

Wednesday, July 28 , 2004

The regular meeting of the Sanilac County Board of Commissioners was called to order by Chairperson Robert Wood at 4:00 p.m., on Wednesday, July 28, 2004, in the Board of Commissioners' Chambers at 60 W. Sanilac Avenue, Sandusky, Michigan. The prayer and pledge was given by Commissioner Merriman. Members present: John Merriman, Gary Russell, Norton Schramm, William Walters, Donald Hunt and Robert Wood. Member absent: John Espinoza. Quorum present. Assistant Administrator Wendi Willing was also present.

Additions, Corrections and Deletions to the Agenda:

Commissioner Walters requested PED-014-04 Sanilac County General Development Plan be amended with the resolution wording after it is removed from the table and amend the wording as to the wage rate in PSC-017-04 Authorization to Fill Vacancy-Court Clerk II-District Court.

Commissioner Schramm requested FA-105-04 Claims Docket be changed from \$53,403.24 to \$53,393.24.

Chairperson Wood requested PED-017-04 Amendment to By-Laws-Brownfield Redevelopment Authority be renumbered to PED-018-04 and to add PSC-016-04(A) Authorization to Fill Vacancy – Court Clerk II – District Court.

Approval of Minutes:

MOVED BY COMMISSIONER MERRIMAN AND SECONDED BY COMMISSIONER RUSSELL THAT WE APPROVE THE MINUTES OF JULY 14, 2004, AS PRINTED. Motion carried.

Adoption of Agenda:

MOVED BY COMMISSIONER WALTERS AND SECONDED BY COMMISSIONER HUNT THAT WE ADOPT THE AGENDA AS PRESENTED WITH THE FOLLOWING ADDITIONS, CORRECTIONS AND DELETIONS:

Add to PED-014-04:

RESOLUTION

WHEREAS the Sanilac County Board of Commissioners established the Sanilac County Planning Commission to prepare plans for the development of the County under the County Planning Act, PA 282 of 1945 as amended, and

WHEREAS the Sanilac County Planning Commission has prepared a General Development Plan that includes maps, plats, charts and descriptive and explanatory matter intended by the Sanilac County Planning Commission to form the whole or part of the plan to guide the future development of the County, and

WHEREAS that plan was reviewed at a public hearing held on May 24, 2004, to gather public comments of the residents of the County, and

WHEREAS the Sanilac County Planning Commission adopted the Sanilac County General Development Plan on July 13, 2004, by a majority of the full membership, and

(UNOFFICIAL)

Wednesday, July 28 , 2004

WHEREAS the Board of Commissioners has reserved for itself the right to final approval of the General Development Plan as authorized under the County Planning Act, PA 282 of 1945 as amended, now

THEREFORE BE IT RESOLVED that the Sanilac County Board of Commissioners does hereby approve the Sanilac County General Development Plan as adopted by the Sanilac County Planning Commission and posted on Sanilac County's website.

Correct:

PSC-017-04 Authorization to Fill Vacancy – Court Clerk II – District Court change wage rate from \$11.35 to \$11.53.

Correct:

PED-017-04 By-Law Amendment –Brownfield Redevelopment Authority to PED-018-04 By-Law Amendment-Brownfield Redevelopment Authority

Correct:

FA-105-04 Claims Docket total \$53,403.24 to \$53,393.24.

Add:

PSC-016-04(A) Authorization to Fill Vacancy – Court Clerk II- District Court:

THE SANILAC COUNTY BOARD OF COMMISSIONERS, PENDING RECOMMENDATION FROM THE STATE COURT ADMINISTRATOR'S OFFICE, HEREBY AUTHORIZES DISTRICT COURT TO POST AND FILL A FULL-TIME COURT CLERK II VACANCY AT A WAGE RATE OF \$11.53/HR. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO.

Motion carried.

Communications and Introductions:

1. Minutes of Mental Health Authority meeting of June 29, 2004.
2. Resolution from Berrien County encouraging the legislature to take action to protect revenue sharing through a constitutional amendment.
3. Minutes of HDC Board of Directors meeting of July 21, 2004.
4. Notification of Sanilac County Farm Bureau Community Action Group and Policy Development committee meeting on Monday, August 2nd.
5. City of Croswell – July Board of Review corrected values.
6. Resolution from Bay County supporting coordination of the newly adopted Prescription Drug Plan scheduled to be effective in the year 2006.

