

LAKE COUNTY BOARD OF COMMISSIONERS
Regular Meeting
February 12, 2014
10:30 a.m.

Chairman Walls called the meeting to order at 10:43 a.m.

Commissioner Stenger gave the prayer and the Pledge of Allegiance was said.

Deputy Clerk Lori DeWolf called the roll with the following Commissioners present:

Dan Sloan, Barb Stenger, Colleen Carrington-Atkins, Sandy Clarke, John Fairbanks, Robert Myers and Karl Walls.

Commissioner Stenger moved that the agenda be approved as presented, seconded by Commissioner Clarke, and by voice vote carried.

Commissioner Fairbanks moved that the minutes from the January 22, 2014 regular meeting be approved, with the corrections as follows: 1. page 9, under Correspondence, Commissioner Clarke reported TrueNorth has "\$13 Million to assist with heating and electric in 61 counties of the 81 counties", 2. Page 7 FRY Foundation is spelled "FREY" 3. Page 9 under Planning Commission report, "Ryan Coffee is present at their meetings and is sticking with them with changes to the Recreation Plan from 1997 and will get everything to him to finalize" seconded by Commissioner Clarke, and by voice vote carried.

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

Larry Collier was present and commented he is glad to see the Sheriff's Department is getting video equipment for their vehicles and reported on his Township.

Seth Hopkins, MSU Extension, was present and reported on the following:

- 4-H Capital Experience is March 16 – March 19
- Baseball will begin soon and March will start with signing up those interested
- New program with students after school regarding entrepreneurship
- Enrichment classes with the Middle School
- Club focus
- Exploration Days
- 4-H Superintendent dinner February 24, 2014

Ernie Wogatzke and Yvonne Tharp were present regarding the Lake County Family & Youth Programs and does not want to see a resolution rescinding this.

Chairman Walls stated this is listed on the agenda under Old Business.

Paul Bigford was present and spoke with Commissioner Myers, who is the County representative on the Pere Marquette Zoning Variance Board, and there is a conflict with another meeting. Mr. Bigford suggested the Chairman appoint Dr. Richard Rasmussen to this board in place of Commissioner Myers.

PERSONS SCHEDULED TO ADDRESS THE COMMISSIONERS

10:55 a.m. **Tom Jordan, Benefit Plan Advisor from Municipal Employees' Retirement System of Michigan (MERS)** was present to report two options available to the County. The first option was "the MERS Retiree Health Funding Vehicle", which helps the County pre-fund the Other Post-Employment Benefits (OPEB) liability. The second option was MERS Health Care Savings Program for employee's to contribute towards future health needs and is 100% tax free and will take these funds with them when they leave employment/retire.

11:19 a.m. **Lynn Russell, United Way and Susan Howell, Director of call 2-1-1** were present to discuss

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2-1-1 and the benefits it holds for Lake County. Ms. Russell distributed the call volume from April 1, 2012 through March 31, 2013 and April 1, 2013 through December 31, 2013 for Lake County.

A lengthy discussion followed regarding pros and cons to have this service. It was questioned who does Lake County pay for this service and Lynn Russell stated, United Way as they are the fiduciary for 2-1-1.

Appropriations were discussed.

The board thanked Ms. Russell and Ms. Howell for their update.

The Board recessed for lunch at 11:52 a.m.

The Board reconvened at 1:16 p.m.

Chairman Walls asked for final comments regarding 2-1-1. Commissioner Sloan would like to have this voted on separately when the time comes to pay it.

Commissioners Clarke and Myers returned at 1:19 p.m.

Commissioner Myers moved for approval to continue with the appropriation for 2-1-1.

Discussion followed, motion fails due to lack of support.

Commissioner Carrington-Atkins moved for approval to table this and to be discussed at a later date, seconded by Commissioner Stenger, and by voice vote, carried.

Chairman Walls asked if this should be on the agenda at the next meeting, discussion followed with it being stated to add it to the 2/26/14 agenda under Old Business.

Commissioner Carrington-Atkins questioned if CodeRED could be used to notify the residents of Lake County regarding the next meeting being held at Chase Township at 6:00 p.m.

Discussion followed regarding the issues with how many minutes can be used and there is a policy in place for this.

PERSONS SCHEDULED TO ADDRESS THE COMMISSIONERS

1:39 p.m. **Ernie Wogatzke, Webber Township** was present regarding the “Blight” issue in Lake County and to eliminate it along the highways and back roads. Mr. Wogatzke distributed before and after pictures of the sites that have been cleaned up and explained the issues they are now facing with properties that are in the Land Bank, which there are three at this time.

Discussion followed regarding those properties that have been cleaned up.

Tony Gagliardo, Lake County Building Inspector stated he would like to see the County put a “Rental Policy” in place to be enforced and stated, this has nothing to do with “zoning”, but it will set minimal living standards.

COMMITTEE REPORTS

FINANCE

Commissioner Carrington-Atkins moved for approval for the purchase requisition from the Equalization Department/Capital Outlay to Tiger Direct for two all in one wireless printer and two battery backups for the total cost of \$1,467.24, seconded by Commissioner Fairbanks, roll call vote 7 yes.

