

Commissioner Minutes of April 24, 2018

Public Hearing
8:45 a.m.
USDA application

The Gladwin County Board of Commissioners held a public hearing to discuss the application of USDA funds for the purchase of a patrol unit for the Sheriff's Department.

There were no members from the public present with questions or discussion. Motion by Commissioner Birgel, supported by Commissioner Hinman to close the public hearing.

Public Hearing closed at 8:52 a.m. until the start of the regular scheduled Board meeting.

The Gladwin County Board of Commissioners met in Regular Session on Tuesday, April 24, 2018. The meeting was called to order at 9:00 a.m. by Chairman Walters. The Pledge of Allegiance was recited. Roll call found all Commissioners present.

The Board reviewed the agenda. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to proceed with the consent agenda as prepared. Ayes carried, motion passed.*

The **cash balances** were then read by Commissioner Aultman. *General Fund - \$68,347.42 after the payment of any bills.*

The regular minutes of the April 10, 2018 regular meeting were then reviewed. Motion by Commissioner Smith, supported by Commissioner Hinman, to approve the minutes as presented. Ayes carried, motion passed.

Chairman Walters asked the Board for a moment of silence over the loss of Barbara Bush, noting her family is in the Board's thoughts and prayers.

Public Comments: *None at this time.*

Attorney Tara Hovey presented a resolution with affidavits to the Board regarding the Drain Commissioner. Attorney Hovey stated that Drain Commissioner, Robert Evans, has failed to comply with many sections of the drain code, and further, has been under investigation of the MDEQ since January 2012 and correspondence has been received by the Attorney General's office in 2017 threatening litigation. Attorney Hovey continued to outline the inadequacies and asked for the Board's action to adopt this resolution for submission to the Governor for action. Commissioner Smith read aloud the resolution for consideration. *Motion by Commissioner Smith, supported by Commissioner Hinman, to adopt the resolution as prepared. Roll call vote as follows: Hinman – yes, Walters – yes, Aultman – yes, Smith – yes, Birgel – no. 4 yes, 1 no. Ayes carried, resolution 2018-007 declared adopted.*

Equalization Director, Kim Halis, came before the Board with the 2018 Equalization Report and L-4024 Personal and Real Property totals report for the Board's review. Ms. Halis reviewed the report and spoke on the gains received to county operating and taxable value for 2018. Discussion. *Motion by Commissioner Birgel, supported by*

Commissioner Hinman, to accept and file the reports as presented. Ayes carried, motion passed.

Chairman Walters asked the Board to review the letter drafted to Equalization regarding the loan of obsolete maps to the Gladwin County Library. These maps are specific to the area prior to the development of Sugar Springs in Gladwin County. Discussion. *Motion by Commissioner Smith, supported by Commissioner Birgel, to allow the Equalization Director to loan the maps to the Library as discussed. Ayes carried, motion passed.*

Finance Matters – Commissioner Birgel:

1. Rick Ghent, Maintenance, has given the committee quotes on the annual maintenance for the county's five generators. Hamilton Electric - \$1,712.00 and Great Lakes Emergency Power - \$1,950.00. There was a third bid, but it was incomplete and not comparable to the other two bids. The committee is recommending Hamilton Electric to be approved for the service. Costs will be paid from 101-265-935.003 - \$600.00 and \$1,112.00 from 101-265-930.000. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to enter into a contract with Hamilton Electric for the services. Ayes carried, motion passed.*
2. The billing from Woodworth Law Firm has been presented in the amount of \$32,021.26 for legal services provided to the Drain Commissioner between August 1, 2016 and July 31, 2017. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to allow the Clerk to pay the bills from their appropriate drainage districts, with the following breakdown from 801-000-947.000:*

Nestor Creek	\$4,859.20
Longstreth Drain	\$3,862.63
Venison Drain	\$4,859.19
Burleson Creek	\$4,859.20
Quillet Drain	\$3,862.63
Davidson Drain	\$4,859.20
Bear Creek	\$3,862.64
Dow Creek	\$996.57

Ayes carried, motion passed.

