

LAKE COUNTY BOARD OF COMMISSIONERS
Regular Meeting
February 25, 2015
10:30 a.m.

Chairman Walls called the meeting to order at 10:30 a.m.

Commissioner Carrington-Atkins gave the prayer and the Pledge of Allegiance was said.

Clerk/Register/CFO Myers called the roll with the following Commissioners present:

John Fairbanks, Dan Sloan, Barb Stenger, Chuck Vayda, Colleen Carrington-Atkins, John Brunn and Karl Walls.

Commissioner Fairbanks moved that the agenda be approved, with the additions under “Appointments” and “Resolutions” and to move “Appointments” up to before the “Personnel Committee Report” seconded by Commissioner Vayda, roll call vote 7 yes.

Commissioner Fairbanks moved that the minutes from the February 11, 2015 regular meeting be approved, seconded by Commissioner Brunn with one change on page 6, under “Appointments”, line 2, it should say “contact” not “contract” and by voice vote carried.

BRIEF PUBLIC COMMENT – *Limited to 5 minutes each, please!*

There was no one present who wished to speak.

COMMITTEE REPORTS

FINANCE

Commissioner Fairbanks moved for approval for the purchase requisition from DHS to Arms & Cole-Hurst Mechanical to install and set up new damper actuator for AHU1, install and set up new heating valve actuator for AHU 2 and install and set up new damper actuator for AHU 3, in the amount of \$1,140.00, seconded by Commissioner Carrington-Atkins. Discussion followed. Roll call vote is 7 yes.

Commissioner Fairbanks moved for approval of the conference and training request for Deputies Hurrell and Ashker and Sgts. Maiville and Moore, Lake County Road Patrol, to attend Autism Awareness Training on March 17, 2015 in Holland for the cost of meals \$88.00, seconded by Commissioner Carrington-Atkins, roll call vote 7 yes.

Commissioner Fairbanks moved for approval of the conference and training request for Deputies Nixon and Meyers and Sgts. Nichols and Bennett, Lake County Road Patrol, to attend Autism Awareness Training on March 18, 2015 in Holland for the cost of meals \$88.00, seconded by Commissioner Carrington-Atkins, roll call vote 7 yes.

Commissioner Fairbanks moved for approval of the conference and training request for Sgts. Nichols, Maiville, Bennett and Moore, Lake County Road Patrol, to attend Walking the Narrow Road of Leadership on March 24, 2015 in White Cloud for the cost of registration \$200.00, seconded by Commissioner Carrington-Atkins, roll call vote 7 yes.

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Commissioner Fairbanks moved for approval of the conference and training request for Sheriff Hiltz, Undersheriff Robinson and Staff Sgt. Neumann, Lake County Sheriff's Administration Department to attend the 2015 Administrator's Workshop, ORV Law Enforcement, Snowmobile Enforcement and Marine Safety Program on March 26, 2015 in Houghton Lake for the cost of meals \$30.00, seconded by Commissioner Carrington-Atkins, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval of the conference and training request for Undersheriff Robinson and Deputy Thiel, Lake County Sheriff's Department/Road Patrol, to attend Victims of Human Trafficking from April 24, 2015 – April 25, 2015 in Traverse City for the cost of hotel \$550.30 and meals \$88.00 for a total cost of \$638.30, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval of the conference and training request for Sgt. Stumbrie, Corp. Draper, Lake County Sheriff's Department/RRP and Corps. Wayward and Anuci, Lake County Sheriff's Department/Jail to attend Walking the Narrow Road of Leadership on March 24, 2015 in White Cloud for the cost of registration \$200.00, seconded by Commissioner Sloan, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval of the conference and training request for Belinda Barbier, Assistant Prosecutor, to attend Child Death Scene Investigation from March 22, 2015 – March 23, 2015 in Novi for the cost of hotel \$98.55, meals \$22.00 and mileage \$254.10 for a total cost of \$374.65, if the county vehicle is not available, seconded by Commissioner Sloan, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval and authorization for signature on the agreement between Lake County and Paul R. Wagner, DO, Medical Examiner, through December 31, 2018, seconded by Commissioner Fairbanks. Commissioner Sloan explained this contract contains excessive increases approved by the board last year the he did not support it at that time for the Deputy Medical Examiners and to stay consistent, and for the record, he will be voting against this contract for the excessive increases for the Deputy Medical Examiners. Discussion followed. Roll call vote on the motion is 6 yes and 1 NO Commissioner Sloan.

