

## Commissioner Minutes of March 12, 2019

*The Gladwin County Board of Commissioners met in Regular Session on Tuesday, March 12, 2019. The meeting was called to order at 9:00 a.m. by Chairperson Smith. The Pledge of Allegiance was recited. Roll call found all Commissioners present, with Commissioner Rick Grove appearing by Skype.*

Chairperson Smith then suspended the normal order of business so that an appointment could be made to fill the District #3 vacancy. Chairperson Smith read the list of interested persons and nominations were opened. Commissioner Taylor nominated Kyle Diller. There was no support to his nomination. Commissioner Kyle Grove nominated Joel Vernier. Nomination was supported by Commissioner Rick Grove. There were no other nominations. *Motion by Commissioner Kyle Grove, supported by Chairperson Smith, to close nominations and appoint Joel Vernier to the vacancy. Ayes carried, motion passed.* The County Clerk then administered the Oath of Office and Commissioner Vernier was seated and welcomed.

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

The **cash balances** were then read by Commissioner Taylor. *General Fund - \$86,318.23, before the payment of the bills.*

*The Regular minutes of February 26, 2019, along with the Committee of the Whole minutes from March 6, 2019, were then reviewed. Motion by Commissioner Taylor, supported by Commissioner Kyle Grove, to approve the minutes as prepared. Ayes carried, motion passed.*

**Public Comments** – Chairperson Smith asked each person wishing to speak to observe the 5-minute rule.

*Bill Lang, Tobacco Township resident, spoke on the proposed agreement to be voted on through resolution today. Mr. Lang voiced his concerns on transparency in knowing the dates and times of any meetings and negotiations with the Four Lakes Task Force. Mr. Lang also commented that the Board has the responsibility to represent their districts and has lack of communication with the Task Force.*

*Jan Colton, Billings Township resident, thanked Mr. Lang for his words and voiced her concern on not receiving answers to her questions from the Four Lakes Task Force, citing a “non-disclosure agreement”.*

*Joe Colaianne, Attorney with Clark Hill representing the Four Lakes Task Force, responded to the concerns of the property owners and how these actions will affect the lake levels. Attorney Colaianne stated until the lake level is established by the Court, the property owners have no rights and that he will continue to work with the Board’s legal counsel to negotiate a contract.*

*Robert Watton, Smallwood Lake property owner, inquired on the compliance with the lake levels through Circuit Court. Discussion on the actions of Boyce Hydro and the importance of negotiations to get the lake level restored.*

*Ron Hansen, Spicer Group, spoke on the lake level study that was performed and the timeline that has been established. Mr. Hansen stated that this schedule is available on the website and that the new court date would be placed on the website tomorrow. Questions and discussion on the timeline.*

*Mark Kramer, Tobacco Township resident, commented that he appreciates the efforts of both counties and the Four Lakes Task Force, noting he would like to see this process handled correctly and efficiently. Mr. Kramer acknowledged the understanding that this process could take time; however, there needs to be some urgency in "filling the lake".*

*Kelly Bax, Tobacco River property owner, noted her concern on the potential assessment district and her properties being assessed twice. Discussion.*

*Commissioner Rick Grove thanked the Four Lakes Task Force for their efforts, noting he is not discrediting their actions but would ask that they continue to provide information and keep the Board involved in their actions.*

*Don Zackett stated that moving forward, Attorney Hovey will be attending their meetings and will be providing a more frequent update to the Board. Discussion.*

With no further public comments, the Board then reviewed the resolution prepared by Attorney Hovey to allow for cooperation and contract negotiations with the Four Lakes Task Force and Midland County. *Motion by Commissioner Kyle Grove, supported by Commissioner Taylor, to adopt the resolution as read by the Clerk.* Roll call vote as follows: K. Grove – yes, Taylor -yes, Vernier – yes, Smith -yes, R. Grove -yes. 5 yes, 0 no. Ayes carried, **Resolution 2019-005 declared adopted.**

#### **Communications:**

The Library statistics from February 2019 were received and reviewed.

#### **Finance Matters – Commissioner Taylor:**

1. Undersheriff Hartwell spoke on the implementation of the full time Courthouse Security Officer and the polycom equipment for the jail under the IDC grant. Since both items are 100% covered under the grant, a motion is needed to allow the Undersheriff to hire for the newly created position and to purchase the equipment as outlined in the grant. *Motion by Commissioner Taylor, supported by Commissioner Kyle Grove, to allow for the implementation of both projects as requested. Ayes carried, motion passed.*
2. With the approval of the IDC grant, the following two line items need to be created to facilitate the revenues and expenses. 101-000-547.001 – MDCGP Grant revenue and 101-131-816.000 – Indigent Defense – County expense. *Motion by Commissioner Taylor, supported by Commissioner Kyle Grove, to allow the Clerk and Treasurer to create the line items as provided. Ayes carried, motion passed.*
3. Rick Ghent, Maintenance Supervisor, has requested payout of 108 hours of unused vacation time per his Unit #7 contract. *Motion by Commissioner Taylor, supported by Commissioner Kyle Grove, to allow the Clerk to make the \$2,737.80 disbursement from 101-265-702.000 as requested. Ayes carried, motion passed.*
4. Jail Administrator, Matthew McGourty, presented a request to purchase 13 Body Armor vests from Safe Life Defense in the amount of \$4,668.30 to be paid from Securus funding. *Motion by Commissioner Taylor, supported by Commissioner Kyle Grove, to allow Mr. McGourty to make the purchase as outlined. Ayes carried, motion passed.*

