioner Root, seconded by Commissioner Bartz to approve Resolution #15-11-22, ratifying the Tentative Agreement reached with AFSCME. 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 approve a one year renewal of Excess Workers Compensation with Midwest Employers for the period of December 20, 2015 through December 19, 2016 with an SIR of \$450,000 and an estimated annual premium of \$46,393.00 and authorize the Board Chair 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 budget adjustments were presented:

<b>2015 Budget Adjustment</b>			
		Batch No.:	
		Genl Ledger Date:	11/16/2015
	<u>Explanation</u>		
	<b>15-12</b>		
	<b>To reallocate costs due to personnel reallocation, separation costs and unallocated reductions</b>		
101-301-718.000	Sheriff Retirement	40,000.00	

101-351-742.000	Jail Food Provisions		24,921.00
101-351-617.000	Jail Revenue		30,000.00
101-351-835.000	Jail Health Care Services		25,000.00
101-301-998.000	Sheriff Misc	39,921.00	
	<b>15-13</b>		
	<b>To reallocate costs due to Animal Control Used Pickup purchase</b>		
101-603-970.000	Animal Control Capital Outlay	13,515.00	
101-301-970.000	Sheriff Capital Outlay		13,515.00
	<b>15-14</b>		
	<b>To Adjust for transfer of Technology Services to Contracted Service</b>		
	<b>per October 2015 Board of Commissioners Meeting</b>		
101-258-702.000	Technology Services Salary		7,425.00
101-258-715.000	Technology Services FICA		745.00
101-258-716.000	Technology Services Health Ins		5,308.00
101-258-716.010	Technology Services Dental / Vision		323.00
101-258-718.000	Technology Services Retirement		389.00
101-258-970.000	Technology Spec Computer Payment		9,898.00
101-258-804.004	Technology Services Contractor	24,088.00	
	<b>15-15</b>		
	<b>Adjust the Child Care Fund State Ward Board and Care for State Activity &amp; Pass thru Dept. Human Services Activity</b>		
292-662-539.000	State Grants		100,000.00
292-663-700.000	State Ward Board and Care	45,000.00	

292-662-832.010	Child Care Local Port Chargeback	55,000.00	
	<b>15-16</b>		
	<b>To reallocated expected overages and excesses</b>		
101-145-931.000	Drains at Large		12,500.00
101-975-804.000	Copier Contracts	12,500.00	
		<b>230,024.00</b>	<b>230,024.00</b>

It was moved by Commissioner Root, seconded by Commissioner Bartz to approve Budget Adjustments #15-12, #15-13, #15-14, #15-15 and #15-16. 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 15-11-23  
BOARD OF COMMISSIONERS  
SHIAWASSEE COUNTY**

**RESOLUTION TO ALTER THE FIXED SEPARATE TAX LIMITATION AND TO  
CREATE A COUNTY ADVISORY TAX LIMITATION COMMITTEE**

WHEREAS, the Property Tax Limitation Act, being Public Act 62 of 1933 (MCL 211.201 *et seq*), allows for separate tax limitations, and

WHEREAS, the Shiawassee County voters approved such a separate limitation in 1996; and

WHEREAS, the 1996 separate millage limitations authorization will expire in 2016; and

WHEREAS, Board of Commissioners has the authority to initiate a review and vote of the electorate as to the appropriateness of altering or extending the current fixed millage limitations pursuant to Section 5k of Property Tax Limitation Act (being MCL 211.205k); and

WHEREAS, that upon resolving to alter extend the fixed millage limitation, the Board of Commissioners is to then notify persons and bodies having appointive powers of the resolution so that a county advisory tax limitation committee can be created to review and provide a recommendation as to the County fixed millage limitation.

THEREFORE BE IT RESOLVED, that the Shiawassee County Board of Commissioners resolves to initiate the statutory procedure to consider altering or extending the existing Shiawassee County fixed mill separate tax limitations of the county and the townships and intermediate school districts in the county.

BE IT FURTHER RESOLVED, that a Shiawassee County Advisory Tax Limitation Committee shall be created composed of the following:

- (a) The County Treasurer.
- (b) The Chairperson of the Finance Committee of the County Board of Commissioners.
- (c) The Intermediate School District Superintendent or his representative.

- (d) A resident of a municipality within the county who shall be selected by the Probate Judge of the County.
- (e) A member not officially connected with or employed by any local or county unit, who shall be selected by the Board of County Commissioners.
- (f) A member who shall be a township supervisor and who shall be selected by a majority of the township supervisors in the county.

BE IT FURTHER RESOLVED, that, as required by statute, the County Advisory Tax Limitation Committee shall meet within 10 days of its selection and shall prepare separate tax limitations for the county and the townships and intermediate school districts in the county, aggregating not more than 9.8 mills that the majority of the committee considers will provide for the financial needs of the county, townships, and intermediate school districts.

BE IT FURTHER RESOLVED, that the separate tax limitations shall be promptly transmitted to the County Board of Commissioners and the functions of the County Advisory Tax Limitation Committee shall the cease.

