

Commissioner Minutes of February 27, 2007

The Gladwin County Board of Commissioners met in regular session on Tuesday, February 27, 2007. 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 – there were no corrections or additions.

The **minutes of February 13, 2007** were then reviewed. Commissioner Reid noted that on his report on page 5 the word “committee” should be stricken, and then moved for adoption of the minutes. Motion supported by Commissioner Rhode. Ayes carried, motion passed.

The **semi-monthly Finance Report** totaling \$101,941.87 was then reviewed. Motion by Commissioner Rhode, supported by Commissioner Reid, to approve for payment as presented. Ayes carried, motion passed.

PUBLIC COMMENTS

Karen Eighmy, informed the Board that she was no longer working with “Voices for Animals”.

Tom Risch, Bentley Township, thanked Board members and Chairman Whittington for looking into ambulance service questions.

Chairman Whittington reported:

- Communication from Midland County Housing Commission regarding a presentation to be held on 911 issues.
- On a request submitted by Bob DUBY, Emergency Management Coordinator, for authorization to sign agreements for emergency shelters, with the stipulation that should there be changes they would first be brought to the board. Discussion. Motion by Commissioner Reid, supported by Commissioner Posey, to approve authorization as requested. Ayes carried, motion passed.
- Notice from MMRMA on the scheduled Regional Jail Workshops.
- On communication from POLC requesting the splitting of the Deputy and Dispatchers unit into to separate contracts. Discussion. Commissioner Rhode moved that the request be denied, and that the unit remain as is. Motion supported by Commissioner Posey. Ayes carried, motion passed.

Chairman Whittington continued reporting:

- On the Michigan Emergency Management Assistance Compact as mentioned by Lt. Partridge, at the last meeting. Motion by Commissioner Rhode, supported by Commissioner Reid, to adopt the Authorizing Resolution for Michigan Emergency Management Assistance Compact. Roll call vote as follows: Commissioner Hargrave-yes, Carl-yes, Rhode-yes, Reid-yes, Posey-yes, Hoag-yes, and Whittington-yes. Ayes carried, Resolution #2007-8 declared adopted. (Resolution attached)

Mr. Robert McReavy came before the Board and spoke regarding the mass clear-cutting of timber by the DNR and the effect it's having on Michigan's deer herd population. Mr. McReavy noted that petitions are being circulated to regulate the cutting and commented on the importance of counties joining in coalition to get the message to legislators.

Roscommon County Commissioner Ed Nellis also spoke, informing members that Roscommon County has joined this effort to stop the mass clear-cutting which is a economic boost to the DNR but disastrous to wildlife- partridge, deer etc.

Ron Easterly, a Houghton Lake area resident, showed pictures of recent clear-cutting activity and related work being done with Representative Joel Sheltroun and other legislators. Mr. Easterly noted that clear-cuts used to be done in 10 acre parcels and are now done in 90 to 100 acre parcels, he asked that the County help in their endeavors in this area.

Mike Thompson, Roscommon County resident, commented on the pictures and editorial he had placed in the Gladwin paper and the large number of comments that he had received. Mr. Thompson noted that as the area becomes less desirable to visit – the County will lose tourist dollars.

Commissioner Hoag moved that the County go on record in support of the efforts of these concerned citizens. Motion supported by Commissioner Carl. Discussion. Motion and support withdrawn, with the matter addressed by County Affairs Committee who will bring recommendation and/or formulate a response.

Chairman Whittington continued reporting:

- On the invitation received for the Retirement Celebration for Dennis Vannest, to be held March 23rd.
- On communication from E. C. Mi. Planning and Development.
- On receipt of the Council on Aging First Quarter Performance Analysis.
- On notice of the “We Care” committee of Gladwin Housing Commission's Chili Cook off.
- On notice of the MSU County Budget and Finance Workshops.

Commissioner Hargrave reported

- That on Feb. 14th he attended the Sage Township Board meeting.
- On Feb. 20th he attended the Sherman Township and issues that were discussed at that meeting.
- On the Feb. 22nd Public Safety committee meeting
- On the Feb. 26th Veterans Affairs meeting and items addressed.
- That on Feb. 26th he had attended the Council of Local Government meeting.

Commissioner Carl reported:

- That he had attended the Gladwin Township meeting, as well as the Clement, Bourret and Butman meetings.
- That he also had attended the Council of Local Government meeting
- That he had attended several committee meetings.
- That he had received questions by several townships regarding the maintenance fees charged by Equalization. Discussion.