5. The County Clerk has requested permission to attend her annual UCOA conference April 14-17, 2019. Registration is \$175.00, plus lodging of \$130.00/night and will be paid from 101-215-860.000. *Motion by Commissioner Taylor, supported by Commissioner Kyle Grove, to approve the training as requested. Ayes carried, motion passed.*

*Commissioner Vernier stated that he had been attending regular meetings and committee meetings for several weeks so he felt comfortable voting on these matters.*

#### **Committee Meetings:**

- Commissioner Taylor reported on the Court Management meeting held last Wednesday, commenting it was a positive and productive meeting. The committee has offered a tentative agreement to the Court employees and are awaiting an answer.

#### **New Business:**

- The Clerk read the resolution in support of the Sugar Springs Lake Authority for weed treatment. *Motion by Commissioner Kyle Grove, supported by Commissioner Taylor, to adopt the resolution as read. Roll call vote as follows: Taylor – yes, Vernier – yes, Smith – yes, R. Grove – yes, K. Grove – yes. 5 yes, 0 no. Ayes carried, Resolution 2019-006 declared adopted.*
- Shari Spoelman, MSU Extension, came before the Board to present the 2018 Annual Report. Ms. Spoelman was accompanied by her staff that introduced themselves and stated the services they provide.
- Commissioner Taylor spoke on the interview process to hire an Emergency Management Director, commenting there were three excellent applicants. Discussion. *Motion by Commissioner Taylor, supported by Chairperson Smith, to offer a contract for employment to Robert North. Ayes carried, motion passed.* The Board welcomed Mr. North to his new position.
- Chairperson Smith stated that she believes Bill Lang would be an excellent candidate to act as the Board's liaison to work with the Four Lakes Task Force. Mr. Lang declined the offer, as he would only have access to the public meetings and not negotiations, as they do not answer any of the public's questions during open meetings. Chairperson Smith thanked Mr. Lang for his continued interest in the process.
- The Soil Erosion and Sediment Control Ordinance was reviewed by the Board. Discussion that this ordinance will keep the permit fees local and not sent to the State. *Motion by Commissioner Kyle Grove, supported by Commissioner Taylor, to approve the ordinance as prepared. Ayes carried, motion passed.*
- Ken Roberts, Veterans Director, came before the Board to present the contract for employment for the part time grant position in his department. Mr. Roberts asked the Board for their approval to hire Terry Walters as the part time staff under the approved grant funding. *Motion by Commissioner Kyle Grove, supported by Commissioner Taylor, to approve the contract as drafted and the employment of Terry Walters. Ayes carried, motion passed.*

**Comments from the Chair:** none at this time.

#### **Commissioner Reports by District –**

##### **Commissioner Kyle Grove reported:**

- That his Township meetings begin tomorrow.

- On the DATA meeting, noting research and discussion on the Office 365 rollout, upgrades vs. replacement of computers and the purchase of 25 new monitors.
- That he participated in the meeting with the Architect last Friday and that the committee is working through the process. More information will be reported once the list of repairs is finalized.

*Commissioner Kyle Grove then made a motion to approve a quote from IT Right for 25 replacement monitors and 23 computer upgrades in the amount of \$6,539.00. Motion supported by Commissioner Taylor. Ayes carried, motion passed.*

**Commissioner Taylor reported:**

- That it has been a busy two weeks.
- On attending the Sage Township meeting.
- On the Gladwin City meeting, noting he answered questions that they had.
- That he attended the Health Department meeting where they are looking to update their funding formula.
- That the budget process is almost complete, noting thanks to the Clerk, Treasurer and Department Heads for their assistance. Discussion.

**Commissioner Vernier reported:**

- That he was able to attend the Secord Township meeting, noting discussion of “lake concerns”.
- That he will be ready to provide a better report at the next meeting.
- On the “Souper Challenge” that was held last Saturday, noting their numbers were down due to some conflicting events, but it was a success.

**Chairperson Smith:**

- That she participated in the interview process for the Emergency Management Director position on February 28<sup>th</sup>.
- On attending the Four Lakes Task Force public meeting on February 28<sup>th</sup> at Meridian High School.
- That she met with Commissioner Taylor, Clerk and Treasurer to complete the paperwork required of DEQ on March 4<sup>th</sup>.
- That she participated in the negotiations with the Courts on March 6<sup>th</sup>.
- On the Committee of the Whole meeting on March 6<sup>th</sup>.
- That she attended the Legislative Breakfast on March 8<sup>th</sup>, followed by her presentation at the Beaverton Activity Center for the Leadership group.
- On attending the Tobacco Township meeting last night where they held a budget meeting for their 2019/20 budget.