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Commissioner Carrington-Atkins moved for approval for the purchase requisition from 911 Central Dispatch to Libertel for wireless headsets for the dispatchers for a total cost of \$1,635.58, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the purchase requisition from the Lake County Sheriff's Department/Road Patrol to Watch Guard for 13 in car video systems for the amount of \$91,022.00 with being reimbursed a total amount of \$19,500 through a Risk Avoidance Program (RAP) Grant, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the purchase requisition from the Lake County Sheriff's Department/Road Patrol to Printek Mobile for the purchase of 13 Field Pro Printers for the vehicles in the amount of \$7,549.16 with a budget amendment forthcoming for this purchase, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the conference and training request for Tony Gagliardo, Building Inspector, to attend the 2014 Comprehensive SESC Training in Gaylord from March 18th through March 20th for the cost of registration of \$225.00, hotel \$168.00, meals \$84.00 for a total cost of \$477.00, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the conference and training request for Pam Sisson, 911 Central Dispatch, to attend the EMS Expo in Grand Rapids from April 24th through April 27th for the registration cost of \$345.00, hotel cost \$420.00, meals \$136.00, mileage \$115.50 and parking \$64.00 for a total cost of \$1,080.50, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the conference and training request for Donna Grein and Tera Castle, 911 Central Dispatch, to attend Crimes in Progress and How to Save a Life being held in Traverse City from March 13th through March 14th for the cost of registration \$500.00, hotel \$390.68, meals \$84.00 and mileage \$143.00 for a total cost of \$1,117.68 and is State approved to be reimbursed, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the conference and training request for Shawn Howey, 911 Dispatch to attend the School Violence and Being the Best held in Southfield MI from March 17th through March 18th for the cost of registration \$318.00, hotel \$226.00, meals \$84.00, mileage \$209.00 for a total cost of \$837.00 and is State approved to be reimbursed, seconded by Commissioner Fairbanks, roll call vote 7 yes.

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

General Fund	\$120,662.66
Road Patrol	28,211.76
E911	3,078.70
RRP Center	68,293.90
Friend of the Court	3,749.93
Council on Aging	96,051.63
Building Inspection Department	3,901.90
Register of Deeds Automation Fund	755.00
E911 Wireless Fund	738.00
Drug Law Enforcement	3,422.00
Law Library	606.51
Child Care-Probate	30,054.10
JABG Grant 2013-2014	327.13
Ambulance	26,657.00
D.H.S. Building	464.03
Commissary Fund	<u>10,492.09</u>
GRAND TOTAL	<u>\$397,466.09</u>

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Seconded by Commissioner Clarke, roll call vote 7 yes.

PERSONNEL

Commissioner Carrington-Atkins would like to schedule a meeting to continue with the Commissioners Handbook. It was decided that Monday March 10, 2014 at 10:00 a.m. would be the next Personnel meeting.

PROPERTIES AND SAFETY

Chief Deputy Dagen was present to discuss the buildings at the fairgrounds and stated he received quotes from two companies for the amount of \$750.00 to check for asbestos, etc. Chief Deputy Dagen stated he was approved up to \$500.00 and has not found anyone within that price range.

Commissioner Fairbanks moved for approval for Chief Deputy Dagen to find a company to conduct Hazardous Waste Inspections on the buildings at the fairgrounds and not to exceed \$1,000.00, seconded by Commissioner Carrington-Atkins, roll call vote 7 yes.

AGENCY REPORTS

BROWNFIELD AUTHORITY

Tony Gagliardo, Lake County Building Inspector, reported they put in for an extension as there was a balance of \$97,000.00, but was denied. He stated he would like to keep this committee so they can work with the Land Bank properties.

BUILDING AUTHORITY

Clerk/Register/CFO Myers reported a letter was sent to the Village of Baldwin from the County Attorney stating the County was within their power with the Life EMS project regarding the zoning issues.

Discussion followed and Chairman Walls stated that at the last Village of Baldwin meeting, the meeting went into closed session and when it went back into the regular meeting, the meeting was then adjourned.

Clerk/Register/CFO Myers stated she had spoken to Don Turnwall and if we don't hear from the Village of Baldwin, the Building Authority would like to continue with the new Road Officer Building. Discussion followed regarding the Pole Building at the RRP.

DISTRICT HEALTH DEPARTMENT #10

Commissioner Clarke reported on the Prosperity Regions that District #10 is in Regions 2, 3 & 4, Lake County being in Region 4, has a grant that was submitted regarding lead base paint in homes, but Region 4 was not included in this grant so Commissioner Clarke stated she did question this.

Commissioner Carrington-Atkins reported on the election and who was on the board and they were awarded 2 awards. She distributed the "Healthy Michigan Plan Update" for all to review and it is to take place April 1, 2014.

Chairman Walls reported he did make a change and Commissioner Carrington-Atkins is on this committee and Commissioner Stenger will be the alternate.

ECONOMIC AND DEVELOPMENT COMMITTEE

Commissioner Sloan stated they met, and temporarily organized the committee. He will schedule the next meeting around Mr. Rick Chapla's schedule so he can be in attendance. All are to bring information they would like to see in the by-laws.

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Commissioner Clarke mentioned that one of the emails received regarding West Michigan Shoreline Regional Development (WMSRDC) and Commissioner Sloan stated he can report on this now or wait until this agency comes up to report on it.

Commissioner Sloan reported they had their election of officers and Mr. Sandeep Dey was directed by the board to send a letter that WMSRDC will cooperate with the Prosperity Zones/Groups. As far as any projects for Lake County, Commissioner Sloan stated that Comprehensive Economic Development Strategy (CEDS) has 3 projects that were listed in the appendix and questioned this. He was told there is a criteria that is to be met and CEDS board votes on these projects.

Commissioner Stenger stated she attended that meeting and they did not vote on anything. Commissioner Sloan researched the history and found where there were funds available for an industrial park in the Village of Baldwin, but they could not come up with the matching funds.