Commissioner Carrington-Atkins moved for approval and authorization for signature on the agreement between Lake County, Lake County Sheriff's Department and USDA for certified officers to patrol the Rivers and Streams in the amount of \$5,100.00, seconded by Commissioner Sloan, roll call vote 7 yes.

Commissioner Fairbanks moved for payment of bills by fund, as follows:

General Fund	\$74,168.32
Road Patrol	47,029.71
E911	886.53
RRP Center	13,699.79
Friend of the Court	474.89
Building Inspection Department	1,367.85
E911 Services Fund-Wireless	788.00
Law Library	364.02
Child Care-Probate	42,877.29
JABG Grant	475.24
Capitol Improvements	2,064.50
Ambulance	105.00

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D.H.S. Building	4,139.50	
Commissary Fund	5,635.89	
Lake Level Revolving	85.75	
GRAND TOTAL		<u>\$194,162.28</u>

Seconded by Commissioner Sloan. Discussion followed regarding the MAC Conference Registration cost and only having one Commissioner's name listed in the report for the total amount. Commissioner Sloan moved to amend the motion to state and include all the names of those Commissioners attending, seconded by Commissioner Fairbanks and by voice vote carried for the amendment. Those Commissioners attending the MAC Conference are Commissioner Brunn, Commissioner Vayda, Commissioner Sloan and Commissioner Carrington-Atkins. Roll call vote on the payment of the bills is 7 yes.

APPOINTMENTS – Commissioner Carrington-Atkins explained that the County paid Mr. Hopkins to attend the Citizens Planner training last year and he wishes to be reappointed to the Planning Commission. She stated he is doing a good job, and why should he be removed, just because he is not a County resident?

Commissioner Sloan stated the training is not an issue with him, and Mr. Rob Visner is a County resident and we need younger groups stepping up. Commissioner Carrington-Atkins feels there is no reason to remove someone who is doing a good job and she wants Mr. Hopkins to remain on this commission.

Commissioner Stenger asked Commissioner Carrington-Atkins about her becoming a liaison and not being a member. Commissioner Carrington-Atkins stated that if it comes down to her or Seth, then she would but that would be her second choice, even though she would not have a vote and wishes to remain as a voting member. Chairman Walls stated he can see both sides and with Commissioner Carrington-Atkins' strong presence on this Commission, and wishes to have other positions and other options looked at.

Chairman Walls reappointed Seth Hopkins to the Planning Commissioner, term ending 12/31/17 and asked for a roll call vote on this reappointment. Roll call vote is 5 yes and 2 NO Commissioners Sloan and Brunn.

Commissioner Sloan moved to have this vote reconsidered at the next meeting. Commissioner Carrington-Atkins stated that she will make contact with Mr. Visner and they will look at the ordinance.

Chairman Walls appointed Joyce Durdel and William Sikkenga to the Solid Waste Committee to represent the Environmental Interest Group. There is still a need for one Industrial Waste Generator Representative and one Village Government representative.

COMMITTEE REPORTS, cont.

PERSONNEL – Commissioner Sloan reported on their partial solution to the Equalization Director and they have come to an understanding with Mr. Gus Motzer to a six month contract, with the option to renew for an additional six months, with a pay of \$4,500 per month and explained the contract.

CFO Myers stated the contract does not allow for employees to work over the 37.5 hours.

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Commissioner Sloan moved to change page 1, line 5 to add “flexible” before the word “services”, seconded by Commissioner Stenger. A lengthy discussion followed regarding using this verbiage in the agreement. Chairman Walls stated he is not in favor of the “flex time”, but because this is a contract that is needed, he supports it. Roll call vote on the motion is 7 yes.

