

Commissioner Minutes of June 23, 2009

The Gladwin County Board of Commissioners met in Regular Session June 23, 2009. The meeting was called to order at 9:00 a.m. by Chairman Whittington. The Pledge of Allegiance was recited. Roll call found all Commissioners present.

Agenda – There were no corrections or additions to the agenda.

The **Regular minutes June 9, 2009** were then considered. *Motion by Commissioner Reid, supported by Commissioner Smith, to approve the minutes as presented. Ayes carried, motion passed.*

The **semi-monthly Finance report totaling \$143,364.95** was then considered for payment. *Motion by Commissioner Rhode, supported by Commissioner Posey, to approve the bills for payment as presented. Ayes carried, motion passed.*

Public Comments – none at this time.

The Board then reviewed two resolutions for consideration. *Motion by Commissioner Smith, supported by Commissioner Walters, to send a letter of support to the County of Oscoda for “Third Option to Fill Vacant Road Commission Seats”. Ayes carried, motion passed. Motion by Commissioner Posey, supported by Commissioner Carl, to send a letter of support to Arenac County for “Reconsideration in the Closing of the Standish Maximum Prison”. Ayes carried, motion passed.*

Correspondence from the Chairman:

Frank Grimes has submitted a letter of resignation to the Parks and Recreation committee. *Motion by Commissioner Whittington, supported by Commissioner Carl, to accept his letter of resignation. Ayes carried, motion passed.*

The **DPW** has three terms ending soon. Commissioner Whittington noted that unless the Board was in disagreement, he would **reappoint Tom Hoag, Bob Whisler, and Tom Cummins for another two year term.**

The **Region VII Area on Aging on Aging’s Proposed Multi-Year Area Implementation Plan for FY 2010-2012** was reviewed by the Board. *Motion by Commissioner Posey, supported by Commissioner Walters, to approval the Implementation Plan as proposed. Ayes carried, motion passed.*

On a letter received by **Doug Jacobson on his retirement benefits with the county.** *Mr. Jacobson’s request will be referred to the Personnel Committee for consideration and review.*

Bill Rhode then asked that the Board consider item #1 on the Finance Matters report before the Auditors begin their presentation.

1. The auditors have made a recommendation that the due to / due from lines between the 231 Judicial Management Fund and the 101 General Fund be "washed" and removed from the books. This measure will take care of the negative fund balance in the 231 fund. Commissioner Reid questioned how the money due to the General Fund will be tracked if the line items are removed and zeroed out? Discussion. *Motion by Commissioner Rhode, supported by Commissioner Carl, to allow the Treasurer to zero the Due to/Due from lines between the 231 and 101 fund. Ayes carried, motion passed.*

Mark Freed, Burnside and Lang, came before the Board for review of the 2008 audit that was completed by his firm. Mr. Freed reviewed the Financial Statements and Audit Report. Kristy Burgess discussed the single audit performed and the internal control matters. Discussion. *Motion by Commissioner Rhode, supported by Commissioner Carl, to accept the audit report as presented. Ayes carried, motion passed.*

Carol Brubaker, City-County Transit, came before the Board to request that they be allowed to dispose of bus 9 and bus 81. Commissioner Carl inquired to where the funds go if they are sold. Ms. Brubaker stated that any revenue from the sale of busses goes back into the CCT General Fund. *Motion by Commissioner Rhode, supported by Commissioner Reid, to allow Transit to dispose of two busses as requested. Ayes carried, motion passed.* Ms. Brubaker then asked that the Board review and sign the revised contract agreement to include funds for new computer equipment. Discussion. *Motion by Commissioner Rhode, supported by Commissioner Walters, to sign the revised agreement as presented. Ayes carried, motion passed.* Ms. Brubaker then presented a resolution of intent to sign the contract for the revised agreement for the Board's consideration. *Motion by Commissioner Rhode, supported by Commissioner Posey, to adopt the resolution as presented. Roll call vote as followed: Walters – yes, Carl – yes, Rhode – yes, Reid – yes, Posey – yes, Smith – yes, Whittington – yes. 7 yes, 0 no. Ayes carried, resolution 2009-020 declared adopted.*