BE IT FURTHER RESOLVED, that the Shiawassee County Board of Commissioners will then propose a resolution submitting the question of adopting separate tax limitations to a vote of the registered and qualified electors of the Shiawassee County.

It was moved by Commissioner Root, seconded by Commissioner Bartz to approve Resolution #15-11-23 to alter the fixed separate tax limitation and to create a County Advisory Tax Limitation Committee. 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 15-11-24  
BOARD OF COMMISSIONERS  
SHIAWASSEE COUNTY**

**RESOLUTION SUBMITTING TO A VOTE OF THE ELECTORATE  
AUTHORIZATION OF THE TELEPHONE SURCHARGE  
FOR EMERGENCY TELEPHONE SERVICES (911 SERVICES)**

**WHEREAS**, Shiawassee County has established a county-wide system of emergency telephone and dispatch services for the benefit of the citizens of the County; and

**WHEREAS**, 911 emergency telephone and dispatch services are of substantial benefit to the citizens of the County of Shiawassee; and

**WHEREAS**, pursuant to the Emergency Telephone Service Enabling Act, Section 401b(1), being MCL 484.1401b(1), the Shiawassee County Board of Commissioners may with voter approval authorize a telephone surcharge of up to \$3.00 for each service user, except for users of a prepaid wireless telecommunications service, for recurring emergency telephone operational costs and charges; and

**WHEREAS**, under the Emergency Telephone Service Enabling Act the County is currently authorized to charge up to \$1.22 for each service user; and

**WHEREAS**, the Board of Commissioners believe a telephone surcharge at the level of up to \$2.65 for each service user is necessary to provide an adequate and equitable financing mechanism for the needs for the Shiawassee County 911 Emergency Center.

**WHEREAS**, the Shiawassee Central Dispatch Board has approved a request to the County Board of Commissioners to place this question of the 911 Surcharge on the ballot.

**NOW, THEREFORE, BE IT RESOLVED** that the following proposal be submitted

to the qualified voters of the County of Shiawassee at the Election to be held in said County on Tuesday, March 8, 2016:

**Shiawassee Central Dispatch  
Proposition for 9-1-1 System Funding**

Shall the County of Shiawassee, Michigan, be authorized to assess a charge on all landline, wireless, and voice over internet protocol service users located in Shiawassee County of up to \$2.65 per month for a period of five (5) years, July 1, 2016 through June 30, 2021, both inclusive, to be used exclusively for the funding of 9-1-1 emergency telephone call answering and dispatch services within Shiawassee County, including facilities, equipment and maintenance, and operating costs?

YES

NO

**BE IT FURTHER RESOLVED** that this question is hereby certified to the County Clerk.

**BE IT FURTHER RESOLVED** that the County Clerk is hereby directed to cause the proposed to be stated on the Tuesday, March 8, 2016, election ballot and to be prepared and distributed in the manner required by law.

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve Resolution #15-11-24 submitting to a vote of the electorate authorization of the Telephone Surcharge for Emergency Telephone Service (911 Services). Motion carried with the following roll call vote of 5 yeas and 2 nays. Yeas: Commissioners Horvath, Holzhausen, Bartz, Plowman and Aue. Nays: Commissioners Schneider and Root

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve the minutes of the November 16, 2015 Finance & Administration Committee meeting. Motion carried.

It was moved by Commissioner Schneider, seconded by Commissioner Holzhausen to approve the minutes of the November 17, 2015 Public Safety & Courts Committee meeting. Motion carried.

It was moved by Commissioner Bartz, seconded by Commissioner Root to approve the Grant Agreement between the Michigan Primary Care Association and the Shiawassee County Health Department for the Durand School Wellness Program in the amount of \$150,000.00 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.

It was moved by Commissioner Bartz, seconded by Commissioner Root to approve the Agreement between the Shiawassee County Health Department and Shiawassee RESD for enrollment and outcome activities related to Maternal Infant Health Program (MIHP) in the amount of \$5,000.00 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.

It was moved by Commissioner Bartz, seconded by Commissioner Root to approve the Grant Agreement between the Michigan Department of Environmental Quality and the

Shiawassee County Health Department for Environmental Health programs in the amount of \$38,475.00 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.

It was moved by Commissioner Bartz, seconded by Commissioner Holzhausen to approve the Agreement between the Shiawassee County Health Department and Convenient Urgent Care to provide Sexually Transmitted Infection Services 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.

It was moved by Commissioner Bartz, seconded by Commissioner Holzhausen to approve the Medical Director Services Agreement with Dennis K. Chernin, M.D., M.P.H. for the period of January 1, 2016 through December 31, 2016 in the amount of \$35,124.00 and authorize the Board Chair and 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.

It was moved by Commissioner Bartz, seconded by Commissioner Holzhausen to approve the minutes of the November 17, 2015 Health & Human Services Committee meeting. Motion carried.

It was moved by Commissioner Horvath, seconded by Commissioner Plowman to appoint Bruce Cook to the County Advisory Tax Limitation Committee. 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

Call to the public:

Matthew Shepard, 2264 Ellsworth Road, Perry - Veterans

The meeting was adjourned at 4:52 p.m.

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