Discussion followed. Commissioner Sloan stated he will contact WMSRDC and let them know he is the County Representative on both committees.

FIVECAP

Commissioner Stenger reported they met via telecommunications and took care of business and they wanted to thank Clerk/Register/CFO Myers and her staff for selling the boots for the “Walk for Warmth” and raised \$104.00. The “Walk for Warmth” is scheduled for Saturday February 22, 2014.

IT

Chairman Walls reported on the recent meeting and the discussion regarding new aerials for the County. He stated he did attend the Lake County Township Officers Association (LCTOA) meeting and discussed this project with the Townships. Chairman Walls stated the townships were on board with helping out with the cost, but feels this should be a 2015 project as the townships are working on their 2014 budgets and this will give them time to budget for this in 2015. Chairman Walls stated Equalization Director Dan Holland will send a packet to the Township Supervisors with copies of Lake County’s aerials and a copy of an aerial from a surrounding County.

Commissioner Sloan stated he did report on this at the Ellsworth Township meeting and they were supportive of this project and they also stated they contributed with the last aerial project and will contribute again.

Tony Gagliardo, Building Inspector, stated this was not mentioned at the LCTOA meeting, but this will help the assessors tremendously with their jobs.

Clerk/Register/CFO Myers reported on the server issues that we have been encountering and is hoping we could begin looking for a new phone system.

LAKE COUNTY FAMILY AND YOUTH PROGRAMS COMMITTEE

Commissioner Sloan requested that another Commissioner be appointed to this committee. Commissioner Carrington-Atkins stated since the Planning Commission is working with the Recreation Plan and this would be included in the Plan she would like to be appointed to the committee to help and work with them. Commissioner Clarke also showed interest in being on this committee.

Chairman Walls appointed Commissioner Carrington-Atkins to the Lake County Family and Youth Programs Committee with Commissioner Clarke as the alternate.

Discussion followed regarding the original resolution creating this committee and names are mentioned within the resolution that is not on this committee any longer. It was stated the County may need a Parks Commission or Parks Committee. Ms. Tharp stated the meetings are the last Thursday of each month at 10:00 a.m.

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Chief Deputy Dagen reported there are programs this committee would like to do on this property, but are limited due to liability issues and asked if the board was willing to contact MMRMA regarding liability at this location to have animals, etc. Clerk/Register/CFO Myers stated we may need a Parks Committee, to be covered under the liability.

The Board took a short break at 3:08 p.m.

The Board reconvened at 3:15 p.m.

AGENCY REPORTS cont.

MAC SUB-COMMITTEES

ECONOMIC AND TAXATION

Commissioner Myers reported on their recent meeting and set priorities for the 2014 year.

HEALTH AND HUMAN SERVICES

Commissioner Clarke reported on their most recent meeting where the State is looking at how to handle Medicaid for inmates and with Human Services. One priority issue is regarding homelessness and working with them as there is funding available to help at the Federal level.

MICHIGAN NORTHERN COUNTIES

Commissioner Myers reported on their recent meeting. There was a presentation from Wayne Schmidt and the board went over the list of items that will be done in 2014.

MICHIGAN WORKS!

Commissioner Sloan reported they had their election and organization of officers and after the meeting he received an email from Mr. Paul Griffin regarding GEO and California. The Governor has two years to address the issue in the state of CA, so GEO will not be receiving prisoners from CA.

Discussion followed.

PERE MARQUETTE ZONING VARIANCE BOARD

Chairman Walls appointed Dr. Richard Rasmussen to replace Commissioner Myers, as there is a conflict between meetings and he will be an alternate.

PLANNING COMMISSION

Commissioner Carrington-Atkins has a request from Don Arquette to fill the vacancy on this board and is asking Chairman Walls to appoint Mr. Arquette. Commissioner Carrington-Atkins reported she submitted a RAP Grant through MMRMA for 5 members of the Planning Commission to attend Citizen Planner Classes.

Discussion followed.

Chairman Walls appointed Don Arquette to fill the vacancy on the Planning Commission with the term ending 12/31/2016.

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YATES DIAL-A-RIDE ADVISORY BOARD

Commissioner Carrington-Atkins reported she can't attend these meetings as she has a conflict and has spoken to Ms. Vedra Grant regarding such. It was asked if a Commissioner is needed on this board. Clerk/Register/CFO Myers stated that they receive funding from the transportation millage; therefore we may want to have representation.

Discussion followed

Commissioner Clarke reported she will be late for the 2/26/14 meeting at Chase Township as Peacock Township board meeting is also the same day and begins at 6:30.

Discussion followed regarding limiting the Public Comment for the evening meetings. Clerk/Register/CFO Myers stated to have a policy in place regarding all evening meetings.

Commissioner Clarke moved for approval that public comments during all evening meetings are limited to two minutes, seconded by Commissioner Myers.

It was stated if there is a group who is present to discuss the same issue that a spokesperson should be appointed to speak for the group.

Roll call vote 5 yes and 2 NO Commissioners Sloan and Atkins.

Commissioner Carrington-Atkins stated she will contact Chase Township Supervisor regarding the meeting on 2/26/14.

CORRESPONDENCE – *see Exhibit "A"*

There were none to discuss.

APPOINTMENTS

All appointments were done earlier.

CFO REPORT

Clerk/Register/CFO Myers was present to report on the following:

1. The Lake County Library Service Agreement is asking for approval on the wording, the resolution, the millage wording, authorization for signature and call for an election for August 3, 2014. "Correction to these minutes from the February 12, 2014 meeting as follows, (August 5, 2014")

Discussion followed.