3. Nicholas Madaj, Deputy Court Administrator, has requested the use of the County's credit card for the registration of a CEO exam for Hannah McGuire. Cost is \$60.00 and will be paid from 101-148-860.000. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to allow the Clerk to make the payment for Ms. McGuire's exam with use of the credit card. Ayes carried, motion passed.*
4. The Undersheriff has requested permission to attend the Michigan Sheriff's Association conference June 10-12, 2018 in Bay City, Michigan with the Sheriff, Jail Administrator and Administrative Assistant. Total costs of \$1,175.00 for registration only will be split as follows: \$650.00 from 285-000-804.000 and \$525.00 from 264-000-804.000. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to approve the training and authorize the County Clerk to use the credit card, if needed, for registration. Ayes carried, motion passed.*
5. The Jail stove has failed on the second side of the dual oven. Costs have been estimated at \$923.17 for the repairs through Hobart and can be paid from the 283 Commissary fund. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to authorize the repairs as outlined. Ayes carried, motion passed.*
6. Cindy Teffner, 911 Dispatcher, has retired effective April 18, 2018. Ms. Teffner has a PTO balance of 325.5 hours that she is requesting payout for. Total payment of \$5,702.76 will be paid from 101-422-704.000. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to allow the Clerk to make the disbursement as requested. Ayes carried, motion passed.*

7. The Sheriff has submitted the 2018 pay rates for the Marine Patrol officers for the upcoming season. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to authorize the hourly rates from \$10.00 up to \$15.00/hour for the season. Ayes carried, motion passed.*

Commissioner Reports by District –

Commissioner Birgel reported:

- On attending the Transportation and Facilities meeting with Commissioner Aultman.
 - That he attended the Central Michigan District Health Department meeting where there was discussion on two issues, the point of sale inspections on drain fields and wells and that Gladwin County is in the top 20 for obesity, mental illness and drug abuse. Discussion.
 - On the Beaverton City meeting, noting discussion on infrastructure issues and their vote to become part of the FEMA flood program.
 - That there was an act of violence at the Grout Township meeting on the Supervisor by a resident. The resident has been charged and the case is working through the court system.
 - On the Airport meeting, commenting that Mike Hargrave is doing a great job managing the facility.
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Commissioner Aultman reported:

- On the department head meeting addressing security and working toward safety concerns.
- On attending the Grim Township meeting.
- That she went to the Bourret Township meeting, commenting that it was very civil.
- On the EDC meeting with ongoing discussion regarding county issues and what they would like to see accomplished. Commissioner Aultman stated that there are good things going on in this committee.
- On a meeting with the Sheriff and Undersheriff on April 17th.
- That she participated in the Facilities and Transportation meeting on April 17th, noting she has a report from the Road Commission.
- On the Secord Township meeting where there were questions on the Secord Dam. The Fire Chief is doing well and will return to his duties soon.
- That she participated in the Finance meeting, followed by a meeting with the attorney.
- On meeting with various IT vendors with Chairman Walters.
- That she attended the first annual Women's Fair at the Beaverton Activity Center. Commissioner Aultman commented that she was very impressed with the event and has brochures for the Board to review if they are interested.

Commissioner Hinman reported:

- On attending the Butman Township meeting.
- On the Clement Township meeting.
- That he attended the Sherman Township meeting.
- On the Gladwin Township meeting where they are working on their medical marijuana ordinance.
- On the Airport meeting, noting Mr. Hargrave is doing a good job.

Commissioner Smith reported:

- That she also attended the first Women's Expo at the Beaverton Activity Center, noting it was quite successful and well attended. She participated in a tour of the mobile child advocacy center.
- On attending the Hay Township meeting on April 12th where they had questions on Animal Control and the Point of Sale process.
- That she went to the Legislative Breakfast on April 13th, noting there is only one more this year.
- On meeting with members and public on April 17th concerning the Animal Control committee. The committee will be meeting the fourth Friday of each month at 8:30 a.m.
- The Library Board meeting was on April 17th. The Friends of the Library book sale will be held May 17-19 at the Gladwin branch. The final requirements for replacing the Director were completed. There was discussion on the request to Equalization for the use of their obsolete maps for research.
- On the Land Bank meeting on April 19th.
- That the Council of Local Government will meet on Monday, April 30th at Hay Township Hall.

Comments from the Chairman:

Chairman Walters made the following motion, "*The Gladwin County Board of Commissioners direct Clerk Laura Brandon-Maveal to begin premium share deductions from those Court employees covered by the Gladwin County health insurance program, effective with the payroll beginning April 30, 2018, as was authorized April 10, 2018.*" Motion supported by Commissioner Hinman. Ayes carried, **motion passed**. Chairman Walters then made a *motion to allow the County Clerk to retain an attorney to represent her in this matter. Motion supported by Commissioner Hinman. Ayes carried, motion passed*. Clerk Maveal spoke on her discomfort in this matter, stating that she hopes to have an opinion by her attorney by the end of the week. The Clerk commented her intention would be to make the payroll deductions as directed, however she will be placing the funds in a court escrow account, rather than depositing into the general fund revenue account until this entire matter is resolved.

