

Tuesday, June 11, 2013

The regular meeting of the Sanilac County Board of Commissioners was called to order by Chairperson Donald Hunt at 2:30 p.m., on Tuesday, June 11, 2013 in the Board of Commissioners' Chambers at 60 W. Sanilac Avenue, Sandusky, Michigan. The prayer was given by Commissioner Hoffmann and the pledge was led by Commissioner Faber. Roll call was taken. Members present: Daniel Dean, Justin Faber, John Hoffmann, James Ruby and Donald Hunt. Quorum present. Administrator Kathy Dorman was also present.

**Additions, Corrections and Deletions to the Agenda:**

Chairperson Hunt reported NFA-038-13 Approval of Change Order Proposal #51 Jail Addition and Renovation Project has amended wording.

**Approval of Minutes:**

**MOVED BY COMMISSIONER HOFFMANN AND SECONDED BY COMMISSIONER HUNT THAT WE APPROVE THE MINUTES OF MAY 28, 2013 AS PRINTED.** Motion carried.

**Adoption of Agenda:**

**MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER FABER THAT WE ADOPT THE AGENDA AS PRESENTED WITH THE FOLLOWING CHANGES:**

Item 17. New Business

Insert amended wording for NFA-038-13 Approval of Change Order Proposal #51 Jail Addition and Renovation Project.

Motion carried.

**Communications and Introductions:**

1. Letter from Department of Agriculture and Rural Development to John and Margaret Demaray indicating conservation practices have been implemented and file closed.
2. Notice from Sanilac County Mental Health Authority regarding adoption of the Enabling Resolution to create a regional entity to manage the Medicaid specialty supports and services.
3. Resolution from Oceana County regarding full funding revenue sharing payments to counties.
4. Minutes of Community Mental Health meeting held on April 23, 2013.
5. Resolution from Crawford County advocating improved services to Veterans.
6. Minutes of Sanilac County Department of Veterans Affairs meeting held on May 28, 2013.
7. Minutes of Sanilac County Drug Task Force meeting held on May 13, 2013.

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8. Notice from MAC regarding location and dates of upcoming regional summits.

Administrator Dorman introduced William (Bill) Tucker, Abraham & Gaffney, Commissioner Ruby introduced Steve Kipp, Sanilac County Medical Control Director and Chairperson Hunt introduced Walt Badgerow, Worth Township Trustee.

**Commissioner Reports:**

None.

**Administrator's Report:**

-Attended several meetings/conferences regarding soil erosion & sedimentation, jail construction, Michigan public employer labor relations, auditor and Michigan Renewable Energy Consortium (MREC).

-Will attend meetings this week with Medler Electric regarding DTE energy grants and with Gov. Calley and representatives of MERC regarding windmill assessments.

-Fire Marshall is scheduled to inspect the jail this week.

-Tentative date for Jail Addition Tour is set for June 22, 2013 from 1-4 p.m. If temporary occupancy permit is issued, participants will need to be able to climb steps. Sheriff Biniecki is planning a fund raising event for Hospice and Special Olympics for that date.

-Reminder of MAC 7<sup>th</sup> District meeting in Bad Axe on June 17, 2013 at the Franklin Inn.

**Public Comments:**

None.

Bill Tucker from Abraham & Gaffney, P.C., presented the 2012 audit report for Sanilac County which includes the Drug Task Force, Road Millage, Jail Building and Nonmajor Governmental Funds. He thanked Administrator Dorman, County Treasurer Trudy Nicol and Chief Deputy Treasurer Judy Decker and the rest of the staff for assisting with the audit. He reported the 2012 audit is a clean modified audit. He reported the General Fund realized \$623,258 more in revenues (1.7% from 2011) and general fund operations expended \$249,000 (2.9% from 2011) but \$693,103 less than what was appropriated. Bill indicated the General Fund balance increased by \$89,607 leaving \$1,641,783 unassigned or available for general purposes which represents 10% for contingency. He informed the Board a reserve of 15% to 20% is recommended as unreserved. The General Fund's different sources for revenue as well as expenditures were reviewed. Bill reviewed their findings on internal control over financial reporting and on compliance with other matters. He commented on the portion of the audit that is unmodified due to deficiencies with post-employment benefits, budget adjustments, credit card purchases for the Medical Care Facility and USDA loan agreement for the jail project.

The Board inquired if there are any guidelines as to the use of Delinquent Tax Funds. Bill indicated he would research the issue with the MI Department of Treasury's and send it

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to the Administrator. Discussion was held as to the General Fund also containing the Library and County Services Funds, and if it stood alone there was a reduction of \$155,000.