1. Commissioner Stenger moved for approval of the Lake County Library Service Agreement wording, the resolution, the millage wording, authorization for signature and a call for an election for August 3, 2014, seconded by Commissioner Clarke, roll call vote 7 yes. *See Exhibit "B"* "Correction to these minutes from the February 12, 2014 meeting as follows, (August 5, 2014")

2. Has 3 Budget Amendments #11485, #11506 and #11512 as follows:

Commissioner Fairbanks moved for approval of Budget Amendments #11485, #11506 and #11512 as follows:

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BA #11485

Debit	207-901.00-981.000	Credit	207-901.00-981.002	\$9,200.00
Description:	for the purchase of 10 In-Car printers to comply with Windows 7 updates on computers.			

BA #11506

Debit	210-890.00-955.000	Credit	210-325.00-849.000	\$2,000.00
Description:	to add funds to the phone account in 911 as it was missed during budget hearings.			

BA #11512

Debit	101-426.00-977.003	Credit	101-426.00-850.006	\$25.00
Description:	to adjust for the annual maintenance for CodeRED for 2014.			

Seconded by Commissioner Carrington-Atkins, roll call vote 7 yes.

Commissioner Fairbanks moved for approval of the Transfer Authorization #11425 as follows:

TA #11425

Debit	207-965.00-999.011	Credit	207-000.00-001.000	\$2,500.00
Debit	210-000.00-001.000	Credit	210-000.00-684.000	\$2,500.00
Description:	to transfer the funds from road patrol to 911 for the IT supplement to work on IT issues at the Sheriff's Department			

Seconded by Commissioner Clarke, roll call vote 7 yes.

3. The IT Supplement of \$2,500.00 that was recommended by the IT Committee for Dave Sanders to receive to do IT work for the Sheriff's Department was not board approved. The Budget Amendment and Transfer Authorization was approved, but was not approved officially.

Commissioner Carrington-Atkins moved for approval for Dave Sanders, 911 Director to receive an IT Supplement of \$2,500.00 from Road Patrol to do IT work for the Sheriff's Department, seconded by Commissioner Stenger, roll call vote 6 yes and 1 NO Commissioner Fairbanks.

4. MAC's Spring Legislative Conference March 24 – March 26 and asked if anyone was interested in attending.

Commissioner Stenger asked to be excused for the 3/26/14 meeting as she will be in Washington DC with FiveCap. Commissioner Carrington-Atkins stated she may be interested in going on the 24th and come back on the 25th, so she will let us know by the end of the week.

OLD BUSINESS

Commissioner Carrington-Atkins stated if any of the Commissioners have recommendations of what they would like to see in the Recreation Plan in regards to the County Property at the Fairgrounds to please let her or a member of the Planning Commission know so it can be reviewed and incorporated into the Recreation Plan.

NEW BUSINESS

Commissioner Myers has asked the Board for a letter of support for the Lake County Sportsmen's Club as they are trying to acquire property from Pleasant Plains Township.

A lengthy discussion followed.

Commissioner Myers moved for approval that a Letter of Support be sent by the Lake County Board of Commissioners supporting to the Lake County Sportsmen's Club to acquire the land from Pleasant Plains Township to the Sportsmen's Club,

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seconded by Commissioner Fairbanks, roll call vote 2 yes and 5 NO Commissioners Stenger, Clarke, Fairbanks, Sloan and Walls. Motion fails.

Commissioner Stenger stated when Tony Gagliardo and Ernie Wogatzke were here and there was discussion regarding a Countywide Rental Policy/Ordinance; she would strongly recommend that this is followed through.

Clerk/Register/CFO Myers stated she would like to contact the County Attorney and see if we could get a draft Housing/Rental Ordinance.

Commissioner Stenger moved for approval for Clerk/Register/CFO Myers contact the County Attorney and look into a Countywide Housing/Rental Ordinance, seconded by Commissioner Clarke, roll call vote 6 yes and 1 NO Commissioner Sloan.

RESOLUTIONS – see Exhibits “C”, “D”, “E” and “F”

Commissioner Sloan moved for approval Resolution #02/12/14 1302 Opposing Senate Bill 636, seconded by Commissioner Myers, roll call vote 7 yes.

Commissioner Fairbanks moved for approval Resolution #02/12/14 1303 Supporting House Bill 5215, seconded by Commissioner Myers, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval Resolution #02/12/14 1304 in favor of fully funding Revenue Sharing in 2015, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Fairbanks moved for approval Resolution #02/12/14 1305 Supporting House Bill 5253, seconded by Commissioner Myers. Clerk/Register/CFO Myers explained that by adopting this Resolution, it by no means has anything to do with our current Equalization Director. This is so “if” in the future, we collaborate; our Equalization Director could take on additional duties from another county.

Roll call vote 7 yes.

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

Undersheriff Robinson was present and thanked the board for their support with the Sheriff’s Department and the requests that are made.

COMMISSIONERS PERSONAL PRIVILEGE

Chairman Walls and Commissioner Sloan both stated they support the Sportsmen’s Club, but would like to see more information regarding such.

Commissioner Clarke reminded everyone that there are funds available through True North to help those in need for heat in Lake County and applications are being taken through August 2014.

Commissioner Carrington-Atkins stated she feels that when the minutes are completed, there is more information written from the public than from the Commissioners. Discussion followed.

There being no further business, the meeting was adjourned at 4:56 p.m.