**Commissioner Rick Grove reported:**

- That it is 83 degrees and sunny in Florida and that he has not been to any meetings since enjoying his vacation.

**Public Comments –**

Bev Pryzstas informed the Board that the Mid Michigan Farm and Garden Show would be held on Saturday, March 23, 2019 from 10:00 a.m. – 4:00 p.m.

Kaitlyn Thorne, Gladwin County Record, invited the Board and public to the “News and Brews” this Saturday from 9:00 a.m. – noon. This event invites the public to give press ideas and meet the staff.

Chairperson Smith commented that the “Branding Meeting” for Beaverton City will be held tonight at 6:00 p.m. at the Beaverton Activity Center.

*Motion by Commissioner Taylor, supported by Commissioner Kyle Grove, to receive and file various correspondence and reports. Ayes carried, **motion passed.***

*Motion by Commissioner Kyle Grove, supported by Commissioner Taylor, to adjourn. Ayes carried, **motion passed.** Meeting adjourned at 10:17 a.m., until the next regularly scheduled Board meeting on March 26, 2019 at 9:00 a.m., unless otherwise ordered.*



Laura Brandon-Maveal  
County Clerk



Sharron L. Smith  
Chairperson

**RESOLUTION**

This Resolution is by the Gladwin County Board of Commissioners on March 12, 2019.

WHEREAS, recreational use of Secord, Smallwood, and Wixom lakes, together with the Tobacco River, has provided substantial social and economic benefit to the residents and visitors of Gladwin County and with similar benefits associated with Sanford lake in Midland County, and

WHEREAS, the Board of Commissioners has earlier directed that proceedings be instituted to establish lake levels in furtherance of maintaining the recreational use of the above mentioned waterways, by way of a Resolution adopted on October 9, 2018, and

WHEREAS, such proceedings are now pending in the Circuit Courts for Gladwin and Midland Counties, with the Four Lakes Task Force undertaking activities as contemplated in the Board's Resolution of said date, and

WHEREAS, the Board has received progress reports on the lake level proceedings and various related topics concerning progress towards implementation and maintenance of lake levels, and

WHEREAS, the Board notes that the Four Lakes Task Force has participated in various public meetings to provide information and receive comments from persons who have particular interest in the mentioned waterways.

NOW, THEREFORE, IT IS RESOLVED that the Board of Commissioners affirms its commitment in its October 9, 2018 Resolution to provide for the establishment and maintenance of lake levels for the mentioned waterways and its appreciation for the efforts of the Four Lakes Task Force.

IT IS FURTHER RESOLVED that Gladwin County Corporate Counsel, Tara S. Hovey, shall work with the Four Lakes Task Force and Midland County's legal counsel to prepare an Operating Agreement between the Four Lakes Task

Force and Gladwin and Midland Counties prior to the Circuit Court hearing scheduled for May, 2019. All legal expenses incurred by Gladwin County are to be reimbursed to the County from lake level proceeds as advanced by the Four Lakes Task Force.

Resolution offered by Commissioner Kyle Grose and seconded by Commissioner Ronald Taylor.

AYES: 5

NAYES: 0

ABSENT/ABSTAIN: 0

I, Laura Brandon-Maveal, Clerk of the Court of Gladwin, Michigan, certify that the above Resolution was adopted on March 12, 2019 at a regular meeting of the Gladwin County Board of Commissioners.

Dated: March 12, 2019

Laura Brandon-Maveal  
Laura Brandon-Maveal, Clerk

19- 006

**RESOLUTION**

**SUGAR SPRINGS LAKE AUTHORITY**

AT A MEETING OF THE BOARD OF COMMISSIONERS OF GLADWIN COUNTY, MICHIGAN, HELD AT 9:00 a.m., ON March 12, 2019.

**WHEREAS**, following the entry of a court order on December 8, 1970 pursuant to Part 307 of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, being MCL 324.30701et seq, establishing the normal water level for the Sugar Springs Lakes the developer, N.E. Isaacson, deeded the property the dams controlling the lake levels were located thereon along with the property lying under the lakes (lake bed) to the Gladwin County Drain Commissioner;

**WHEREAS**, the Gladwin County Drain Commissioner, pursuant to statute, may hold title to real property encompassed in a drainage district. The Sugar Springs Lakes dams and lake beds are not in a county drainage district. Consequently the Gladwin County Drain Commissioner took title to the property as a representative of or agent of Gladwin County;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Gladwin County, Michigan, that the Gladwin County Board of Commissioners specifically delegates to the Sugar Springs Property Owners Association the authority to treat the Sugar Spring Lakes for weeds.

AYES: 5

NAYS: 0

ABSENT/ABSTAIN: 0

I, Laura Brandon-Maveal, Clerk of the County of Gladwin, Michigan certify that the above Sugar Springs Lake Authority Resolution was adopted by the Gladwin County Board of Commissioners at a meeting held on the 12th day of March, 2019.

Dated: March 12, 2019

Laura Brandon Maveal  
Laura Brandon-Maveal, Gladwin County Clerk