

## Commissioners Minutes of October 14, 2008

The Gladwin County Board of Commissioners met in regular session on Tuesday, October 14, 2008. Chairman Whittington called the meeting to order and the Pledge of Allegiance was recited. Roll call found all Commissioners present.

Agenda – there were no corrections or additions.

The **minutes of September 23, 2008** were then reviewed. Clerk Laura Flach noted that on the 1<sup>st</sup> page - “adoption” should be changed to “adopt”. Motion by Commissioner Reid, supported by Commissioner Hoag, to approve the minutes as corrected. Ayes carried, motion passed.

The **semi-monthly Finance Report** was then considered. Commissioner Rhode noted that only General Fund bills totaling \$48,192.14 were listed, and that over \$34,000 in Court bills were being held until funding could be addressed later in the meeting. Motion by Commissioner Rhode, supported by Commissioner Posey, to approve payment of the General Fund bills. Ayes carried, motion passed.

### **PUBLIC COMMENTS:**

**Judge Roy Mienk** requested that the Board fund the contract that the courts have negotiated with their employees. Judge Mienk pointed out the savings that could be realized by funding the contract, specifically on insurance costs. Judge also noted that he was not happy with how contract issues have been handled and it was his hope that those procedures could be ironed out in the future.

**Prosecuting Attorney Mary Hess** questioned the partial payment of her State Bar dues, asking why the Board would not pay those in full - but in turn could spend thousands of dollars in attorney fees.

*Commissioner Rhode replied that the \$375.00 bill for the Bar dues was for October 2008 – Sept. 2009 and as Ms. Hess was not seeking re-election and would only be here for October –Dec., the committee felt the County should only be responsible for 3 months of the billing. .*

**Judge Evans** commented that he had hired Ms. Hess as his assistant in January of 2005 and her Bar Dues had already been paid for that period, that in the long run it all “evens” out.

**Judge Evans** also asked that the Board vote to fund the Court contract that has been negotiated with the Court employees. Judge Evans also commented on the savings to be realized in the health insurance cost, and asked that the Board move forward and put this matter to rest. Judge noted that he has reviewed the negotiations and feels that more open communication can be had between the Board and the Courts in the future.

**Commissioner Reid** noted that the County is looking at staffing cuts and addressing other budget cutting avenues in the General Fund Budget – and questioned if the Courts were considering any cuts or revenue enhancements in their budget?

## **PUBLIC COMMENTS continued:**

**Judge Evans** replied that the current budget included the new insurance plan costs (HRA) --but since the old plan had been in place pending approval for funding by the board, insurance costs have been significantly greater than actually budgeted. Judge also mentioned that the Courts are now asking that court fines and costs be paid up front – which will help with the cash flow situation. Judge Evans commented further that Judge Mienk has only spent approximately \$2000.00 of the amount budgeted for a part-time law clerk. Judge further noted that he cannot see any staffing cuts in the Circuit Court – that each Judge has only one secretary and while he has a full-time law clerk position, Judge Mienk only has a part-time law clerk position. Discussion.

**Commissioner Rhode** commented on the extra costs incurred for the court’s health care, noting that the courts’ had changed the program which was offered by the County. Commissioner Rhode also noted that if the Court contract would have been approved earlier with the “courts’” insurance plan – other units would never have agreed to accept the “county” health care plan. Noting that he can see the insurance cost savings, he simply cannot agree to the 7.5% increase in the Court contract.

**Judge Evans** replied that the court had come up with their insurance plan in November 2007, prior to implementation of the County plan – but noted that all agree that every day the contract is not funded, it cost the County more. Judge again asked that the Board agree to fund the contract.

**District Court Magistrate Mike Greer** commented on acceptance of credit card payments for court fines and on insurance cost issues.

**Commissioner Carl** commented on the court negotiations. That it was the first set of negotiations at the county level for himself as well as Judge Evans and Dave Tanney of the UAW. That the county was close on costs and the courts had provided a cost neutral plan to help offset the costs of insurance and that not settling the contract at this point would wind up costing more than the contract itself. He stated that all sides could have done things differently and in all likelihood it would be the same people involved in the next set of negotiations and unless things were handle3d differently in the next negotiations we would probably wind up in the same situation. That he had discussion with Judge Mienk and with assurances from Judge Mienk and Judge Evans to meet sooner to resolve issues and work out differences. Commissioner Carl then moved **to support funding of the negotiated court contract**. Motion supported by Commissioner Walters. Roll call vote as follows: Commissioner Walters-yes, Carl-yes, Rhode-no, Reid-yes, Posey-yes, Hoag-no and Whittington-no. Four yes and three no, **motion passes**.

