

## Commissioner's Minutes of February 26, 2008

The Gladwin County Board of Commissioners met in regular session on Tuesday, February 26, 2008. Chairman Whittington called the meeting to order at 9 a.m. and the Pledge of Allegiance was recited. Roll call found all Commissioners present.

**Agenda-** Chairman Whittington noted that the appointment for the vacant Commissioner position would be handled during Commissioner Rhode's report.

The **minutes of February 12, 2008** were then considered. Commissioner Rhode noted that on page 4 the 1<sup>st</sup> matter under Finance should be amended by adding that no recalculations will be done "by Maximus". Motion by Commissioner Reid, supported by Commissioner Carl to approve the minutes as amended. Ayes carried, motion carried.

The **semi-monthly Finance Report** totaling \$93,898.94 was then reviewed. Motion by Commissioner Rhode, supported by Commissioner Reid, to authorize payment as presented. Ayes carried, motion passed.

### **PUBLIC COMMENTS:**

**Jan Stewart**, Solid Waste Committee, reported on recycling activities and the last committee meeting.

Chairman Whittington then called the Boards attention to two proposed resolutions that were held from the February 12, 2008 meeting.

Commissioner Reid then moved for adoption of the proposed **RESOLUTION TO ENCOURAGE SUPPORT FOR THE PASSAGE OF HOUSE BILL 4323 OF 2007**. Motion supported by Commissioner Carl.

*Commissioner Carl commented on the issue of allowing ORV's on County Roads - that he had made copies of Rep. Sheltroun's letter as well as the Resolution SB 4323 and gave copies of these documents to each Board member for the townships they represent. The townships did not object with the stipulation that they be a part of the decision making process, especially with regards to which roads ORV'S would be permitted to travel on. Further noting that he supports the townships and believes that they should be part of the decision making process and if it is the consensus of this board-- he would support adopting SB 4323*

*Commissioner Carl continued --noting that State Rep. Tim Moore had attended the Gladwin Township meeting and this matter was addressed. Rep. Moore mentioned that he was one of the co-sponsors of the bill and told those at the meeting that they would be part of the decision making process. Commissioner Carl also related that he had contacted twelve business owners -10 in his district and 2 who were outside his district, and that 11 of the 12 were very much in favor of the resolution--stating they felt it would improve their business. One business owner did not feel that it would benefit them as they close in the winter months, but felt it may help other businesses. Concern was also voiced --that it would be hard for law enforcement to patrol and enforce.*

Roll call vote as follows: Commissioner Carl-yes, Rhode-yes, Reid-yes, Posey-yes, Hoag-yes and Whittington-yes. Ayes carried, **Resolution #2008-04 declared adopted.** (copy attached)

Commissioner Rhode then moved to follow actions of Kankaska County and adopt a resolution for “Common Water Use”, motion supported by Commissioner Hoag. Roll call vote as follows: Commissioner Rhode-yes, Reid-no, Posey-no, Hoag-yes, Whittington-yes and Carl-no. Tie vote, motion fails.

**Chairman Whittington then reported:**

- On communication received from Region VII Area Agency on Aging
- On the card received from Josh Farrell, candidate for 80<sup>th</sup> District Judge, thanking the Board for the opportunity to speak to them at the Feb. 12th meeting.
- That Financial Statement from the Department of Human Services had been received and place on file for any to review, if they chose.

**Gina Conrad, Gypsy Moth Coordinator**, came before the Board with the results of the Aerial Applicator Bids. Ms. Conrad noted that the committee had met and is recommending that the bid be awarded to Hatfield Spraying Service, the low bidder at \$18.23 per acre. Discussion. Motion by Commissioner Posey, supported by Commissioner Reid to accept the committee recommendation and award the bid to Hatfield. Ayes carried, motion passed.

Commissioner Hoag then moved that the Chair be authorized to sign the necessary spraying contracts. Motion supported by Commissioner Rhode. Ayes carried, motion passed.