Dave Stoker from Cohl, Stoker, Toskey & McGlinchy came before the Board in interest to serve as their legal representative and union negotiator. Discussion on cost and duties performed. Commissioner Carl inquired why the Board made a change in 2006 from Mr. Stoker and if they were happy with his service while he was employed by the County. Discussion. Commissioner Smith commented that with her experiences she feels that it is always an advantage if you can have a negotiator that is also an attorney. Commissioner Walters commented that he enjoyed working with Mr. Stoker in the past and is very comfortable with his ability to do a great job for Gladwin County. *Motion by Commissioner Walters, supported by Commissioner Rhode, to retain Attorney Stoker and his firm for legal and negotiating purposes. Ayes carried, motion passed.*

Chairman Whittington then called for a short recess at 10:15 a.m.

Meeting called back to order at 10:25 by Chairman Whittington.

Chairman Whittington then reviewed with the Board a copy of a **Mutual Aid Agreement for Emergency Management with several surrounding counties**. Discussion. *Motion by Commissioner Carl, supported by Commissioner Smith, to allow the Chairman to sign the Mutual Aid Agreement as presented. Ayes carried, motion passed.*

The bids for the car / deer accident involving a Sheriff's vehicle were then reviewed. *Motion by Commissioner Reid, support by Commissioner Posey, to accept the bid from Grimmert's for \$979.80. Ayes carried, motion passed.*

Committee Reports:

Commissioner Smith reported:

- That she sent a report to the Beaverton City meeting in lieu of her presence.
- Beaverton City has taken steps to change from a ward voting system to a city-wide election, noting that this is a long process.
- The City of Beaverton voted not to approve the purchase of the Lang property for the proposed new fire hall. Since both Beaverton Township and Tobacco Township have approved the purchase, the purchase will go through.
- The Beaverton Fourth of July Celebration is beginning. Commissioner Smith noted the various activities and their dates.
- Tobacco Township has start weed control spraying.
- That she had a great time at the Spring Nationals and that she had tied a record.

Commissioner Posey reported:

- On the revised **EFT Policy** drafted by the Data committee. *Motion by Commissioner Posey, supported by Commissioner Smith, to adopt the policy as revised. Ayes carried, motion passed.*
- On attending the June 11th Solid Waste meeting.
- On the MSU Budget presentation on the 16th.
- On attending the Finance meeting on the 19th.
- On the Council of Local Government meeting on the 22nd.

Commissioner Walter reported:

- On attending the Sage Township meeting on the 11th, noting that they are very happy with the ORV ordinance.
- On the Sherman Township meeting on the 16th, commenting that they are still working on ORV issues.
- On attending the Fair Board meeting on the 16th, noting that fair begins this week and that there will be no horse races this year due to state funding cuts.
- On attending the Pratt Lake, Lake Contos and Wiggins Lake Improvement Board meeting on the 17th.

Commissioner Carl reported:

- On attending the Bourret Township meeting on the 9th.
- On the Clement Township meeting on the 10th.
- On attending the Butman Township meeting on the 11th.
- On the Gladwin Township meeting on the 17th.
- On attending the Counsel of Local Government meeting on the 22nd at Secord Township Hall.

Commissioner Reid reported:

- On the Airport meeting on the 11th, noting that they voted to submit bids to advertise for the fuel farm. The committee approved the sale of fuel at cost during the Fly In August 8-9. Mike Hargrave has been working on the runway lights.
- That Hay Township is working with the State to receive permission for ORV use on the M-61 Bridge.
- On the EDC meeting on the 16th, noting that they are working on the revolving loan fund application.
- On attending the Building & Grounds meeting on the 18th. Justin Schneider came before the committee with information on **residential sprinkler systems**. Commissioner Reid drafted a **resolution in opposition of the proposal**. Discussion. *Motion by Commissioner Reid, supported by Commissioner Posey, to accept the resolution as prepared by Commissioner Reid.* Roll call vote as followed: Carl – yes, Rhode – yes, Reid – yes, Posey – yes, Smith – yes, Whittington – yes, Walters – yes. 7 yes, 0 no. Ayes carried, **resolution 2009-021 declared adopted.**
- On the request for Air Conditioning units for the Friend of the Court office. Commissioner Reid commented that he is looking into window units for the office, and that the matter will be tabled until the next Building and Grounds meeting. Commissioner Rhode commented that the Finance Committee will schedule a quarterly meeting with the Courts to review expenditures.
- On the **wallpaper bids** that were tabled from the last Board meeting. Discussion on the need to do the repairs and spend the money. *Motion by Commissioner Posey, supported by Commissioner Carl, to have the Maintenance department repair the wallpaper and paint as needed.* Roll call vote as followed: Rhode – no, Reid – yes, Posey – yes, Smith – no, Whittington – no, Walters – yes, Carl – yes. 4 yes, 3 no. Ayes carried, **motion passed.**
- On meeting with John Fink on the route for the Iditarod.
- On the Public Safety meeting and the opinion passed down from Attorney General Mike Cox. Sheriff Shea addressed the Board on the responsibility of costs being passed to the County for mental health treatments for inmates. Department of Corrections also had an unscheduled inspection at the jail. Commissioner Reid applauded the efforts of the Maintenance and Jail staff for their hard work.
- The ORV trail from Easton Road to Cedar Avenue Inn is open now.

Commissioner Reid then asked the Board's permission to attend an **Energy Fair** in Manistee County to gather information on solar, wind, and geo-thermal energy. Commissioner Reid is requesting that the Board **reimburse him mileage only**, as he is willing to pay for lodging and meals. *Motion by Commissioner Whittington, supported by Commissioner Smith, to allow Commissioner Reid to receive mileage to Manistee County. Ayes carried, motion passed.*

Commissioner Rhode reported:

- On the Housing Commission Meeting on the 9th, noting that there were discussions on reduction of personnel.
- On attending the Community Mental Health Finance meeting on the 10th.
- On the Uniform Addressing Committee on the 11th. A letter has been sent out to educate townships and Consumers on their concerns and to let them know there will be a presentation on July 30th at 11 a.m.
- On attending the MAC meeting in Grayling on the 15th.
- On the Gladwin City Counsel meeting on the 15th.
- On the EDC meeting on the 16th. A Gardening Grant is being applied for, and copies of the bylaws were received.
- On attending the MSU Budget presentation on the 16th.
- On the Michigan Works meeting on the 18th.

Finance Matters –

1. Ron Taylor, Animal Shelter, came before the committee with a proposal given to him to **waive the adoption fee on cats**. Mr. Taylor stated he is not in favor of this proposal and would ask that the Board take action not to adopt a fee change to his department. *Motion by Commissioner Rhode, supported by Commissioner Posey, to make no change to the adoption fees for cats at the Shelter. Ayes carried, motion passed.*
2. Justin Eastman, Jail Administrator, is asking that his staff be **trained in "inmate manipulation"**. This is a one day course that the Gladwin Jail will be hosting. Total cost of the instructor is **\$1500.00** and can be paid from 264-000-607.000 upon approval. *Motion by Commissioner Rhode, supported by Commissioner Carl, to allow the training as requested. Ayes carried, motion passed.*
3. County Clerk, Laura Brandon, has requested to attend the **Summer MACC Conference in Kalamazoo**. Cost of the lodging is being paid by her association. Registration cost is **\$100.00** and can be paid from 101-215-860.000 upon approval. *Motion by Commissioner Rhode, supported by Commissioner Posey, to allow the Clerk to attend conference as requested. Ayes carried, motion passed.*

Commissioner Rhode then commented on the Personnel Meeting and the **proposed resolution to the Eaton / Hartwell lawsuit**. The Board then reviewed the proposed settlement. Discussion. Commissioner Whittington commented that he disagrees with item #1 in regards to the Open Meetings Act, noting that the Board has never violated, or been convicted of, an Open Meetings Act violation. Commissioner Whittington further commented that if this lawsuit caused Undersheriff Hartwell any embarrassment, he would like to apologize because that was not his intent of the lawsuit. Commissioner