Commissioner Sloan moved for approval and authorization for signature on the agreement between Lake County Board of Commissioners and Gus Motzer for the Equalization Director Services and approves the revised job description that he is to report directly to the Board of Commissioners, seconded by Commissioner Vayda.

A lengthy discussion followed regarding the wording of “employee” and following the Lake County Personnel Manual. Commissioner Stenger stated that Commissioner Sloan will contact the County Attorney for clarification and changes. Roll call vote on the above motion is 7 yes. Commissioner Sloan had Chairman Walls sign the agreement with changes done in pencil.

The board recessed for lunch at 11:40 a.m.

The board reconvened at 1:15 p.m.

Chairman Walls is excused for the rest of the meeting.

COMMITTEE REPORTS, cont.

PERSONNEL cont. – Vice Chairman Sloan reported the next meeting will be March 10th to interview Building Department applicants. He also reported on the status of the CFO Search.

PROPERTIES/SAFETY – Commissioner Vayda reported they did the walk through at the North EMS Base and stated that Chief Deputy Dagen was given the authority to go out for bids on the complete list of items. The bids will go back to the Properties Committee for review. Commissioner Fairbanks reported on the Road Patrol Project and thought the Sheriff was coming to the Board to ask for more money and how there is so much duplication.

AGENCY REPORTS

AREA AGENCY ON AGING – Commissioner Carrington-Atkins reported on the recent meeting and items that were discussed. She explained some of the areas that are in need of volunteers, and further explained the Lake County funding and how it is distributed.

PERSONS SCHEDULED TO ADDRESS THE COMMISSIONERS

1:30 p.m. **Don Arquette, DHS Board Member** was present to discuss the County’s Appropriation to the DHS Board and distributed an informational handout.

Discussion followed regarding surrounding Counties and their DHS Board reimbursements, per the recent email. Commissioner Fairbanks stated that he wants to know where the money is coming from. Commissioner Brunn stated that this Entity represents a very good purpose and feels that this should be supported. Commissioner Carrington-Atkins also stated she would support a “workable” budget.

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Commissioner Stenger moved for approval for the increase to \$7,800.00 for the DHS Budget, seconded by Commissioner Vayda. Discussion followed. Roll call vote on the motion is 4 yes, 2 NO
Commissioner Fairbanks and Vice Chair Sloan and 1 absent and excused Chairman Walls.

ORV ORDINANCE – Commissioner Fairbanks reported on the amendments that are needed on the ORV Ordinance. Commissioner Fairbanks moved for approval to amend the ORV Ordinance to change the width of an ORV from 60 inches to 65 inches in Section 5, Registered Motor Vehicle, of the original ordinance, and update the maps as reviewed in the meeting, seconded by Commissioner Vayda.

Discussion followed regarding the East Bound traffic on 12 mile road on Lake County side. Vice Chair Sloan is voting NO because several of the roads that are Forest Service Roads that are open to Street Legal vehicles but are closed to ORV's and feels that this is not acceptable. A lengthy discussion followed.

Commissioner Fairbanks rescinded his motion and this will be an action item at the next meeting.

ORV PROMOTIONAL GRANT – Vice Chair Sloan gave a brief update on the promotions and where they are now. Commissioner Vayda stated a name was voted on “Lake County Outdoor Expo” by the committee that meets, which includes the Sportsman’s Club.

PLANNING COMMISSION – Commissioner Carrington-Atkins asked Mr. Arquette if he would give a brief update on their last meeting in which she could not attend. Mr. Arquette reported their Chairperson is Ernie Wogatzke, Vice Chair is Don Arquette and Seth Hopkins is their acting secretary.

CORRESPONDENCE – *see Exhibit “A”*

CFO REPORT – Clerk/Register/CFO Myers had nothing to report.

OLD BUSINESS – Correspondence from DNR regarding Shrine of the Pines - Commissioner Sloan reported he has had contact with House Representative Jon Bumstead, even though the information that is being requested is 30 years old, it should be completed and sent in. Discussion followed regarding what forms need to be completed and submitted. Commissioner Fairbanks moved for approval for CFO Myers to complete the necessary forms regarding the correspondence from the DNR regarding the Shrine of the Pines, without purchase of signs, and submit the forms, seconded by Commissioner Vayda, and by voice vote carried, with one nay.