(UNOFFICIAL)

Wednesday, July 28 , 2004

7. Notice from the Michigan Department of Agriculture of follow-up inspection regarding Manure Management Plan implementation at 4635 Richards Road, Snover.
8. Sanilac County Lakeshore Watershed Project newsletter.
9. Resolution from St. Joseph County supporting the proposed constitutional amendment, House Joint Resolution Y, which will ensure the citizens of Michigan receive stable funding of state mandated and state constitutional services appropriate to their needs.
10. Resolution from Washtenaw County supporting both the Drug Fair Pricing Act and the Great Lakes Alliance for Affordable Drugs Act and strongly urging the Michigan House of Representatives to take action and pass these bills.
11. Resolution from Wexford County in support of House Resolution Y guaranteeing revenue sharing.
12. Minutes of the Children's Center Council meeting of July 7, 2004.

Commissioner Walters requested a copy of item #11.

Commissioner Reports:

Commissioners Merriman, Russell, Schramm, Walters, Hunt and Wood gave reports on meetings attended. The Board expressed their appreciation to Treasurer Dorman and Administrator Males for their time and effort in providing information to the public on the budget and Headlee Override.

Chairperson Wood informed the Board and public a Special Meeting of the Parks Commission will be held on July 29, 2004, at 7:00 p.m., in the Board's chambers.

Administrator's Report:

No report was given due to the Administrator having surgery. Chairperson Wood informed the Board the Administrator is expected back in the office on Friday, July 30.

Public Comments:

Commissioners Schramm, Walters and Merriman expressed their appreciation to the Sanilac County News and Times Herald for their very informative and impartial articles and editorials regarding the county's budget and the Headlee ballot question.

Lexington area resident Jamie McCombs urged the Board to protect the natural state of the county park located in Lexington Township. Nancy Powell, Lexington Township resident, urged the county, township and parks commissions to get the truth out to the public regarding the park. She expressed her concerns with inaccurate newspaper reporting. They informed the Board they would attend the special parks commission meeting on July 29.

(UNOFFICIAL)

Wednesday, July 28 , 2004

At 4:20 p.m., Michael Gaffney, Abraham & Gaffney, presented the 2003 Audit. He reported additional levels of reporting as required under GASB Statement #34 were met. He reported in 2002 the county had a 9.2% fund balance of the total budget compared to 5.5% fund balance of the total budget for 2003. Michael reported 8 to 10% fund balance of the total budget is recommended. He reviewed revenues and expenditures for 2003 and expressed his opinion that the county did a good job in controlling costs for health insurance. Michael reported a number of counties are dealing with reductions in state revenue sharing and are using fund balances to balance their budgets. He thanked Chief Deputy Treasurer Judy Decker and Treasurer Dorman for their assistance. He urged the Board to review and implement the recommendations in the Management Letter.

Appointments to Standing Committee:

None.

General Resolutions:

None.

Committee Reports:

Commissioner Walters reported on the Physical & Economic Development Committee meeting that was held on July 21.

The July 21st meeting of the Public Safety & Courts Committee was reported on by Commissioner Merriman.

Commissioner Schramm reported the Finance & Administration Committee has items on the agenda.

Unfinished Business:

MOVED BY COMMISSIONER WALTERS AND SECONDED BY COMMISSIONER SCHRAMM THAT WE TAKE FROM THE TABLE PED-014-04 AND AMEND IT TO READ AS FOLLOWS. Motion carried.

PED-014-04 MOVED BY COMMISSIONER WALTERS AND SECONDED BY COMMISSIONER MERRIMAN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE FOLLOWING RESOLUTION:

RESOLUTION

WHEREAS the Sanilac County Board of Commissioners established the Sanilac County Planning Commission to prepare plans for the development of the County under the County Planning Act, PA 282 of 1945 as amended, and

WHEREAS the Sanilac County Planning Commission has prepared a General Development Plan that includes maps, plats, charts and descriptive and explanatory matter intended by the Sanilac County Planning Commission to form the whole or part of the plan to guide the future development of the County, and

(UNOFFICIAL)

Wednesday, July 28 , 2004

WHEREAS that plan was reviewed at a public hearing held on May 24, 2004, to gather public comments of the residents of the County, and

WHEREAS the Sanilac County Planning Commission adopted the Sanilac County General Development Plan on July 13, 2004, by a majority of the full membership, and

WHEREAS the Board of Commissioners has reserved for itself the right to final approval of the General Development Plan as authorized under the County Planning Act, PA 282 of 1945 as amended, now

THEREFORE BE IT RESOLVED that the Sanilac County Board of Commissioners does hereby approve the Sanilac County General Development Plan as adopted by the Sanilac County Planning Commission and posted on Sanilac County's website.

Discussion held on the plan being amended to allow the insertion of the five year Parks Plan. Yeas: Schramm, Walters, Hunt, Russell, Merriman and Wood. Nays: None. Absent: Espinoza. Resolution declared adopted.