Commissioner Reid reported:

- On the Feb. 14th EDC meeting, noting that there were 28 in attendance. It was noted that the committee is looking at goals to stimulate economic growth within our community.
- That on Feb. 21st he attended the Secord Township meeting, and commented on items addressed at that meeting.
- On the February 22nd Bldg. & Grounds and Public Safety committee meetings and items of discussion at each. Comments were made specifically on jail overcrowding and how Gladwin will deal with these problems.
- That Attorney Kaltenbach had replied to the EMS questions put forth by Bentley Township.
- That the committee had also asked that Attorney Kaltenbach look into the sale of Chappel Dam properties, but no reply has been received.

Commissioner Posey reported:

- That on Feb. 21st she had attended the Dept. Head meeting.
- That on Feb. 22nd the Gypsy Moth committee had the bid opening for this years spraying. Low bid of \$16.68 was submitted by Maurice's Flying Service. Motion by Commissioner Posey, supported by Commissioner Hoag, to accept the low bid. Ayes carried, motion passed. Commissioner Posey also noted that authorization was necessary for the Chairman to sign the contracts when presented, and moved to grant permission. Motion supported by Commissioner Hoag. Ayes carried, motion passed.
- That she had attended the finance committee meeting and that her rotation there is now completed.
- That she also attended the Council of Local Government meeting, noting that Commissioner Hargrave is the new secretary and she the new treasurer of the organization.
- That she will be meeting with the Library Board this evening (Feb. 27th) and commented that the whole matter of the indirect costs and the Beaverton Library deed needs to be completed. Commissioner Posey then moved to offer settlement-- that if the District Library pays the indirect cost billing for 2004 in the amount of \$46,815.00, the County will then issue clear deed to the Beaverton Branch property. Motion supported by Commissioner Hargrave. Discussion. Roll call vote as follows: Commissioner Carl-yes, Rhode-yes, Reid-yes, Posey-yes, Hoag-yes, Whittington-no and Hargrave-yes. Ayes carried, motion passed. Offer will be extended.

Commissioner Hoag reported:

- On attending the 911 meeting of Feb. 22nd.
- That he had also attended the Public Safety committee meeting on Feb. 22nd.
- That he had not been able to attend the Beaverton City Council meeting because of illness.

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

Commissioner Rhode reported:

- On the upcoming budget workshops offered through MSU and moved that any commissioner wishing to attend, may be allowed to. Motion supported by Commissioner Carl. Ayes carried motion passed.
- That he also had attended the EDC meeting on Feb. 14th.
- On the Feb. 14th Personnel committee meeting held with the Judges regarding staffing and new office space. It was noted that the committee feels that space offered by the County with computer and phone lines already available, is sufficient.
- On attending the Health Dept. meeting on Feb. 16th.
- On the Fair Board meeting held on Feb. 20th.
- That he had attended the Gladwin Township Board meeting on Feb. 21st.
- On attending the Finance committee meeting of Feb. 23rd.
- On matters before Finance as follows:
 1. That Mike Brubaker, 911 Director, has requested the Board's permission to order new 911 consoles at a total cost of \$28,631.00, which will clear the balance currently owed to the County by Radio North. This cost covers the IT labor to tear down and re-set the stations currently in place. Motion by Commissioner Rhode, supported by Commissioner Carl, approve as presented. Discussion. Commissioner Hoag voicing concerns regarding and audit trail and if these dollars belong to the County, they should be returned. Other discussion regarding the need for new consoles and what will happen to the ones currently in use. Ayes carried, motion passed.
 2. That Undersheriff Hartwell has requested permission to sell patrol unit #26-7. This vehicle has been used for a training car and requires approximately \$800.00 in repairs to brakes and steering. Motion by Commissioner Rhode, supported by Commissioner Reid, to approve sale as requested. Ayes carried, motion passed.
 3. That Undersheriff Hartwell has also submitted request to send four (4) deputies to training at Delta College. The cost of \$100.00 -\$25.00 each, to be paid from 101-301-804.000. Motion by Commissioner Rhode, supported by Commissioner Posey, to allow training as requested. Ayes carried, motion passed.

Commissioner Rhode continued reporting on matters before finance:

4. On budget amendments necessary to accommodate the final payment due to the EDC facilitator for her services

244-00-801.01.1.1 \$2425.00

244-00-969.01.1.1 \$2425.00

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

5. On holiday hours that are continually worked by the Kitchen Manager, who falls under the Non-Union Benefits Schedule. It is the committee's observation that circumstances do not require Ms. Wuelfing to work on holidays and it is the committee recommendation that Ms. Wuelfing observe holidays set forth in the schedule and make use of the part-time staff members that she supervises. It is also the committee recommendation that should Ms. Wuelfing elect to work holidays – she be compensated only at straight time pay. Motion by Commissioner Rhode that the recommendation of the committee be adopted as official direction of the Board. Motion supported by Commissioner Hoag. Ayes carried, motion passed.