NEW BUSINESS – Commissioner Stenger moved for approval and authorization of signature for the Letter of Support for the Lake County Juvenile Court Home Mentor Program, seconded by Vice Chair Sloan and by voice vote carried.

RESOLUTIONS – *See Exhibit “B”*

Commissioner Brunn moved for approval of Resolution #02/25/15 1323 Establishing an Ongoing Parks Committee, seconded by Commissioner Carrington-Atkins, roll call vote 6 yes and 1 absent and excused Chairman Walls.

Vice Chair Sloan appointed the following Commissioners to the Parks Committee: Commissioner Brunn, Chair, Commissioner Vayda, Vice Chair and Commissioner Carrington-Atkins.

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Commissioner Carrington-Atkins moved for approval to pay per diem and mileage to the members on the Parks Committee, seconded by Commissioner Brunn. Discussion followed regarding where the money would be coming from to pay per diem and mileage. Commissioner Carrington-Atkins made a friendly amendment that the Commissioners on this committee receive per diem and mileage for the startup of this committee, seconded by Commissioner Brunn, roll call vote 5 yes, 1 NO Commissioner Fairbanks and 1 absent and excused Chairman Walls.

Tony Gagliardo, Building Inspector, was present to request the following appointments to the Construction Board of Appeals, making that committee a 5 member Board. Vice Chair Sloan made the following appointments to the Construction Board of Appeals, James Nordlund, Jr. and Don LaBrenz, II.

BRIEF PUBLIC COMMENT – Limited to 5 minutes each, please!

Sheriff Hilts was present to give the Board an update on where the money is coming from for the Road Patrol Project. He stated that all funds will come from revenues over and above expenditures from the RRP.

COMMISSIONERS PERSONAL PRIVILEGE

Commissioner Fairbanks reported that he had conversations with Sheriff Hilts and Undersheriff Robinson about the Road Patrol project and gave some examples of the overages for costs.

Commissioner Vayda reported this should be called the New Sheriff Office not Road Patrol because that is what it is and feels that this project should not be done this year.

Commissioner Carrington-Atkins stated she is glad to see a new Parks/Recreation Committee being formed and would hate to see this fail, if the County could not come up with the 10% match.

Vice Chair Sloan reported other items can be used as “In Kind” for the 10% match and as far as the Road Patrol building, he is concerned and feels that everyone is on board and thinks it should move forward.

There being no further business, the meeting was adjourned at 2:48 p.m.

Shelly Myers, Clerk of the Board

Karl Walls, Chairman of the Board

Exhibit “A”

NUMBERED CORRESPONDENCE

- #1 WMSRDC- February 10, 2015**
- #2 WMSRDC- February 18, 2015**
- #3 WMSRDC- February, 2015**

DRAFT

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Exhibit “B”

**STATE OF MICHIGAN
COUNTY OF LAKE
Resolution #2/25/15 1323**

WHEREAS, the Lake County Board of Commissioners and the people of Lake County have an interest in furthering recreational activities for residents of Lake County; and,

WHEREAS, the Lake County Board of Commissioners has several acres of land in Webber Township, five acres of which must be used for youth activities; and,

WHEREAS, the Lake County Board of Commissioners has demolished and cleared said land of dangerous structures; and,

WHEREAS, the Lake County Planning Commission has updated the County recreation plan; and

THEREFORE, BE IT RESOLVED, the Lake County Board of Commissioners establish an ongoing Parks Committee tasked with developing said land as a County Park; and,

BE IT FURTHER RESOLVED, the Parks Committee consists of three Commissioners and a number of citizen members recommended by the Committee to the Board Chair for appointment.

STATE OF MICHIGAN)

) SS

COUNTY OF LAKE)

I, Shelly Myers, Clerk of the Board of Commissioners for the County of Lake, do hereby certify that the above and foregoing is a true and correct copy of a resolution passed by the Lake County Board of Commissioners at a regular meeting held on February 25, 2015.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal at Baldwin, Michigan, this 25th day of February, 2015.

Shelly Myers, Clerk of the Board