NEW BUSINESS:

**HS-022-04 MOVED BY COMMISSIONER SCHRAMM AND
SECONDED BY COMMISSIONER WALTERS THAT THE SANILAC COUNTY
BOARD OF COMMISSIONERS HEREBY APPROVES THE FOLLOWING:**

PROJECT AUTHORIZATION

FY 2004 SECTION 5309 EARMARKS

Date: May 26, 2004
Agreement No.: 2002-0083
Authorization No.: Z7
Project No.: 80076A
Agenda: **DAB**

This information is required by the Michigan Department of Transportation in order to record agreement of utilization of funds provided by the Federal Transit Administration, United States Department of Transportation and MDOT. The funds provided shall be used by the AGENCY in accordance with the above referenced Master Agreement.

Authorization Effective Date:

Authorization Expiration Date: Thirty-six (36) months from the authorization effective date.

Fiscal Year of Effective UPTRAN Contract Clauses: 2004

The Federal Grant associated with the PROJECT AUTHORIZATION is MI-03-0212.

Grant Year: 2004 Federal Item Number: W0124 Project is not R&D.

The Department of Labor Certification of Transit Employee Protective Arrangements requirements as issued by the U.S. Department of Labor 's letter will follow under separate cover.

(UNOFFICIAL)

Wednesday, July 28 , 2004

The AGENCY agrees to prepare and furnish to the DEPARTMENT Quarterly Milestone Reports for Section 5309 (see attached samples). Reports are due 20 days after the end of the quarter.

Special Legislative Provision

As specified in the appropriation of the state transportation budget for FY 2004, transit agencies will have four years from the federal approval date to carry out projects funded with federal transit administration capital grants matched with Comprehensive Transportation Funds (CTF). Project authorization line items unobligated four years after the federal approval date may be matched with CTF funds only up to 15 percent in the fifth and subsequent years. A revision will be processed to reduce the CTF funds. Unobligated means any line item that is not committed to a third party or purchase order. New facility construction projects or major facility renovations will be excluded from this requirement. A waiver shall be granted by the department for an additional year with documented justification from the transit agency accompanied by a resolution from the board or authority seeking a waiver.

If a transit agency does not carry out a line item activity in a specific project authorization and the transit agency requests funds in a new project authorization for that same line item activity, the line item shall be matched at up to 15 percent.

<u>Item</u>	<u>Federal</u>	<u>State</u>	<u>Total</u>
Facility construction (801)	\$ 98,226	\$ 24.556	\$122,782

Funding sources:

Checklist: 2004-209

2004/7520	\$ 98,226 (F)
2002/9702	<u>\$ 24,556 (S)</u>
Total	\$ 122,782

FURTHER, AUTHORIZES THE BOARD'S CHAIR TO SIGN THE NECESSARY DOCUMENTS.

Sanilac Transportation Director Onalee Pallas informed the Board the funds would be used for the construction of a new facility. She reported to date \$175,000 has been secured for the architect and engineering plans. Yeas: Walters, Merriman, Schramm, Hunt and Wood. Nays: None. Abstain: Russell. Absent: Espinoza. Motion carried.

**PED-017-04 MOVED BY COMMISSIONER WALTERS
AND SECONDED BY COMMISSIONER SCHRAMM THAT THE SANILAC
COUNTY BOARD OF COMMISSIONERS HEREBY AMENDS THE ECONOMIC
DEVELOPMENT CORPORATION BY-LAWS, ARTICLE IV, SECTION 1
(CHANGE IN MEETING DAY AND TIME) FROM WEDNESDAY AT 12:00 P.M.
TO THURSDAY AT 2:00 P.M. FURTHER, AUTHORIZES THE ECONOMIC
DEVELOPMENT DIRECTOR TO IMPLEMENT.** Yeas: Walters, Merriman,
Schramm, Hunt, Russell and Wood. Nays: None. Absent: Espinoza. Motion carried.

(UNOFFICIAL)

Wednesday, July 28 , 2004

PED-018-04 MOVED BY COMMISSIONER WALTERS AND SECONDED BY COMMISSIONER RUSSELL THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AMENDS THE BROWNFIELD REDEVELOPMENT AUTHORITY BY-LAWS, ARTICLE III, SECTION 2 (CHANGE IN MEETING DAY AND TIME) FROM WEDNESDAY AT 12:00 P.M. TO THURSDAY AT 2:00 P.M. FURTHER, AUTHORIZES THE BROWNFIELD REDEVELOPMENT AUTHORITY DIRECTOR TO IMPLEMENT. Yeas: Hunt, Russell, Merriman, Schramm, Walters and Wood. Nays: None. Absent: Espinoza. Motion carried.

PSC-017-04 MOVED BY COMMISSIONER MERRIMAN AND SECONDED BY COMMISSIONER WALTERS THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES DISTRICT COURT TO FILL A FULL-TIME COURT CLERK II VACANCY AT A WAGE RATE OF \$11.53/HR. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO. Discussion was held on PSC-016-04 that passed on 7-14-04 having the incorrect wage rate and the Board not receiving a recommendation from the State Court Administrator's Office.