Sheriff Shea commented on the holiday issue and problems that could cost the county more dollars in the long run.

Christy VanTiem County Treasurer commented on the Gladwin City DDA issues, and the “over – capture” by the City. The City will make reimbursement to the County for funds agreed upon.

Gina Conrad, Gypsy Moth Coordinator commented on the progress of GIS and townships now being worked on now.

Chairman Whittington commented on discussions had at the Dept. Head meeting regarding mileage rates (County now pays 41 and state pays 48.5) Motion by Commissioner Rhode, supported by Commissioner Carl, to leave the County rate at \$.41 per mile. Ayes carried, motion passed.

Financial Coordinator Laura Brandon reminded the Board that Feb. 28th is the last day for 2006 accruals and also noted that the auditors would be in the first two weeks of April. Ms. Brandon also spoke on status of the current budget, reminding the board that we started the year with a \$50,000.00 contingency and that currently there is only \$38,000.00 remaining.

General discussion was had on various issues of concern.

Chairman Whittington commented on the E-mail notices to Dept. heads regarding the importance of employee evaluations and the need to do them. It was noted that employee evaluations should stay with the respective departments.

Commissioner Reid commented on the jail population reports and the need for some type of rehabilitation area to alleviate jail over-crowding. Sheriff Shea spoke on current over-crowding situation.

Discussions on NIMS compliancy.

Tom Evans, Circuit Court Judge came before the Board and addressed the Board regarding the **request of Deb Primeau to be paid out for 5 days of unused vacation time.** Judge Evans noted that last year Ms. Primeau had been paid for unused vacation and also that in the past the District Court Magistrate has been paid for unused vacation time. **Judge asked that the County authorize payment to Ms. Primeau.**

Commissioner Hargrave commented that it is his feeling that payment should be made now and these matters then negotiated in the future. Motion by Commissioner Hargrave, support by Commissioner Posey, to authorize payment as requested. Discussion.

Commissioner Hargrave commented that it's not fair to treat people differently because they're union or non-union – that all should be treated the same. Court Administrator Darrell Schlese noted that County Benefit policy does not include “courts” because “court” employees, whether union or not, all follow benefits of the court union employees. Commissioner Rhode stated that he feels if you're paid by the County you should be considered a county employee. **Ayes carried, motion passed.** Commissioner Rhode voting no.

Judge Evans, then spoke to the topic of an office for Judge Mienk.

Judge Evans stated that he had initially requested the space currently occupied by the IT person from the Bldg. & Grounds committee. Several meetings have been had with the Bldg. & Grounds committee since regarding the office space – Mr. Frei indicates (to the Judge) that he could be moved within 48 hours.

It was further stated that a “tentative” agreement had been reached giving Mr. Frei the law library space and leaving Mr. Frei's workspace free for Judge Mienk and his secretary.

It was his understanding (Judge Evans') that Judge Mienk would move into Mr. Frei's space or into the law library space with the understanding that a window would be installed in that room.

The court proceeded in good faith to empty out the law library and now is here before the board seeking a decision as to which of those two offices would be allocated to Judge Mienk.

Judge Evans requested that the Board allocate \$12,000.00 for needed renovations, noting that if it is the law library area is designated - more dollars would have to be allocated as a window would need to be cut into the outside “load-bearing” wall.

Judge Evans also requested that Commissioner Reid be a point person to coordinate with the Judges to bring the renovation project in at the lowest cost for the county.

Commissioner Hargrave questioned why the offices at the east end of the hall are not being addressed as those could be used.

Judge Mienk replied that he needs a secretary and a law clerk, the same as Judge Evans -- that each Judge needs three offices. Judge Mienk pointed out that currently Judge Evans uses three of the four office spaces at the east end of the building, and that two more spaces are required to meet his needs.

Judge Mienk noted that he would be addressing additional office space with Clare County in the future.

Commenting that he would be bringing his own office furniture to the Gladwin Office, Judge Mienk noted that furniture would need to be provided for the secretary, pointing out that the County has allocated \$93,000.00 in Capital Outlay and the Court is only asking for \$12,000.00 of that.

Commissioner Rhode noted that while there is \$93,000.00 in Capital Outlay, it is all allocated to other areas – with only \$1,500.00 specified for Court Capital Outlay.

Chairman Whittington noted that his conversations with Clare County reveal that they will not contribute any dollars to an office project here in Gladwin County. Chairman Whittington also questioned the Judge as to why Gladwin County should be responsible for supplying offices for two Judges, when they serve both counties.