The Chairman then asked the Board to review the letters of appointment to the Animal Control committee. The Clerk read the letter with the following individuals serving:

Sandra Aultman through 12-31-2020
Sharron Smith through 12-31-2018
Stacey Jo DeMoines through 12-31-2020
Roger Gardner through 12-31-2020
Carol Darlington through 12-31-2019
Marianne Sprott through 12-31-2020
Pamela Cingano through 12-31-2019

Motion by Commissioner Aultman, supported by Commissioner Birgel, to make the appointments as read. Ayes carried, motion passed. Chris Waugh, Gladwin City resident, inquired as to the process of selecting the members of the Animal Control committee. Chairman Walters commented. Discussion.

The Chairman then asked the Undersheriff to brief the Board on the process of placing a "School Resource Officer" in the schools. Discussion. *Motion by Commissioner Aultman, supported by Commissioner Birgel, to continue to research the matter through the finance committee. Ayes carried, motion passed.*

Chairman Walters commented:

- That the elevator is not working and a service technician has been called to make the necessary repairs.
- The Farmer's Market will be opening May 12th.
- On the Council of Local Government meeting that will be held in Hay Township on April 30th.

Commissioner Aultman commented that she will not be taking any action on the Personnel Policy today, but would rather continue to work on them before they are approved by the Board.

Treasurer, Christy Van Tiem, asked the Board for their consideration in allowing her to advance from other funds if needed to pay the bills. *Motion by Commissioner Aultman, supported by Commissioner Hinman, to approve the advance by the Treasurer as needed, with repayment by December 31, 2018. Ayes carried, motion passed.*

Commissioner Smith commented on the presentation by David Rowe at the Beaverton Activity Center tomorrow night at 7:00 p.m. Commissioner Smith highlighted some of Mr. Rowe's accomplishments and stated that it should be an exceptional family experience.

Public Comments – Theresa Nims, Midland Daily News, asked what the Board had decided with the action on the Drain Commissioner. The Chairman asked Ms. Nims to speak with their attorney after the meeting.

Motion by Commissioner Hinman, supported by Commissioner Smith, to receive and file various correspondence and reports. Ayes carried, motion passed.

Motion by Commissioner Smith, supported by Commissioner Hinman, to adjourn. Ayes carried, motion passed. Meeting adjourned at 9:57 a.m., until the next regular Board meeting on May 8, 2018 at 9:00 a.m., unless otherwise ordered.

Laura Brandon-Maveal
County Clerk

Terry Walters
Chairman

RESOLUTION

AT A MEETING OF THE BOARD OF COMMISSIONERS OF GLADWIN COUNTY, MICHIGAN, HELD AT 9:00 am, ON April 24, 2018.

Whereas the Gladwin County Drain Commissioner, Robert Evans has been under investigation by the Michigan Department of Environmental Quality since January 30, 2012;

Whereas the Board of Commissioners of Gladwin County, Michigan being advised, pursuant to the affidavits of Gladwin County Treasurer and Gladwin County Clerk, of Gladwin County Drain Commissioner, Robert Evans, having failed to comply with his specific statutory requirements as set forth on the Drain Code of 1956, PA 40 of 1956, as set forth in MCL 280.1 et seq.;

Whereas the Board of Commissioners of Gladwin County, Michigan being advised pursuant to the letter of Danielle Allison-Yokom, Assistant Attorney General, Environment, Natural Resources, and Agricultural Division, that Gladwin County Drain Commissioner, Robert Evans has violated the Natural Resources and Environmental Protection Act, (NREPA) and associated administration rules related to storm water permitting and soil erosion and sedimentation control (SESC);

Whereas the cost and expense of rectifying the deficiencies of the Gladwin County's Drain Commissioner continues to accrue pending him taking action.

Whereas the cost and expense of repairing the damage done to Gladwin County's drain system continues to grow and is the ultimate responsibility of Gladwin County.

NOW THEREFORE, be it hereby resolved by the Board of Commissioners of Gladwin County, Michigan,

That it is in the best interest of Gladwin County that they shall submit a formal request pursuant to MCL 168.207 to the Governor of the State of Michigan for the removal of Robert Evans from the office of Gladwin County Drain Commissioner.

Dated: 4-24, 2018

Gladwin County Board of Commissioners,
Gladwin County, Michigan.

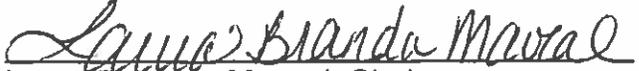
AYES: Hinman, Walters, Austman, Shilt

NAYS: Birgel

ABSENT/ABSTAIN: —

I, Laura Brandon-Maveal, Clerk of the County of Gladwin, Michigan certify that the above Resolution was adopted by the Gladwin County Board of Commissioners at a meeting held on the 24th, day of April, 2018.

Dated: 4-24, 2018


Laura Brandon-Maveal, Clerk