**Labor Consultant Bill Borushko**, came before the Board and reviewed the contracts that had been negotiated with the Deputies and the Dispatchers. Mr. Borushko noted that the **Deputies contract** granted wage increases less than 2% per year, eliminated a MERS B4 window, implemented a B4 MERS plan, and included the current County insurance plan with an increase in employee participation. Motion by Commissioner Rhode, supported by Commissioner Carl, to approve the contract for the Deputies as presented. Ayes carried, motion passed.

**Mr. Borushko** then reviewed the contract reached with the Dispatchers, noting that wage increases were less than 2%, a B4 retirement plan was agreed upon with a moratorium until 2012, and the County health care program was approved with added language for splitting of any increase in costs. Motion by Commissioner Rhode, supported by Commissioner Reid, to approve the contract for the Dispatchers as presented. Ayes carried, motion passed.

**Mr. Borushko** also commented on the Court contract which was just approved – noting that his calculations showed a 9% increase in wages.

**Sheriff Shea** commented that he is signing agent to the two contracts just approved and that he has concerns with any possible changes that may have been made in “bumping” language and that he would like to review the contract language before he signs.

**Chairman Whittington reported:**

- On “The Love of Paws” Pet Food Drive.
- Communication from State Democratic Party – reading the Resolution urging the County Board to agree to fund the Court contract. Questions were raised as to why the State Democrat Party needs to “stick their nose” into the County’s business.
- Communication on court case being handled through MMRMA.

Sandy Walling, Zoning Administrator, came before the Board with four amendments to the Gladwin County Zoning Ordinance, as recommended by the Planning Commission. Ms. Walling gave a brief explanation of each amendment and presented the required resolutions to be considered:

The first amendment being a “**Rezone**” of a portion of property in **Grout Township**. Motion by Commissioner Carl, supported by Commissioner Posey, to adopt the Resolution approving the “rezone” in Grout Township. Roll call vote as follows: Commissioner Carl-yes, Rhode-yes, Reid-yes, Posey-yes, Hoag-yes, Whittington-yes and Walters-yes. Ayes carried, **Resolution #2008-32 declared adopted**. (Resolution attached)

*Comments were received from residents in attendance who were not happy with the new business (salvage and junk yard) going into the area being “rezoned” –noting that this type of business “de-values” their homes.*

Attention was then focused to the second recommendation being a **text amendment to Section 3, Table 6 of the Zoning Ordinance**. Motion by Commissioner Walters, supported by Commissioner Reid, to adopt the Resolution approving the recommended text amendment. Roll call vote as follows: Commissioner Rhode-yes, Reid-yes, Posey-yes, Hoag-yes, Whittington-yes, Walters-yes and Carl-yes. Ayes carried, **Resolution #2008-33 declared adopted**. (Resolution attached)

A second **text amendment to Section 6.1, a** was then addressed. This amendment would eliminate this section completely. Motion by Commissioner Reid, supported by Commissioner Posey, to adopt the Resolution approving this amendment. Roll call vote as follows: Commissioner Reid-yes, Posey-yes, Hoag-yes, Whittington-yes, Walters-yes, Carl-yes and Rhode-yes. Ayes carried, **Resolution #2008-34 declared adopted.** (Resolution attached).

A fourth recommendation was amendment to **Rezone from Business-1 to Residential-Farming a portion of Section 2 within Beaverton Township.** Commissioner Posey moved to adopt the Resolution approving the amendment, supported by Commissioner Hoag. Roll call vote as follows: Commissioner Posey-yes, Hoag-yes, Whittington-yes, Walters-yes, Carl-yes, Rhode-yes and Reid-yes. Ayes carried, **Resolution #2008-35 declared adopted.** (Resolution attached)

The Board then recessed for a short break. Recalled to order by Chairman Whittington.

County Treasurer Christy VanTiem presented names she had gathered to serve on the **Land Bank committee** and asked for Board approval of members as follows:

Christy VanTiem, County Treasurer  
Terry Walters, County Commissioner  
Bob Moffitt, Gladwin City Administrator  
Kerry Posey, Beaverton City Administrator  
Township Representative – *yet to be determined*  
Theresa Newman  
Thomas Hindman

Motion by Commissioner Rhode, supported by Commissioner Carl, to approve appointments as presented. Ayes carried, motion passed.