Shannon Kreger, Director of Sanilac County Veterans Affairs (VA), presented her 2012 Annual Report to the Board. She reported \$13,445,000.00 was paid to Sanilac County veterans in VA benefits; if you subtract the federal VA benefits for health care the amount is \$8,264,000.00. Shannon reported no changes as to the number of office visits but has seen an increase in phone calls, the number of forms and mailings since 2011. She reported the County and State have paid \$6,844.44 in Soldiers Relief Fund and \$43,761.85 in Michigan Veterans Trust Fund for emergency assistance. Shannon indicated 240 veterans were transported to VA medical centers and 4,101 flags were paid for and placed on graves of veterans in Sanilac County. Discussion was held on working with the Clerk's Office to print veteran ID cards once the equipment is installed.

Former Sanilac Medical Care Facility Director Louis Wenzlaff reported that the Medical Care Facility is the only county facility that has a contract with VA to service veterans. Shannon reported there are service requirements to be eligible for this type of benefit.

At 3:00 p.m., Walt Badgerow, Worth Township Trustee, gave a brief history of the Township's efforts in dealing with sewer issues. He reported Worth Township has hired Prein & Newhof as their engineers for a proposed sewer project. He reported on meetings with Sen. Mike Green, Rep. Paul Muxlow, representatives of the MI Department of Environmental Quality, their engineers and bonding counsel to address financing a lagoon system. He reported a sewer system was projected at \$32,000,000 compared to a lagoon system at approximately \$24,000,000.

At 3:09 p.m., Philip Essenmacher, Worth Township Supervisor, reported a median household income survey has been completed and Worth Township now qualifies for up to 75% of grant funds for the sewer project. He reported Worth Township will need Sanilac County to be a partner in financing the project. He estimated 1,600 to 1,700 parcels would be assessed and depending on the funding available the amount per parcel could range \$8,000 to \$18,000.

Discussion was held on how assessments would be determined, the water district overlapping the sewer district and some property owners not having hook-ups to the water system but will need it for the sewer system. Phil reported the local governing board has to decide after gathering projection on the various methods. Discussion was held on hook-ups, abandoning septic fields, installing plumbing and deferring sewer installation costs until property is sold.

**Appointments to Standing Committee:**

Chairperson Hunt appointed Commissioner Hoffmann and himself to the HDC Place making Committee. Administrator Dorman reported the first meeting is scheduled for July 10, 2013 at 2:30 p.m., in Sandusky.

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**General Resolutions:**

**MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER FABER THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY ADOPTS THE FOLLOWING RESOLUTION:**

**RESOLUTION HONORING STEVE KIPP FOR YEARS OF SERVICE**

**WHEREAS**, Steve Kip has served Sanilac County for 7 ½ years as the Director for Sanilac Medical Service/Sanilac Medical Control; and

**WHEREAS**, Steve believes community education is an important task of the Sanilac Medical Service/Sanilac Medical Control (SMS/SMC) which has provided free CPR and First Aid training, a Child Safety and Babysitting course along with Blood Borne Pathogen and Wilderness First Aid courses; and

**WHEREAS**, under Steve's direction the SMS/SMC became a licensed proprietary school in 2006 which allowed for advanced EMS courses and since then has offered and completed 5 Paramedic programs and 3 EMT-Specialist programs; and

**WHEREAS**, In 2012, during his tenure as Director, the Sanilac Medical Service/Sanilac Medical Control became one of only 27 educational organizations in Michigan that is recognized by the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions.

**NOW THEREFORE**, be it resolved that the Sanilac County Board of Commissioners does hereby honor and recognize Steve Kipp for his outstanding leadership, dedication and contributions to Sanilac County and its citizens and offers its warmest wishes for health and happiness in his future endeavors.

**BE IT FURTHER RESOLVED** that this resolution be spread upon the proceedings of the Sanilac County Board of Commissioners this 11<sup>th</sup> day of June, 2013.

Yes: Faber, Hoffmann, Ruby, Dean and Hunt. No: None. Resolution declared adopted.

**MOVED BY COMMISSIONER DEAN AND SECONDED BY COMMISSIONER FABER THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY ADOPTS THE FOLLOWING RESOLUTION:**

**RESOLUTION ACCEPTING THE TERMS OF THE GRANT AGREEMENT  
FOR FORESTER PARK FROM THE MICHIGAN DEPARTMENT OF  
NATURAL RESOURCES**

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**RESOLVED**, that the Sanilac County Board of Commissioners, Sanilac County, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the Sanilac County Board of Commissioners does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide nineteen thousand dollars (\$19,000.00) to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution."

