



Gladwin County Board of Commissioners Board Minutes, October 24, 2024

Mike Visnaw, District 1, (Sherman, Butman, Clement, & Secord Twps.)
Ron Taylor, District 2, Vice-Chair (Sage, Gladwin Twp. & Gladwin City P1)
Tammy O'Donnell, District 3, (Bentley, Billings, Bourret, Grim & Hay Twps.)
Karen Moore, District 4, Chairperson (Buckeye, Beaverton City & Tobacco)
Rick Grove, District 5, (Grout, Gladwin City P2, & Beaverton Twp.)

The Gladwin County Board of Commissioners met for a Special Board Meeting on October 24, 2024. The meeting was called to order at 1:00 p.m. by Chairperson Karen Moore. The Pledge of Allegiance was said, Commissioner Grove was excused, all other commissioners were present.

Commissioner Moore asked to add Courthouse Security on Election Night to the agenda. A motion was made by Commissioner O'Donnell, seconded by Commissioner Taylor to accept the agenda with the addition. All in favor, motion carried.

Public Comment – Agenda Items

- None

New Business

A. Interviews

1. Attorneys Kyle O'Meara, Bill Fahey, and Trent Cunningham introduced themselves and their law firm.
 - Commissioner Moore asked about the structure of the firm in reference to specialties and representation. Attorney O'Meara explained the "group" structures and how each specializes in services related to the county.
 - Commissioner Moore asked about the firm's involvement in union negotiations and arbitration. Attorney O'Meara explained what their strategy is for negotiations, and their experience in act 312 and arbitration.
 - Commissioner Moore asked about conflict of interest in relation to the Drain Commissioner already having legal representation from this firm. Attorney O'Meara stated there are few conflicts of interest in these types of scenarios and explained they could be navigated if any arose.
 - Commissioner Taylor asked about the retainer structure and what that could cover. Attorney Fahey elaborated on what the retainer process could look like, what items are negotiable, and specifically addressed meeting attendance.
 - Commissioner Visnaw asked about the firms experience with issues that may arise from the Dam and lake level issues, as well as the Master Plan and zoning issues. Attorney O'Meara responded that he personally had experience in Part 307 and gave specific examples. Attorney Fahey elaborated on the firms experience with master plans and zoning issues
 - Commissioner Moore asked about other relationships in the county, Attorney O'Meara responded.
 - Commissioner O'Donnell commented on the numerous topics the county faces in upcoming years, and asked about the firms experience with Materials Management Planning and Short-Term Rentals. Attorney O'Meara responded that the team would work together to address areas (like Materials Management Planning) where they are not experts.
 - Attorney Moore asked about the firms experience with litigation, Attorney O'Meara responded that they have extensive experience litigating, and Attorney Fahey elaborated on how the firm chooses representation for litigation.

- Attorney Moore asked about Attorney O'Meara's opinion on the county minutes that he had reviewed. He responded with his thoughts on specific issues the county is involved with.
- Commissioner Moore asked about the process for communicating changes in the law that would impact the county. Attorney O'Meara responded with an explanation on their monthly newsletter and follow-up webinars. Attorney Fahey elaborated. Commissioner Taylor asked about phone communication and was assured that a phone call would be made when appropriate.
- Commissioner Moore asked about the firm's comfort with stating a contrary opinion when legal representation of a third party or delegated authority offer an opinion.
- Attorney Cunningham commented on the firm's ability to represent the county on a variety of issues, and the advantages of the firm's rate structure.
- Attorney O'Meara added that one of the found principles of the firm is their responsiveness to clients; clients of civil attorneys have very important issues and it is important that they are able to be in contact with them.

Commissioner Moore explained the Boards interview process.

D. Triple M Collision Repair to Patrol Vehicle.

1. Conversation was had on a recent car/deer collision.

A motion was made by Commissioner Taylor and seconded by Commissioner O'Donnell to approve Triple M Collision to repair a damaged patrol vehicle. The cost of the \$1,000 deductible to come from line 101-301-932.000. All in favor, motion carried.