**Commissioner Reid reported:**

- On the ORV ordinance and the position of the County – noting that currently input is being sought from the townships and discussions ongoing with the Sheriff regarding enforcement issues. *Residents in attendance commented in favor of getting the ordinance in place.*  
**Sheriff Shea** commented on the need for budgeting of revenues and expenditures for enforcement as well as stressing the need for township feed-back and other issues to be addressed prior to adoption.
- On the Buildings and Grounds committee meeting –noting topics of discussion were the Health Dept. roof, a new jail kitchen stove, as well as cat walk lights for the jail.
- On the Data committee and discussions on the possibility of lowering the cap for purchases from \$500 to \$200 to get a better handle on equipment purchased and budgeting issues. *Commissioner Rhode noted that any purchase of electronic equipment should go to Data for review prior to purchase, regardless of cost.* It was also discussed that the recent Bay County emergency management exercise revealed the need to update our emergency management computers.

**Commissioner Walters reported:**

- That he had attended the Sept. 25<sup>th</sup> Lake Improvement meetings.
- On attending the Mid Michigan Mental Health meeting and current activities of that entity.
- That he had an emergency which prevented him from attending the Sage Township meeting.
- On the County Affairs committee meeting and discussions with the Judges regarding funding issues in the Judicial Management Fund and the need to meet the Courts' payroll expenses. It is felt that revenue received prior to year's end will be sufficient to cover payroll and expenses – but at this time there is a cash shortage. It is suggested that the dollars needed to meet payroll could be “borrowed” from the General Fund with the understanding that it would be paid back once revenues are received. Commissioner Walters then moved **that the County Clerk and Treasurer be authorized to establish “due to” and “due from” lines and make transfers from General Fund to the Judicial Management Fund as needed to cover payroll expenses, with the understanding that the General Fund will be repaid as revenues become available.** Motion supported by Commissioner Carl. Ayes carried, motion passed.
- On the Veterans Affairs meeting and that a building in the Clare area is still being sought for veterans' out-patient services. It was also noted that the County has lost another WWII veteran –Laurence Finney from Tobacco Twp.

**Commissioner Posey reported:**

- That on October 6<sup>th</sup> she attended the Grout Township meeting.
- On the Data Committee meeting of October 7<sup>th</sup>
- On attending the October 8<sup>th</sup> Gypsy Moth committee – noting that the counts are being concluded for the 2009 spray program.
- That on October 9<sup>th</sup> she had attended the County Affairs committee meeting
- On the Beaverton Township Board meeting of Oct. 13<sup>th</sup>.

**Joshua Farrell, Candidate for 80<sup>th</sup> District Court Judge**, spoke briefly on his campaign and thanked board members, as well as those present, for their time and support.

**Commissioner Carl reported:**

- On attending the Planning Commissioner meeting of October 1.
- That he had attended both the Butman Township meeting as well as the Clement Township meeting and on discussions had regarding EDC. That the townships questioned whether or not it was worth the moneys they were paying for EDC and what was going on with it. That Frank Starkweather had come to the townships and gave a report but with the number of politicians in attendance who were running for office and wanting time, that the boards did not comprehend Mr. Starkweathers presentation. That he had asked Butman and Clement to invite Mr. Starkweather back out so they could ask more direct questions about their concerns and give the issue of EDC the time it deserved before they voted to spend money on EDC. Commissioner Carl also commented that he had asked in different meetings to have EDC send notification of meetings to the townships and also to send the townships copies of the minutes from the EDC meeting. That the townships pay \$500 yearly to EDC and the county pays \$20,000, and without the involvement and participation of the townships EDC would not succeed. Commissioner Carl felt that if the townships were not sent notification of meetings and minutes then perhaps the county should reconsider participating in EDC.
- That in light of budgeting and contract matters, he feels a “hiring freeze” should be in place, and moved for the same. Motion supported by Commissioner Posey.

*Judge Evans noted that his law clerk has terminated and he has already offered the position to an applicant.*

*Sheriff Shea commented on his situation and that a “hiring freeze” would result in astronomical overtime costs.*

*Commissioner Reid noted that while he is not in favor of adding “new” positions, he would like to maintain “status quo” on the current number of employees.*

Discussion. Motion and support were withdrawn.

**Commissioner Hoag reported:**

- That health issues prevented him from attending several committee meetings.
- On October 13<sup>th</sup> he attended the Tobacco Township meeting and reported that they are currently establishing a special assessment district for weed control.
- That he attended the October 7<sup>th</sup> Data Committee meeting.