**FURTHER, AUTHORIZES THE BOARD'S CHAIR TO SIGN THE NECESSARY DOCUMENT. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO.** Commissioner Dean reported the funds will be used to purchase disability accessible playground equipment. Yes: Dean, Ruby, Hoffmann, Faber and Hunt. No: None. Resolution declared adopted.

**Committee Reports:**

None.

**Unfinished Business:**

None.

**New Business:**

**FA-109-13(A) MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER HOFFMANN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AMENDS THE EQUIPMENT PURCHASES LINE ITEM NUMBER 595-362-089.000 TO 595-362-978.000 IN FA-009-13. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO.** Motion carried.

**FA-118-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER HOFFMANN THAT THE SANILAC COUNTY BOARD OF**

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**COMMISSIONERS HEREBY ACCEPTS THE 2012 AUDIT AS PRESENTED.**  
Motion carried.

**FA-119-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER FABER THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY ACCEPTS THE VETERAN'S AFFAIRS 2012 ANNUAL REPORT AS PRESENTED.** Motion carried. Chairperson Hunt thanked Shannon for her work.

**FA-120-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER HOFFMANN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AMENDS THE COUNCIL ON AGING BY-LAWS, SECTION 5-QUORUM BY REDUCING THE NUMBER OF MEMBERS OF THE COUNCIL THAT SHALL CONSTITUTE A QUORUM FROM EIGHT (8) MEMBERS TO SIX (6) THEREBY READING AS FOLLOWS:**

**SIX (6) MEMBERS OF THE COUNCIL SHALL CONSTITUTE A QUORUM OF THE COUNCIL AND A MAJORITY VOTE SHALL PREVAIL.** Motion carried.

**FA-121-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER DEAN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES LISTING THE FOLLOWING PROPERTIES FOR SALE WITH RED CARPET KEIM FOR A PERIOD OF UP TO ONE (1) YEAR FOR A 4% IN-HOUSE AND 5% CO-BROKER SALES COMMISSION WITH MARKETING AS PROPOSED IN THE LISTING/MARKETING PROPOSAL AND WITH THE AGREEMENT TO WORK CLOSELY WITH THE SANILAC ECONOMIC REGIONAL CONSORTIUM IN MARKETING THE PROPERTIES:**

- **\$149,900 - Parcel #320-185-000-017-00, 95 Dawson Street, Sandusky, MI (ADAPT building)**
- **\$149,900 - Parcel #320-100-004-006-00, 37 Austin Street, Sandusky, MI (MSUE building)**
- **\$89,900 - Parcel #062-270-030-001-10, 8065 Third Street, Forestville, MI (Forestville buildings)**

**FURTHER, AUTHORIZES THE ADMINISTRATOR TO SIGN THE LISTING AGREEMENT.** Discussion was held if the agreement had an option as to removing a parcel from the listing. Motion carried.

**FA-122-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER HOFFMANN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES A THREE (3) YEAR AGREEMENT TO PROVIDE A COST ALLOCATION PLAN FOR FY 2012, 2013 AND 2014, BETWEEN MAXIMUS CONSULTING SERVICES AND SANILAC COUNTY AT A COST NOT TO EXCEED \$6,900 PER YEAR FOR A TOTAL COST NOT TO**

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**EXCEED \$20,700 TO BE FUNDED FROM THE GENERAL FUND. FURTHER, AUTHORIZES THE BOARD'S CHAIR TO SIGN THE NECESSARY DOCUMENTS. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO.** Motion carried.

**FA-123-13 MOVED BY COMMISSISONER RUBY AND SECONDED BY COMMISSIONER FABER THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE PUBLIC GUARDIAN TO POST AND FILL ONE (1) TPOAM CLERK II POSITION WITH A SALARY RANGE OF \$22,908.02 - \$25,813.09 ON A FIVE (5) YEAR PAY SCALE WITH FULL BENEFITS NUNC PRO TUNC TO JUNE 5, 2013 . FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO.** Motion carried.

**FA-124-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER DEAN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE PAYMENT OF 2013 CURRENT CLAIMS IDENTIFIED ON THE ACCOUNTS PAYABLE REPORT DATED JUNE 6, 2013 FOR THE GENERAL BANK ACCOUNT IN THE AMOUNT OF \$66,280.49. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO IMPLEMENT AND TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO.** Motion carried.