B. Personnel Topics

Conversation was had on items 1. Juvenile Referee and 2. Friend of the Court Referee

Return to A: Interviews

2. Attorney Andrew Thompson introduced himself, Attorney Patrick Schefsky, and their firm.
 - Commissioner Moore explained the county's current legal structure and asked about the availability of the counsel to be available for board meetings. Attorney Thompson responded they would be available and elaborated on what that communication could look like.
 - Commissioner Taylor asked about the firm's familiarity with various areas that the county is currently faced with. Attorney Thompson addressed specific topics the county is facing now and their experience in each.
 - Commissioner Taylor asked about the retainer structure and what that could cover. Attorney Thompson explained the potential of a retainer structure, and that was tentative on the scope of work and needs of the county.
 - Attorney Moore asked about Labor Negotiations experience. Attorney Thompson explained he is familiar with labor negotiations but has not been heavily involved.
 - Commissioner Visnaw asked about the firms experience with Master Plans and Zoning issues. Attorney Thompson responded with that they would consult an expert.
 - Attorney O'Donnell asked about experience and familiarity with the Materials Management Plan. Attorney Thompson responded that they are not familiar.
 - Commissioner Moore asked about the process for communicating changes in the law that would impact the county. Attorney Thompson responded that there would be email communications
 - Commissioner Moore asked about Attorneys Schefsky's largest litigation; he responded with an explanation of an appeals case he had worked on that went all the way to the Supreme Court.
 - Commissioner Moore asked about the firms approach to avoiding litigation. Both Attorney Thompson and Schefsky responded that they try to avoid it at all costs, but sometimes litigation is necessary, and then walks through the potential steps to that process.
 - Attorney Thompson commented that most of his career had been in local government and explained that local government has the most effect on someone's daily life and they take that very seriously.

C. Personnel Topics

1. Commissioner Moore shared information from the Personnel Committee meeting and their recommendation.

A motion was made by Commissioner Visnaw, seconded by Commissioner Taylor, to approve paying the Public Guardian \$62 per person and to amend line 101-661-969.000 from \$13,000 to \$18,000. All in favor, motion carried.

E. Courthouse Security on Election Night

Conversation was had on Courthouse security on Election Night.

Return to B 1. Juvenile Referee

A motion was made by Commissioner Taylor and seconded by Commissioner Visnaw to allow the Chief Judge to hire of a contractual Juvenile Referee. Max rate of \$35/hr. at 25 hrs./ week. Split between counties, 55% to Clare / 45% to Gladwin. All in favor, motion carried.

Return to A: Interviews

3. Attorney Dave Porteous introduced himself and elaborated on his experience.
 - Commissioner Taylor asked about the retainer structure and what that could cover. Attorney Porteous explained a timeline for determining a scope of work for the county to implement a retainer that would address county needs.
 - Commissioner Taylor asked about familiarity with labor negotiations. Attorney Porteous replied yes, they have an attorney that covers that, and then elaborated on that attorney's experience.
 - Commissioner Visnaw asked about experience and familiarity with the dams. Attorney Porteous stated his experience not specific to dams, but is with state and federal government, and members of congress on various issues and problem solving.
 - Commissioner Visnaw asked about land use and zoning experience. Attorney Porteous shared his experience.
 - Commissioner Moore asked about the process for communicating changes in the law that would impact the county. Attorney Porteous responded that they issue periodic memos.
 - Attorney Porteous added that they like to engage clients to understand who they should communicate with.
 - Commissioner Moore asked about their approach to risk management. Attorney Porteous responded that litigation is the last resort, but sometimes unavoidable. At that point counsel/guidance is provided to the client, and they are the decision maker on how to move forward.
 - Attorney Porteous added that risk mitigation is something he is involved in a lot. He stated the firm is dedicated to the clients they serve and elaborated on what he believes that service should like.
 - Commissioner Moore asked about attendance at board meetings. Attorney Porteous responded that he would be available, and it would be up to the client what that looks like (virtual, in person, or over the phone).

Commissioner Moore explained the boards interview process.

Return to E. Courthouse Security for Elections

1. Continued conversation on courthouse security for elections.

A motion was made by Commissioner Taylor for Courthouse Security on Election Night only (not early voting) from 8 p.m. until election process is complete. Seconded by Commissioner Visnaw, all in favor, motion carried.

Return to B. Personnel

2. A motion was made by Commissioner Taylor to allow the Chief Judge to hire an FOC Referee, wage up to \$95,000 and split between counties, 55% to Clare / 45% to Gladwin. The motion was seconded by Commissioner Visnaw. All in favor, motion carried.
3. Maintenance & 4. Building Inspector
Information was shared from the Personnel Committee meeting. Conversation was had on both requests. No action was taken.

Return to C. Budget

2. Probate Judicial Secretary
Conversation was had on the request; no action was taken.

Old Business

Chairperson Comments

None

Board Comments

Comments were given about civil counsel interviews.

Public Comment

None

No Further Business, the meeting adjourned at 4:23 p.m.

Karrie Hulme, County Clerk

Karen Moore, Chairperson