Judge Mienk replied that the county in which the judge resides is usually where they have offices, and that both he and Judge Evans reside in Gladwin County

Chairman Whittington stated that he feels the Judges' have obligation to the people of this County, to do the best they can with the dollars available and that if there were nothing available—then the Court would have an issue, but that he (Whittington) really has a problem with Gladwin County having to pick up the cost and provide all the space for both Judges. Further stating that it seems our one judge position has now grown to three.

Commissioner Carl questioned that he recalled the amount requested in committee was \$10,000.00, and now it's \$12,000.00?

Judge Evans feels that \$10,000.00 would be sufficient for Mr. Frei's space but \$12,000.00 is more realistic if the law library space is used.

Judge Evans also commented on jail overcrowding and his feeling that if the system can get up and running – matters can be processed more quickly and ease this situation.

Judge Evans continued that today they are just asking for the Board's decision regarding space to allow the court to function properly.

Commissioner Reid related that the Committee was undecided on the office question -- so there was no actual recommendation, but that he would throw out some options:

- Rough estimates for renovation of Bob Frei's office – about \$12,000.00
- That we are bettering the County Bldg.
- That unfortunately Clare County is not going to help us.
- That we have to pick our battles and that he feels Bob Frei's office is the most economical way to go.

Commissioner Hoag moved to have Mr. Frei vacate and that the office space be given to Judge Mienk and that \$12,000.00 be allocated for renovation, to be taken from contingency. Commissioner Carl stated that he feels the matter needs to be put to bed and in light of that, he would support the motion. Discussion. Roll call vote: Commissioner Rhode-no, Reid-yes, Posey-yes, Hoag-yes, Whittington-no, Hargrave-yes and Carl-yes. Ayes carried, motion passes.

Chairman Whittington cautioned the Board that two situations have been addressed today and the Board in essence has “bought” their way out of them. In light of the budget he feels that situations really need to be looked at, cautioning that we are only two months into the New Year and our contingency is now down to about \$26,000.00.

Commissioner Carl stated that he respected Chairman Whittington's opinion on the issues just voted on, but he did not appreciate the chairman chastising or categorizing the Commissioners on how they voted by the comment “bought their way out”. That the issue of giving Judge Mienk a room had been a roller coaster ride with differences of opinion between the judges and commissioners and also in committee. Stating further that he was a member of the Personnel and Bldg. & Grounds committees and that one committee was against giving Judge Mienk a particular room and the other in favor of giving Judge Mienk a choice of two rooms –either Bob Frei's room or the Law Library room. Noting that he felt the Law Library was prohibitive because it would cost up to \$2000 just to have an architect give an opinion on installing a window in the outside wall, pointed out that Commissioner Whittington had even agreed to using the Law Library or Bob Frei's office and now had voted against the motion to give Judge Mienk one of those two offices and the monies to prepare it. Commissioner Carl went on to note that though the Library motion passed by a 6-1 vote and the motion of giving Judge Mienk Bob Frei's office and monies to prepare it passed by a 5-2 vote –his vote was not for or against the chairman or judge, but in the best interests of his constituents in District, and he felt it was in their best interest to have the issues resolved.

Commissioner Reid commented on long term investments for the County and that while this has been a tough decision, it has been made and we must move on.

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

Commissioner Reid then moved to adjourn, supported by Commissioner Hoag. Ayes carried, meeting adjourned at 12:05 p.m. until March 13, 2007 unless otherwise ordered.

Laura Flach
Clerk

Terry Whittington
Chairman

Authorizing Resolution
For
Michigan emergency management assistance compact
#2007-8

WHEREAS, THE State of Michigan Emergency Management Act, Act 390 of the Public Acts of 1976, as amended J.C.L. 30.401 et.seq. authorizes the State and its political subdivisions to provide emergency aid and assistance in the event of a disaster or emergency; and

WHEREAS, the statutes also authorize the State to coordinate the provision of any equipment, services, or facilities owned or organized by the State or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of Interjurisdictional mutual assistance in accordance with the Emergency Management Act, Act 390 of the Public Acts of 1976, as amended among political subdivisions within the State:

NOW, THEREFORE, be it resolved by the County of Gladwin that in order to maximize the prompt, full and effective use of resources of all participating governments in the event of an emergency or disaster we hereby adopt the Michigan Emergency Management Assistance Compact which is attached hereto and incorporated by reference.

Adopted this 27th day of February, 2007.

STATE OF MICHIGAN

COUNTY OF GLADWIN

I, Laura E. Flach, Clerk of the Board of Commissioners for the County of Gladwin, do hereby certify that the above and foregoing is a true and correct copy of a resolution passed by the Gladwin County Board of Commissioners at a regular meeting held on February 27, 2007

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal at Gladwin, Michigan, this 27th day of February, 2007.

Laura E. Flach, Clerk of the Board