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Exhibit "A"

NUMBERED CORRESPONDENCE

- #1 Mason-Lake Conservation District (FULL CORRESPONDENCE IN CLERK'S OFFICE)**
- #2 MAC Legislative Update January 24, 2014**
- #3 Resolution No. 14-11c**
- #4 Resolution No. 14-10c**
- #5 Lake County Permit Summary January 2014**
- #6 Bay County Resolution No.2014-12**
- #7 Resolution No. 14-15**
- #8 MAC Legislative Update February 7, 2014**

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Exhibit “B”

LAKE COUNTY LIBRARY SERVICES AGREEMENT

THIS AGREEMENT, is entered into as of the 12th day of February, 2014 by and between the **COUNTY OF LAKE** (“County”), a Michigan county corporation, 800 Tenth Street, Baldwin, Michigan, **PATHFINDER COMMUNITY LIBRARY**, a township library established under Act No. 164 of 1877, as amended, 812 Michigan Avenue, P.O. Box 880, Baldwin, Michigan 49304-0880, **LUTHER AREA PUBLIC LIBRARY**, a district library established under Act No. 24 of 1989, as amended, 115 State Street, P.O. Box 86, Luther, Michigan 49656-0086, and **CHASE TOWNSHIP PUBLIC LIBRARY**, a township library established under Act No. 164 of 1877, as amended, 8400 East North Street, P.O. Box 24, Chase, Michigan 49623-0024 (each referred to individually as the “Library” or collectively as the “Libraries”).

WITNESSETH

WHEREAS, the three Libraries provide public library services to the residents of Lake County, and

WHEREAS, Act No. 138 of 1917, as amended (MCL 397.301 *et seq.*), (“Act 138”) authorizes a county to enter into a contract with existing libraries for public library services to county residents; and

WHEREAS, Act 138 further authorizes a county to levy a millage to support public library services within a county; and

WHEREAS, Lake County has determined that is in the best interests of the County to provide public library services to all residents of the County by entering into this Lake County Library Services Agreement (“Agreement”) rather than establishing a county library; and

WHEREAS, a county-wide library millage would provide a stable and equitable method of funding the public library services provided by the Libraries within Lake County; and

WHEREAS, pursuant to Act 138, Lake County has agreed to submit a library millage to the voters for approval, to levy the library millage upon voter approval, and to apportion the funds generated by this millage among the Libraries providing public library services to residents of Lake County.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. **Millage Proposal**. Lake County agrees to submit to County electors at the August 5, 2014 election the Lake County Library Millage Proposal in substantially the form shown on Exhibit A attached hereto. The Lake County Board of Commissioners shall take all action as necessary or appropriate to approve and certify the Lake County Library Millage Proposal for submission to County electors at the August 5, 2014 election.

2. **Term**. The term of this Agreement shall commence on _____, 2014 and shall continue until expiration upon the last distribution of the Lake County Library millage on or before July 31, 2019 pursuant to Paragraph 6. Notwithstanding the forgoing, this Agreement shall immediately terminate if the Lake County Library Millage Proposal is not approved by County electors at the August 5, 2014 election.

3. **County Library Millage**. Upon voter approval of the Lake County Library Millage Proposal on August 5, 2014, the County shall, pursuant to Section 1 of Act 138 and other applicable law, annually levy on December 1 and collect the approved millage in the amount of 0.25 mill (\$0.25 per \$1,000 of taxable value) (“Lake County Library Millage”) for a period of five (5) years commencing with the December 1, 2014 tax levy and concluding with the December 1, 2018 tax levy. The County agrees that it will annually levy the maximum authorized millage of 0.25 mill subject only to required Headlee rollbacks under MCL 211.34d. The County further agrees that it shall comply with the Truth in Taxation Act, including the holding of hearings if necessary, in order to levy the maximum authorized library millage subject only to required Headlee rollbacks.

4. **County Library Board**. Upon voter approval of the Lake County Library Millage Proposal at the August 5, 2014 election and not later than December 1, 2014, the County shall establish and appoint the Lake County Library Board pursuant to Act 138. The Board shall consist of 5 members appointed by the county board of commissioners for terms of 5 years each, except that the first members shall be appointed for terms of 1, 2, 3, 4, and 5 years. Decisions of the Board will be effected by majority vote. Pursuant to Section 3 of Act 138, the sole function of the Lake County Library Board shall be to administer the Lake County Library Fund in accordance with the terms of this Agreement and Act 138. The Libraries shall

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be solely responsible for providing all public library services within the County and shall furnish all employees engaged in providing such services.

5. **County Library Fund; Apportionment.** The funds collected from the Lake County Library Millage shall be accounted for and deposited by the County Treasurer into a separate fund known as the Lake County Library Fund within ten (10) business days after the County Treasurer receives the funds in accordance with MCL 211.43(7). The Lake County Library Fund shall be apportioned for each annual levy among the Libraries on a per capita basis based on the populations shown on the penal fine reports certified by the Library of Michigan to the County Clerk and County Treasurer pursuant to Act No. 59 of 1964, as amended (MCL 397.31 *et seq.*) (“Act 59”) for the year in which payments are made to the Libraries pursuant to Paragraph 6. Each Library’s apportioned share (“Apportioned Share”) shall be that Library’s population of its legal and contract service areas divided by the total population of all legal and contract service areas of the Libraries (excluding contract service areas outside Lake County), as shown on the annual penal fine reports certified by the Library of Michigan to the County Treasurer pursuant to Act 59 for the year in which payments are made to the Libraries pursuant to Paragraph 6. As an illustration, the apportionment of the revenues from the Lake County Library Millage levied in December 2014 and distributed to the Libraries not later than July 31, 2015 as provided in Paragraph 6 shall be based upon the populations shown in the penal fine reports certified by the Library of Michigan for July 2015. The legal and service area populations for 2013 are shown on Exhibit B attached hereto for illustration purposes only and the parties recognize that these are subject to change each year during the term of this Agreement as penal fine reports are annually certified by the Library of Michigan.