**Commissioner Rhode reported:**

- On insurance meetings scheduled by Cadillac Insurance as well as MAC, and requested permission to attend both meeting. Motion by Commissioner Carl, supported by Commissioner Hoag, to allow attendance as requested. Ayes carried, motion passed.
- That on Sept. 24<sup>th</sup> he had attended the Budget meeting as well as the C. Mi. District Health Board meeting.
- On Sept. 25<sup>th</sup> he attended the Council on Aging.
- On attending the E. C. Planning and Development meeting in Standish on Sept. 26<sup>th</sup>.
- On the Health Dept. meeting held in Mt. Pleasant on October 1<sup>st</sup>.
- On the October 8<sup>th</sup> EDC meeting – noting that EDC would possibly join with five other counties for grant applications for Brownfield Development.
- That he had attended the County Affairs committee meeting on Oct. 9<sup>th</sup>.
- On the Finance meeting of October 10<sup>th</sup> and matter before finance as follows:

1. Maintenance Supervisor Rick Ghent has requested transfer to accommodate **two projects in the jail area (catwalk lighting & tiling)** as follows:

101-265-930.0	\$6300.00
101-265-933.0	200.00
101-265-930.001	\$6500.00

Motion by Commissioner Rhode, supported by Commissioner Reid, to approve transfer as requested. Ayes carried, motion passed.

2. Jail Administrator Judd Eastman has submitted a request to purchase a **new stove for the jail kitchen** and presented price quotes as follows: **Sysco \$3756.24**, Central Restaurant Products \$3841.80, Culinary Products \$5422.00 and Stafford-Smith \$5569.24. The committee is recommending purchase from Sysco with the following transfer to accommodate payment:

101-351-727.01	\$500.00
101-351-975.01	\$500.00

Motion by Commissioner Rhode, supported by Commissioner Reid, to approve payment from Sysco at \$3756.24 and authorize the transfer as noted. Ayes carried, motion passed.

**Commissioner Rhode continued reporting on matters before finance:**

3. Request has been received from court Administrator Darrell Schlese requesting **additional appropriation of \$60,000 for the 292 Child Care Fund.** Commissioner Rhode noted that the County has no recourse but to pay the Child Care bills, and moved to make the appropriation from General Fund to 292 Child Care as requested. Motion supported by Commissioner Walters. Ayes carried, motion passed.
4. Computation has been received on the difference in court insurance costs from the old plan, which employees have been on, to the new contract plan for the months of Sept. & October. As agreed previously the difference amount of **\$13,239.58** should be **transferred from General Fund to the 231 Court Fund.** Motion by Commissioner Rhode, supported by Commissioner Walters, to make the transfer as agreed. Ayes carried, motion passed.
5. **Bev Przystas, Extension Director,** has requested authorization to attend the MSU Extension Fall Conference in Detroit, with costs to be paid from 101-257-860.000. Motion by Commissioner Rhode, supported by Commissioner Posey, to allow attendance with payment as noted. Ayes carried, motion passed.
6. The **Bar dues billing of \$375.00** for October 2008 – September 2009, for **Prosecuting Attorney Mary Hess** was reviewed by the committee. The committee is recommending that Ms. Hess receive a check for a pro-rated portion of \$93.75 covering the 3 months she will still be in office. Ms. Hess would then be responsible for payment of the remainder of the bill. Commissioner Rhode then moved to pay the pro-rated portion of \$93.75 as recommended by the committee. No support to the motion. Motion by Commissioner Hoag, supported by Commissioner Posey, to pay the total \$375.00 Bar dues for Ms. Hess. Ayes carried, motion passed. Commissioners Whittington and Rhode voting no.
7. **Ron Taylor, Animal Control,** met with members of the Budget Committee with a proposal to increase revenue for 2009. Mr. Taylor would like to **begin the County's dog census on April 1, 2009** and raise the payment to persons doing the census to \$2.00 per dog. Discussion. Motion by Commissioner Rhode, supported by Commissioner Reid, to allow the census to begin on April 1, 2009 **with payment at \$2.00 per dog.** Ayes carried, motion passed.

**Commissioner Reid** commented on the difficult task of the Budget committee and the hard decisions being made for the 2009 budget, such as cutting staff and making other cost savings cuts to reach a workable / balanced budget – and yet they (Commissioner's) have to take time to deal with the small matters such as the bar dues issue, which only serve to complicate the whole picture.

**PUBLIC COMMENTS:** none

Commissioner Hoag moved to receive and file the various reports and correspondence, supported by Commissioner Carl. Ayes carried, motion passed.

Commissioner Hoag then moved to adjourn, supported by Commissioner Walters. Ayes carried, meeting adjourned at 11:05 a.m. until October 28, 2008 unless otherwise ordered.

Laura Flach  
Clerk

Terry Whittington  
Chairman