**Chairman Whittington** then reported on Airport activities and the appointment of Mike Hargrave as Interim Director.

Sandy Walling, Zoning Administrator, came before the Board with a proposed **Zoning Ordinance Revision** –changing designation of a parcel in Grout Township from Residential-Farming to Local Business. Ms. Walling noted that all notices and hearings had been had and it was now ready for consideration by the Board. Motion by Commissioner Hoag, supported by Commissioner Carl, to adopt the resolution with the effective date of February 27, 2008. Roll call vote as follows: Commissioner Reid-yes, Posey-yes, Hoag-yes, Whittington-yes, Carl-yes, and Rhode-yes. Ayes carried, **Resolution #2008-05 is adopted.** (copy attached)

**DNR Officer, Sgt. Morris** spoke regarding the ORV ordinance and concerns had by his Department.

**Sheriff Shea** also commented regarding the recent legislation on HB 4323 and the policing aspect of ORV operations.

**Mark Soldan**, Road Commission Manager, also spoke on the Road Commission concerns with 4323.

All entities were assured that they would be consulted before any future actions would be taken regarding ORV use within the County.

The County Treasurer then came before the Board with her annual **Resolution to Borrow Against Anticipated Delinquent 2007 Real Property Taxes**. Motion by Commissioner Rhode, supported by Commissioner Posey, to adopt the resolution as presented. Roll call vote as follows: Commissioner Posey-yes, Hoag-yes, Whittington-yes, Carl-yes, Rhode-yes, and Reid-yes. Ayes carried, Resolution #2008-06 declared adopted. (Resolution attached)

Bev Przystas, MSU Extension, reported that the new “Guide to Michigan Government” is out and she has several copies for sale at \$35.00.

**Frank Starkweather, EDC Director**, came before the Board with a proposed resolution **adopting the Economic Development Report/Lackey Report and the EDC Director’s “Formation of Committees” as the official Gladwin County Economic Development Plan**. Motion by Commissioner Rhode, supported by Commissioner Reid, to adopt the resolution as presented. Roll call vote as follows: Commissioner Hoag-yes, Whittington-yes, Carl-yes, Rhode-yes, Reid-yes and Posey-yes. Ayes carried, Resolution #2008-07 is declared adopted. (Resolution attached)

**Lori Ware, Council on Aging**, came before the Board with two proposals –requesting that they be approved to appear on the August ballot. Ms. Ware explained the first for “up to ½ mill” for Senior Services, which is a continuation of a current tax and the second for “up to ½ mill” for Public Transportation. Discussion was had regarding the difference “renewal” and “continuation” –in one instance the current tax has already expired and voters are asked to approve it again, and in the other instance the current approved millage has not yet expired and voters will be asked to continue it. Motion by Commissioner Rhode, supported by Commissioner Carl, to approve placement of the questions on the August ballot as requested. Roll call vote as follows: Commissioner Whittington-yes, Carl-yes, Rhode-yes, Reid-yes, Posey-yes and Hoag-yes. Ayes carried, motion passed.

**Katy Becker, Gladwin City Housing Commission**, came before the Board and spoke on the County Homeowner Rehabilitation Program along with updated reports on projects that have been addressed. Ms. Becker requested that the Board formally designate her as the Certifying Officer for the county rehabilitation grant #HRF-2007-0496. Motion by Commissioner Reid, supported by Commissioner Rhode, that Ms. Becker be designated as noted. Ayes carried, motion passed.

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

**Chairman Whittington** noted that as there seems to be many in attendance specifically for the **appointment to the vacant Commission seat** – the Board would take up that matter.

**Commissioner Rhode** commented that communications had been sent to both Sherman and Sage Townships seeking input—that five people had expressed interest, and based on information received, he would move **that Marti Miller be appointed** to fill the vacancy. Motion supported by Commissioner Whittington. Roll call vote as follows: Commissioner Carl-no, Rhode-yes, Reid-no, Posey-no, Hoag-no and Whittington-yes. 2 yes and 4 no - **motion fails**.

**Commissioner Posey** then moved that **Larry Byam of Sherman Township be appointed** to fill the vacancy. Motion supported by Commissioner Carl. Roll call vote as follows: Commissioner Rhode-no, Reid-no, Posey-yes, Hoag-yes, Whittington-no and Carl-yes. Tie vote – **motion fails**.

**Commissioner Reid** then moved **that Terry Walters be appointed** to fill the vacancy. Motion supported by Commissioner Hoag. Roll call vote as follows: Commissioner Reid-yes, Posey-no, Hoag-yes, Whittington-no, Carl-no and Rhode-no. 2 yes and 4 no – **motion fails**.