6. **County Library Fund; Payments to Libraries.** Not later than July 31 of each year commencing with July 31, 2015, the County Treasurer shall account for and deliver to each Library the total amount of its Apportioned Share of the County Library Fund on hand on July 15. Interest earned on the Lake County Library Fund before it is accounted for and delivered to the Libraries shall also be accounted for and delivered to the Libraries based on the Apportionment Share prescribed by Paragraph 5. Each Library shall deposit the funds received from the County Treasurer in its library fund.

7. **Libraries; Other Millages.** Nothing in this Agreement shall be construed to prohibit or restrict the levy of other authorized library millages during the period (2014-2018, inclusive) in which the County levies the Lake County Library Millage pursuant to Paragraph 3.

8. **Provision of Public Library Services.** Commencing on September 1, 2014 (provided that the Lake County Library Millage proposal is approved by County electors at the August 5, 2014 election), the Libraries shall each grant to any resident of Lake County equal library privileges as are granted to any resident of that Library’s legal service area (as defined for penal fine purposes), except for any services governed by vendor contracts (such as Overdrive) that require users to be residents of the Library’s legal service area.

9. **New Libraries.** In the event that a new public library is established and recognized by the Library of Michigan as having qualified for penal fines pursuant to Act 59 during the term of this Agreement, the County and the Libraries agree that they shall amend this Agreement to add the new public library as a party and to provide for the apportionment of the Lake County Library Fund on a per capita basis among all public libraries within the County, including the new public library, as provided in this Agreement. In the event that a new public library is authorized to levy a millage, the new library shall agree to levy not more than its authorized millage rate reduced by 0.25 mill during the period in which the County levies the Lake County Library Millage pursuant to Paragraph 3.

10. **Local Control.** Nothing in this Agreement shall be construed to affect the establishment, governance or operation of the Libraries which shall remain under the control of their respective library boards in accordance with applicable law. Upon execution of this Agreement, employees of the Libraries will remain employees of the Libraries, and will not be employees of the County. Any new employees hired by the Libraries after execution of this Agreement shall also be employees of the respective Libraries and shall not be considered County employees.

11. **Enforcement.** In the event of the failure by any of the parties to perform its obligations under this Agreement, the other parties, either individually or collectively, may seek such remedies as shall be available to them under the laws of the state of Michigan including, but not limited to, mandamus.

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12. **Certification.** The person signing this agreement on behalf of the parties hereto certify by said signatures that they are duly authorized to sign on behalf of said party and that this Agreement has been authorized by said party.

13. **Binding Effect.** This Agreement shall inure to the benefit of and be binding upon the parties hereto and their successors and assigns.

14. **Entire Agreement; Amendment.** This Agreement represents the entire understanding and agreement between the parties hereto and shall not be amended except by written agreement executed by all parties.

15. **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed and all of which shall constitute one and the same agreement, and the signature of any party to any counterpart shall be deemed a signature to and may be appended to any other counterpart.

THIS AGREEMENT is executed by the parties below as of the date first above written.

LAKE COUNTY

PATHFINDER COMMUNITY LIBRARY

By: _____

By: _____

Its: _____

Its: _____

By: _____

By: _____

Its: _____

Its: _____

CHASE TOWNSHIP PUBLIC LIBRARY

LUTHER AREA PUBLIC LIBRARY

By: _____

By: _____

Its: _____

Its: _____

By: _____

By: _____

Its: _____

Its: _____

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EXHIBIT A

LAKE COUNTY LIBRARY MILLAGE PROPOSAL

Shall the total tax rate limitation on the amount of general ad valorem taxes which may be imposed on all taxable property in the County of Lake under Article IX, Section 6 of the Michigan Constitution be increased by 0.25 mill (\$0.25 per \$1,000 of taxable value) on the taxable value of such property annually for a period of five (5) years, 2014 through 2018, inclusive, to provide funds to public libraries providing public library services to residents of Lake County for all library purposes authorized by law, and shall Lake County be authorized to levy such new additional millage for said purposes?

This millage will raise an estimated \$ **133,280** in the first year of the levy. The revenues from this millage will be disbursed to Pathfinder Community Library, Luther Area Public Library, and Chase Township Public Library (and any other public library that is established within the County and qualifies for penal fines) pursuant to a contract between Lake County and such libraries. To the extent required by law, a portion of the revenues from this millage will be captured within the district of and disbursed to the Village of Baldwin Downtown Development Authority and a portion of the revenues from this millage will be disbursed to the Lake County Land Bank Fast Track Authority.

Yes

No

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EXHIBIT B

2013 LEGAL AND CONTRACT SERVICE AREA POPULATIONS

(as certified in July 2013 by the Library of Michigan)

			Millage 0.2500
			\$133,280*
Luther Library	Capita	37.036%	\$49,362
ELK	985		
Eden	487		
Newkirk	632		
Dover	395		
Sauble	333		
Peacock	492		
Ellsworth	817		
	<u>4,141</u>		
Pathfinder Library		49.584%	\$66,085
Sweetwater	245		
Webber	1,699		
Cherry Valley	396		
Lake	862		
Pleasant Plains	1,581		
Yates	761		
	<u>5,544</u>		
Chase Library		13.380%	\$17,833
Chase	1,137		
1/2 Pinora	359		
	<u>1,496</u>		
Total People	11,181	100.00%	\$133,280*

*Example of total millage revenues based on 0.25 mill levied in the County.