Reid noted that he believes that this has been a lengthy process and believes that both sides have added issues, commenting that through their attorney's advice have pinpointed two individuals that belong to two vehicles. Commissioner Reid continued to comment that there is no further misconduct and that he is comfortable with the direction of this proposed settlement. *Motion by Commissioner Reid, supported by Commissioner Smith, to go along with the proposed recommendation to agree to the nine items between the two attorneys.* Roll call vote as followed: Reid – yes, Posey – yes, Smith – yes, Whittington – no, Walters – yes, Carl – yes, Rhode – yes. 6 yes, 1 no. Ayes carried, **motion passed.**

Commissioner Rhode then notified the Board that the **City of Gladwin will be hosting a recycling of hazardous materials on August 22nd from 12:00 – 2:30.** Because the City is opening this program up Countywide, they are asking that the Board take action to pay a portion of the cost. Discussion. *Motion by Commissioner Rhode to allow payment to the City for a portion of the recycling costs.* **Motion died for lack of support.**

Nila Frei, Beaverton City Mayor, commented to the Board that the City is still waiting on loan funding for their dam project. The ORV ordinance is going well, all streets are open, and business owners seem pleased.


Adolph Presidio came before the Board with a short report of his committees.

Commissioner Walters commented that the Public Safety Committee met with the Sheriff on his concern to **replace a deputy that is leaving the department and a Sergeant who is retiring.** Discussion. *Motion by Commissioner Reid, supported by Commissioner Walters, to hire a deputy on a temporary full time basis until which time status is established on either party.* Ayes carried, **motion passed.**

Motion by Commissioner Carl, supported by Commissioner Walters, to receive and file various reports and correspondence. Ayes carried, **motion passed.**

Motion by Commissioner Reid, supported by Commissioner Posey, to adjourn. Ayes carried, **motion passed.** Meeting adjourned at 11:20 a.m. until July 14, 2009 at 9:00 a.m. unless otherwise ordered.


Laura Brandon
County Clerk


Terry Whittington
Chairman

Gladwin City-County Transit



615 Weaver Court, P.O. Box 498, Gladwin, MI 48624
Phone: (989) 426-6751 Fax: (989) 426-5947

RESOLUTION OF INTENT

Resolution# 2009-020

The following resolution was offered by Rhode

And supported by Posley

Be it resolved, that the County of Gladwin does hereby approve the proposed Contract submitted by the Michigan Department of Transportation.

Be it resolved that Terry Whittington, Board Chairman and Lauren Essenmacher, Executive Director be authorized and directed to execute Contract N. 2002-0038 Project No. 84730A Z16/R1 for and on behalf of the County of Gladwin.

Resolution Declared Adopted.

CERTIFIED

Laura Brandon-Mareal
Laura Brandon
County Clerk

June 23, 2009
Date

Gladwin County Resolution No. 2009-021

Residential Sprinkler Systems

WHERE AS, it has been brought to our attention that Michigan State Building Code review Committee is looking to possibly regulate and enact that all new residential homes would be fitted with some form of sprinkler system and

WHERE AS, the Gladwin County Facility and Transportation closely reviewed the proposal on June 18, 2009 at our regularly scheduled committee meeting and

Where as we would state the following:

- We recognize the importance of fire suppression.
- We understand the importance of hard wired fire alarms with battery backup.
- We would furthermore understand the carbon monoxide detector requirements.
- We agree we want safe housing protected from fire and nature.
- And we would furthermore like to acknowledge the statistics shared with us from other interested parties that reflects the odds of dying in a residential house fire in the State of Michigan are 1 in 76,362 and the odds of dying in a vehicle accident in the State of Michigan are 1 in 7,500 (Source Michigan Association of Home Builders).

AND BE IT FURTHER RESOLVED that we're not confident that the additional cost of \$4,000 - \$11,000 for the sprinkler systems, well upgrades, or municipal water can or would cost effectively benefit our municipalities or residential home owners, builders, or buyers trying to build or buy homes in today's market.

SO BE IT FINALLY RESOLVED that the Gladwin County Facility and Transportation Committee recommend that the Gladwin County Board of Commissioners pass this resolution to stop any further action in mandating residential fire sprinkler systems. And pass it on to our State Representative, State Senator, Michigan Association of Counties, and the State of Michigan Building Code Review Committee.

Laura Brandon-Maveal

Laura Brandon
Gladwin County Clerk