As there were no further motions on filling the vacancy – the matter was set aside and the meeting continued with agenda matters.

Frank Starkweather introduced **Jim Linton of AKT Peerless Environmental Services**, who spoke to the Board regarding “Brownfield Basics” and the advantages of having a Brownfield authority. Mr. Linton reviewed the steps for setting up a Brownfield Authority – requirements of the County Board along with necessary hearings and publications. Discussion.

**Mike Brubaker, 911 Administrator**, then addressed the Board on 911 services. Mr. Brubaker presented two resolutions for the Boards consideration:

Commissioner Hoag moved to approve and adopt the **Resolution to Adopt Monthly 9-1-1 Surcharge within Gladwin County**. Motion supported by Commissioner Rhode. Roll call vote as follows: Commissioner Posey-yes, Hoag-yes, Whittington-yes, Carl-yes, Rhode-yes and Reid-yes. Ayes carried, Resolution #2008-08 declared adopted. (Resolution attached).

Commissioner Hoag then moved to approve and adopt the **Resolution to Amend the Gladwin County Final 9-1-1 Service Plan**. Motion supported by Commissioner Reid. Roll call vote as follows: Commissioner Hoag-yes, Whittington-yes, Carl-yes, Rhode-yes, Reid-yes, and Posey-yes. Ayes carried, Resolution #2008-09 is declared adopted. (Resolution attached).

**Chairman Whittington** then noted that the Veterans Affairs – Persian Gulf appointment had expired – and with the Board approval re-appointed George Alward to that position.

**Commissioner Posey reported:**

- That this had been a rather slow two week period – but she had attended the Fair Board meeting on February 19<sup>th</sup>.

**Commissioner Hoag reported:**

- That he had attended the Public Safety committee meeting on February 22<sup>nd</sup>.
- On the Walk for Warmth held on February 23.
- That he had met with Beaverton City Administrator Kerry Posey regarding industry in the City of Beaverton.
- That he had also had a short meeting with the new Beaverton City Councilman John Stenger.

**Commissioner Carl reported:**

- That on Feb. 12 he had attended the Bourret Township meeting
- On Feb. 13 he attended the Clement Township meeting
- On attending the Personnel committee meeting on Feb. 14<sup>th</sup>, Butman Township meeting the evening of the 14<sup>th</sup>, and then another personnel committee meeting on the 18<sup>th</sup>.
- That on Feb. 20<sup>th</sup> he had attended the Gladwin Township meeting
- On Feb. 25<sup>th</sup> he had also attended the Council of Local Government meeting held in Beaverton Township.
- On attending the Buildings and Grounds meeting on the 25<sup>th</sup> of February and the Council of Local Government meeting that evening.
- Regarding his feelings on the Commission vacancy –stating that he did not feel it would be right to pass the costs of a special election on to the townships because of the Board failing to make an appointment. Commissioner Carl noted that the Board has issues to deal with and needed a full board to do so. Further stating that he feels that members should revisit this issue and consider the qualifications of the candidates again, that this is an appointment until the next election and it is his feeling that the board needs to do their job and make an appointment – and asked that further consideration be given to this matter before adjourning this meeting.

**Commissioner Reid reported:**

- That on Feb. 13 he attended the Airport board meeting
- On Feb. 14 he had attended the Hay Township Board meeting – noting that a new clerk had been appointed.
- That on Feb. 21 he had attended Public Safety and Building and Grounds committee meetings. Matters addressed there being car requests of Don Spencer Asst. Friend of the Court, use of the MSU office space for evening meetings and the air quality testing results.
- On software that had been granted to Court Reporter Donna Dobson as part of her retirement package – noting that the software was no longer needed or used by the County – but a signature was required to release the software from County license to Ms. Dobson. Motion by Commissioner Reid, supported by Commissioner Hoag, for the necessary documents to be signed releasing the software as explained. Ayes carried, motion passed.