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Exhibit "C"

STATE OF MICHIGAN

COUNTY OF LAKE

Resolution #02/12/14 1302

Lake County Board of Commissioners Opposes Senate Bill 636

WHEREAS, Senate Bill 636 and/or its subsequent substitutions would revise the procedure by which a telephone provider could discontinue basic local exchange service beginning January 1, 2017; and

WHEREAS, this legislation could diminish the Michigan Public Service Commission's (MPSC) role in allowing a telephone provider to discontinue service and potentially put the decision-making function with the Federal Communications Commission unless a customer requests the MPSC to investigate the availability of comparable voice service with reliable access to 911 and emergency services; and

WHEREAS, comparable voice services such as VoIP and wireless service can be unreliable and/or non-existent in rural areas and during power outages; and

WHEREAS, the Lake County Board of Commissioners feel that landlines remain the best form of service for Lake County and other rural communities.

THEREFORE, BE IT RESOLVED that the Lake County Board of Commissioners opposes Senate Bill 636 for the above reasons; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Michigan Counties, State Senator Darwin Booher, State Representative Jon Bumstead, Governor Snyder and Michigan Association of Counties.

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 12, 2014.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal at Baldwin, Michigan, this 12th day of February, 2014.

Shelly Myers, Clerk of the Board

LAKE COUNTY BOARD OF COMMISSIONERS

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Exhibit “D”

STATE OF MICHIGAN

COUNTY OF LAKE

Resolution #02/12/14 1303

Lake County Board of Commissioners Supports HB 5215

WHEREAS, P.A. 161 of 2013 enacted certain exemptions for disabled Veterans pertaining to the payment of property taxes; and

WHEREAS, the Lake County Board of Commissioners supports the State of Michigan’s efforts to help disable veterans financially, however this non-collection of property tax will result in a loss of revenue for local municipalities; and

WHEREAS, HB 5215 will require the State to “reimburse a local tax collecting unit for any revenue lost as a result of the exemption...”; and

WHEREAS, the Lake County Board of Commissioners supports this proposed legislation; now

THEREFORE, BE IT RESOLVED that the Lake County Board of Commissioners opposes House Bill 5215 as written; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Michigan Counties, State Senator Darwin Booher, State Representative Jon Bumstead and Michigan Association of Counties.

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 12, 2014.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal at Baldwin, Michigan, this 12th day of February, 2014.

Shelly Myers, Clerk of the Board

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Exhibit “E”

**LAKE COUNTY BOARD OF COMMISSIONERS
Supporting Governor Snyder’s Recommendation
To Fully Fund Michigan Counties Revenue Sharing
RESOLUTION #02/12/14 1304**

WHEREAS, In the Governor's recommendation for the FY 2015 budget, counties are scheduled to receive 100% full funding of revenue sharing totaling \$211,134,899; and

WHEREAS, This will bring counties to the level of revenue sharing agreed upon in 2004 for the 2005 FY; and

WHEREAS, The attached spreadsheet details the full funding allocations for FY 2015 for each county; and

WHEREAS, This marks the first time in fourteen years that the administration has recommended full funding for county revenue sharing; and

WHEREAS, Counties have worked diligently for the past decade by leading the effort to reform, consolidate, and right size government in an effort to increase efficiency and adjust declining revenues; and

WHEREAS, Revenue sharing is more than just a pot of money to be allocated in whole or in part to counties but is a statutory promise made to counties in exchange for giving up local taxing authority and for a more recent change in local taxing administration; and

WHEREAS, Revenue sharing is used by counties to pay for the multitude of state mandated services including the courts, the jails, the constitutional officers, elections and the public health system and, coupled with the recent reductions in property values and increased mandated state service delivery, counties are stretched to the financial limit; and

THEREFORE BE IT RESOLVED, That the Lake County Board of Commissioners would like to thank the Governor for fully funding county revenue sharing payments fiscal year 2015;

THEREFORE BE IT ALSO RESOLVED, That the Lake County Board of Commissioners call upon the state legislature to live up to their promise and adopt the Governor’s recommendation for fully funding county revenue sharing in FY 2015;

BE IT FINALLY RESOLVED That copies of this resolution are forwarded to the Governor, our State Legislators, and the Michigan Association of Counties.

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 12, 2014.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal at Baldwin, Michigan, this 12th day of February, 2014.