MOVED BY COMMISSIONER WALTERS AND SECONDED BY COMMISSIONER RUSSELL THAT WE SUSPEND THE RULES FOR THE PURPOSE OF ADDING AN ITEM TO THE AGENDA PSC-019-04 RESCIND PSC-016-04. Motion carried.

PSC-019-04 MOVED BY COMMISSIONER HUNT AND SECONDED BY COMMISSIONER WALTERS THAT WE RESCIND PSC-016-04. Motion carried.

PSC-016-04(A) MOVED BY COMMISSIONER HUNT AND SECONDED BY COMMISSIONER RUSSELL THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS, PENDING RECOMMENDATION FROM THE STATE COURT ADMINISTRATOR'S OFFICE, HEREBY AUTHORIZES DISTRICT COURT TO POST AND FILL A FULL-TIME COURT CLERK II VACANCY AT A WAGE RATE OF \$11.53/HR. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO. Discussion held regarding the lack of a recommendation from the State Court Administrator's Office and giving verbal authority to post the position. Yeas: Merriman, Russell, Hunt and Wood. Nays: Walters and Schramm. Absent: Espinoza. Motion carried.

MOVED BY COMMISSIONER WALTERS AND SECONDED BY COMMISSIONER HUNT THAT WE SUSPEND THE RULES FOR THE PURPOSE OF DELETING AN ITEM FROM THE AGENDA PSC-020-04 DELETE PSC-017-04 FROM THE 7-28-04 BOARD OF COMMISSIONERS AGENDA. Motion carried.

(UNOFFICIAL)

Wednesday, July 28 , 2004

PSC-020-04 MOVED BY COMMISSIONER MERRIMAN AND SECONDED BY COMMISSIONER WALTERS THAT WE DELETE PSC-017-04 FROM THE JULY 28, 2004, BOARD OF COMMISSIONER'S AGENDA. Motion carried.

PSC-018-04 MOVED BY COMMISSIONER MERRIMAN AND SECONDED BY COMMISSIONER HUNT THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE SHERIFF'S DEPARTMENT TO POST AND FILL A PART-TIME CORRECTIONS OFFICER VACANCY AT A BEGINNING WAGE RATE OF \$14.21/HR, NOT TO EXCEED 32 HOURS PER WEEK. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO. Yeas: Russell, Hunt, Walters and Merriman. Nays: Schramm and Wood. Absent: Espinoza. Motion carried.

FA-103-04 MOVED BY COMMISSIONER SCHRAMM AND SECONDED BY COMMISSIONER RUSSELL THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY ACCEPTS THE 2003 ANNUAL AUDIT REPORT AS PRESENTED. Motion carried.

FA-104-04 MOVED BY COMMISSIONER SCHRAMM AND SECONDED BY COMMISSIONER HUNT THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE PAYMENT OF ADDITIONAL GENERAL FUND BANK ACCOUNT CHECKS CHARGED TO JUNE 2004 IN THE AMOUNT OF \$2,742,658.94:

\$1,814,589.64	ADDITIONAL ALL FUNDS
\$12,587.49	ACH PAYMENTS
<u>\$915,481.81</u>	<u>PAYROLL</u>
\$2,742,658.94	TOTAL

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

FA-105-04 MOVED BY COMMISSIONER SCHRAMM AND SECONDED BY COMMISSIONER MERRIMAN THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE PAYMENT OF CURRENT CLAIMS FOR THE GENERAL BANK ACCOUNT IN THE AMOUNT OF \$53,393.24. FURTHER, AUTHORIZES THE COUNTY CLERK, TREASURER AND ADMINISTRATOR TO IMPLEMENT AND TO MAKE THE ADJUSTMENTS NECESSARY TO DO SO. Motion carried.

Public Comments:

Commissioners Schramm and Hunt, in defense of the news reporters, expressed their opinions that there has been accurate reporting on park issues.

(UNOFFICIAL)

Wednesday, July 28 , 2004

Judy Vincent, county commissioner candidate for District 7, expressed her concerns with a lot of miscommunication between the county, parks commission and the township regarding the park. She also commended Chairperson Wood for his comments regarding Headlee.

Chairperson Wood reported an open forum for the candidates for the 83rd State Representative will be held at the fairgrounds at 7:00 p.m.

Announcement of Meetings:

Chairperson Wood reminded the Board the Finance & Administration Committee meeting will be held on August 4th at 4:00 p.m.

MOVED BY COMMISSIONER SCHRAMM AND SECONDED BY COMMISSIONER HUNT THAT WE ADJOURN AT 5:24 P.M. Motion carried.

Robert Wood, Chairperson

Linda I. Kozfkay, County Clerk

(UNOFFICIAL)