**FA-125-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER FABER THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE FOLLOWING 2013 BUDGET AMENDMENTS AND ESTABLISHES THE FOLLOWING ACCOUNTS:**

**REVENUE:**

Increase	265-335-643.000	Drug Law-Sales	\$2,189.26
Increase	265-335-643.000	Drug Law-Sales	\$401.66
Increase	265-335-650.001	Drug Law-Forfeited Cash	\$275.00
Increase	265-335-650.001	Drug Law-Forfeited Cash	\$250.00
Decrease	508-751-401.001	Parks-Beginning Balance	\$11,984.50
Decrease	508-751-412.000	Parks-Delink. Tax	\$15.50
Increase	508-751-617.001	Parks-Forester Camping Fees	\$20,000.00

**EXPENSE:**

Increase	265-335-890.000	Drug Law-Contingency	\$2,189.26
Increase	265-335-890.000	Drug Law-Contingency	\$926.66
Decrease	508-751-816.000	Parks-Cost Allocation	\$10,311.00
Increase	508-751-965.000	Parks-Contingency	\$20,000.00
Decrease	508-751-975.001	Parks-Bled Improvement Forester	\$450.00
Decrease	508-751-975.001	Parks-Bled Improvement Forester	\$685.00
Decrease	508-751-975.001	Parks-Bled Improvement Forester	\$554.00

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Increase 678-851-716.001 Health Ins. Fund-Health Ins. Premium \$276,318.62  
Decrease 678-851-716.008 Health Ins. Fund-Self-Funded Prescriptions \$276,318.62

**FURTHER, ESTABLISHES THE FOLLOWING ACCOUNTS:**

266-343-501.000- L.E.T.P.A.-Federal Grant  
266-343-777.000- L.E.T.P.A.-Drug Dog  
621-254-727.000-100% Tax-Office Supplies  
621-254-808-001-100% Tax-Legal

**FURTHER, DIRECTS THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO IMPLEMENT AND TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO. Motion carried.**

**NFA-038-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER HOFFMANN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE JAIL ADDITION AND RENOVATION PROJECT CHANGE ORDER PROPOSAL #51 IN THE AMOUNT OF \$1,495.00. FURTHER, FUNDING SHALL BE DRAWN FROM THE JAIL PROJECT CONTINGENCY. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO. Motion carried.**

**NFA-039-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER FABER THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE APPOINTMENT OF HEATHER ANN ZANG AS ATTORNEY MAGISTRATE FOR THE 73A DISTRICT COURT. FURTHER, THE MAGISTRATE SHALL HAVE THE FULL AUTHORITY OF MAGISTRATES AUTHORIZED BY MICHIGAN LAW (MCL 600.8501) INCLUDING, BUT NOT LIMITED TO, THE AUTHORITY TO AUTHORIZE BOTH ARREST AND SEARCH WARRANTS. FURTHER, AUTHORIZES AND REQUESTS THE DISTRICT COURT JUDGE TO IMPLEMENT AND THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO. Motion carried.**

**NFA-040-13 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER DEAN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE APPOINTMENT OF RHODA MARIE MCVITTIE AS NON-ATTORNEY MAGISTRATE FOR THE 73A DISTRICT COURT. FURTHER, THE MAGISTRATE SHALL HAVE THE FULL AUTHORITY OF MAGISTRATES AUTHORIZED BY MICHIGAN LAW (MCL 600.8501) INCLUDING, BUT NOT LIMITED TO, THE AUTHORITY TO AUTHORIZE BOTH ARREST AND SEARCH WARRANTS. FURTHER, AUTHORIZES AND REQUESTS THE DISTRICT COURT JUDGE TO IMPLEMENT AND THE COUNTY CLERK, TREASURER AND**

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**ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO.**

Motion carried.

**Public Comments:**

Drain Commissioner Greg Alexander reported the contract has been signed for the intake for the Karegnondi Water Pipeline with ground breaking set for Friday, June 28, 2013 at 10:00 a.m., at 3300 Fisher Rd. The Board requested the Administrator appear on behalf of the Board due to the Senior Fair. Discussion held on water levels with this project and the Worth Township sewer project.

Administrator Dorman reported in a couple weeks the audit will be posted on the County's website.

Commissioner Faber indicated this is the last week to collect for Right to Life.

**MOVED BY COMMISSIONER HOFFMANN AND SECONDED BY COMMISSIONER FABER THAT WE ADJOURN AT 3:46 P.M.** Motion carried.

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Donald Hunt, Chairperson

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Linda I. Kozfkay, County Clerk

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