Shelly Myers, Clerk of the Board

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**FY 2015 Governor Recommendation
Full Funding for County Revenue
Sharing**

**TOTAL
\$211,134,89**

County	FY 2014 Appropriation	Exec. Rec. FY 2015 Full Funding	Increase over FY 2014 Appropriation
Alger	\$153,281	\$191,722	\$38,441
Allegan	\$1,798,266	\$2,249,250	\$450,984
Alpena	\$581,800	\$727,709	\$145,909
Arenac	\$269,045	\$336,518	\$67,473
Baraga	\$149,869	\$187,454	\$37,585
Barry	\$917,369	\$1,147,434	\$230,065
Bay	\$2,065,870	\$2,583,966	\$518,096
Benzie	\$0	\$333,039	N/A
Berrien	\$2,912,427	\$3,642,830	\$730,403
Branch	\$773,292	\$967,225	\$193,933
Calhoun	\$2,395,979	\$2,996,863	\$600,884
Cass	\$832,455	\$1,041,225	\$208,770
Cheybogan	\$0	\$304,634	N/A
Chippewa	\$573,860	\$717,778	\$143,918
Clare	\$515,942	\$645,334	\$129,392
Clinton	\$546,612	\$1,334,321	\$787,709
Crawford	\$0	\$243,604	N/A
Delta	\$641,278	\$802,102	\$160,824
Dickinson	\$457,940	\$572,786	\$114,846
Eaton	\$1,771,839	\$2,216,196	\$444,357
Grand Traverse	\$0	\$1,517,350	N/A
Genesee	\$7,901,123	\$9,882,633	\$1,981,510
Gladwin	\$407,184	\$509,301	\$102,117
Gogebic	\$270,902	\$338,841	\$67,939
Gratiot	\$686,494	\$858,658	\$172,164
Hillsdale	\$750,497	\$938,712	\$188,215
Houghton	\$545,591	\$682,419	\$136,828
Huron	\$640,624	\$801,286	\$160,662
Ingham	\$4,867,925	\$6,088,744	\$1,220,819
Ionia	\$941,489	\$1,177,604	\$236,115
Iosco	\$424,833	\$531,376	\$106,543
Iron	\$216,366	\$270,628	\$54,262
Isabella	\$994,164	\$1,243,488	\$249,324
Jackson	\$2,696,542	\$3,372,803	\$676,261
Kalamazoo	\$4,148,454	\$5,188,838	\$1,040,384
Kent	\$9,632,745	\$12,048,525	\$2,415,780
Lake	\$0	\$124,089	N/A
Lapeer	\$1,336,401	\$1,671,555	\$335,154
Lenawee	\$1,626,725	\$2,034,689	\$407,964

LAKE COUNTY BOARD OF COMMISSIONERS

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County	FY 2014 Appropriation	FY2015 Full Funding Amount	Increase over FY 2014 Appropriation
Luce	\$102,601	\$128,332	\$25,731
Macomb	\$13,137,739	\$16,432,531	\$3,294,792
Manistee	\$432,446	\$540,898	\$108,452
Marquette	\$1,019,897	\$1,275,675	\$255,778
Mecosta	\$680,809	\$851,547	\$170,738
Menominee	\$424,368	\$530,794	\$106,426
Midland	\$1,578,910	\$1,974,882	\$395,972
Missaukee	\$226,816	\$283,698	\$56,882
Monroe	\$2,481,791	\$3,104,195	\$622,404
Montcalm	\$993,378	\$1,242,506	\$249,128
Montmorency	\$0	\$171,377	N/A
Muskegon	\$2,879,056	\$3,601,090	\$722,034
Newaygo	\$762,808	\$954,111	\$191,303
Oakland	\$0	\$24,423,251	N/A
Oceana	\$428,156	\$535,533	\$107,377
Ogemaw	\$0	\$456,948	N/A
Ontonagon	\$138,531	\$173,272	\$34,741
Osceola	\$453,161	\$566,809	\$113,648
Oscoda	\$0	\$17,469	N/A
Otsego	\$0	\$433,599	N/A
Ottawa	\$3,748,173	\$4,688,171	\$939,998
Presque Isle	\$0	\$144,008	N/A
Roscommon	\$405,795	\$507,564	\$101,769
Saginaw	\$3,650,812	\$4,566,393	\$915,581
Sanilac	\$732,483	\$916,181	\$183,698
Schoolcraft	\$147,661	\$184,693	\$37,032
Shiawassee	\$1,152,357	\$1,441,355	\$288,998
St. Clair	\$3,001,610	\$3,754,379	\$752,769
St. Joseph	\$1,098,111	\$1,373,505	\$275,394
Tuscola	\$877,359	\$1,097,391	\$220,032
Van Buren	\$1,229,726	\$1,538,127	\$308,401
Washtenaw	\$5,522,843	\$6,907,907	\$1,385,064
Wayne	\$39,984,520	\$50,012,170	\$10,027,650
Wexford	\$537,136	\$671,844	\$134,708
Total	\$145,760,000	\$211,134,899	\$37,205,531

Data Source: Michigan Department of Treasury

LAKE COUNTY BOARD OF COMMISSIONERS

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Exhibit “F”

**LAKE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
SUPPORTING HB 5253
Resolution #02/12/14 1305**

WHEREAS, Lake County wished to entertain the option to enter into an Interlocal Agreement with another County in 2013 to share an Equalization Director, and

WHEREAS, this collaboration could have worked well and would have been an excellent example of Governor Snyder’s requirements that local municipalities collaborate and consolidate services, and

WHEREAS, in 2013 this proposed collaboration idea was called into question by the State Tax Commission due to possible conflicts of sharing a MAAO (3) Equalization Director, with two or more entities over the allotted SEV amount, and

WHEREAS, HB 5253 would allow the collaboration between other counties to come to fruition and to allow for considerable cost savings for all, and

THEREFORE BE IT RESOLVED, that the Lake County Board of Commissioners supports HB 5253 as it will allow collaborations among counties, which will allow the counties to save money, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Michigan Counties, Representative Jon Bumstead, Senator Darwin Boher, Governor Rick Snyder and the Michigan Association of Counties.

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 12, 2014.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal at Baldwin, Michigan, this 12th day of February, 2014.

Shelly Myers, Clerk of the Board