**Commissioner Rhode reported:**

- On Feb. 12<sup>th</sup> he attended the City Housing Commissioner meeting
- On Feb. 13 he attended the EDC meeting held in Beaverton
- That he had also attended Personnel committee meetings on Feb. 14<sup>th</sup> and 18<sup>th</sup>.
- On Feb. 28<sup>th</sup> he attended the City Council meeting
- That on Feb. 19<sup>th</sup> he attended the Human Services meeting
- On Feb. 20<sup>th</sup> he attended the C. Michigan Health Finance meeting in Mt. Pleasant
- That on Feb. 25<sup>th</sup> he had attended the Finance committee meeting.
- On matters before Finance:
  1. That Friday, February 29<sup>th</sup>, is the last day to make adjustments, or pay bills from the 2007 budget and that a motion is needed to allow the County Clerk and Treasurer to make any over expense and/or over revenue budget amendments to the 2007 budget as well as pay any expenses that may have occurred. Motion by Commissioner Rhode, supported by Commissioner Posey, to allow the Clerk and Treasurer to proceed as stated. Ayes carried, motion passed.

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

2. That County Clerk Laura Flach has requested to renew her license agreement for “Petitions On Demand” software at cost of \$149.00 to be paid from 101-191-727.000. Motion by Commissioner Rhode, supported by Commissioner Hoag, to allow renewal as noted. Ayes carried, motion passed.
3. That the Sheriff’s Department is need of a new line item for State and FBI fingerprint fees – line #101-000-624.004 will be established upon Board approval. Motion by Commissioner Rhode, supported by Commissioner Posey, to establish the line as requested. Ayes carried, motion passed.
4. That Mike Brubaker, 911 Administrator, has requested to enter into a maintenance agreement for system and software upgrades with Radio North. The total cost of \$25,800.00 to be billed monthly at \$2,150.00 per month from line 282-000-933.000. It was noted that Radio North has offered a 5% discount if the entire amount is paid in one lump sum—or \$24,510.00. Motion by Commissioner Rhode, supported by Commissioner Reid, to allow the maintenance agreement with lump sum payment. Ayes carried, motion passed.
5. That Undersheriff Ray Hartwell has submitted request for new deputy Robert Doyle to attend interview and interrogation training April 29 – May 1 in Petoskey. While cost of the training is covered under our agreement with Kirtland – the lodging cost of \$140.20 would be shared with a Beaverton City officer --\$70.20 would be reimbursed to Beaverton City from 101-301-804.000. Motion by Commissioner Rhode, supported by Commissioner Carl, to allow attendance with lodging paid as noted. Ayes carried, motion passed.
6. That Undersheriff Hartwell has also requested authorization to register Deputy Townsend for Firearms training April 21-22 at Camp Grayling. The \$50.00 training cost covering lodging and meals would be paid from 101-301-804.000. Motion by Commissioner Rhode, supported by Commissioner Reid, to approve attendance with payment as noted. Ayes carried, motion passed.

Discussions were then continued regarding an appointment to fill the vacant Commission seat. Several Commissioners commenting on their concerns, qualifications of the applicants, along with communications of support that were received.

Sherman Township resident Jean Taylor spoke on concerns that they have regarding who would be appointed. Mrs. Taylor noted that Mr. Walters is a Vietnam veteran and they would like to see him receive the appointment.

Sage Township resident Clarence Cremeans stated that he feels both townships should have a voice about who is appointed. *Commissioner Rhode replied that both Townships were contacted and several board members had communicated their support for certain candidates.* Mr. Cremeans, when asked, stated that he would support appointment of Mr. Walters.

**Commissioner Reid** then moved **that Terry Walters be appointed to fill the vacancy.** Motion supported by Commissioner Posey. Roll call vote as follows: Commissioner Carl-yes, Rhode-no, Reid-yes, Posey-yes, Hoag-yes and Whittington-no. 4 yes and 2 no –**Mr. Walters is appointed to fill the vacant term expiring December 31, 2008,** and will be sworn in by the Clerk before assuming his duties.

Discussion was then had regarding committee appointments. Chairman Whittington stated that he would be speaking with Mr. Walters before making committee adjustments, however since there are immediate issues for County Affairs – Commissioner Hoag will serve as temporary chair of that committee and Commissioner Walters will be placed on that committee..

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

Commissioner Hoag then moved to adjourn, supported by Commissioner Reid. Ayes carried, meeting adjourned until March 11, 2008 unless otherwise ordered.

Laura Flach  
Clerk

Terry Whittington  
Chairman