

The regular board meeting of the Huron County Board of Commissioners was held on Tuesday, February 12, 2019, commencing at 9:41 a.m. in the Board of Commissioners office, Third Floor, Huron County Building, Bad Axe, Michigan.

PRAYER AND PLEDGE: The meeting was called to order by Chairman Khoury with The Lord's Prayer and Pledge to the Flag of the United States of America.

ROLL CALL: Commissioners present: Chairman Khoury, Mary Babcock, Mike Meissner, John Bodis, Todd Talaski, and Steve Vaughan. . Excused – Ron Wruble.

AGENDA: The agenda was reviewed. Motion by Vaughan, seconded by Bodis to approve the agenda as presented. Motion carried. Agenda approved.

APPROVAL OF MINUTES: **Motion** by Bodis, seconded by Talaski to approve the Regular Board minutes of January 23, 2019. Motion carried.

COMMUNICATIONS:

- A letter from Hank Weitenberner requesting to be re-appointed to the Huron Behavioral Health Board of Directors.
- A letter from Sue Thelen of the Air Quality Division of the DEQ enclosing their monthly Pending New Source Review Application Report.
- A letter from Terry L. Heck requesting to be re-appointed to the Huron County Planning Commission.
- The 22nd annual Rural Education Day program is being planned for Tuesday, September 10, 2019, and the Project R.E.D. Committee is requesting to use the fairgrounds as well as the Expo Building and the big arena for set-up on both Sunday the 8th and Monday the 9th and the event on Tuesday, the 10th.
- The City of Caseville's Planning Commission has sent a copy of the Community Recreation Plan 2019-2023.
- Michigan Association of Counties has sent a copy of the proposed changes to said by-laws that will be voted on during a special business meeting on March 27, 2019, at the 2019 Legislative Conference in Lansing.

ANNOUNCEMENTS: Chairman Khoury said the County Building will not be closing early today.

PUBLIC COMMENT: (Limit of 3 minutes per person):

- Carl Duda, Vice-President of the Huron County Planning Commission, explained the situation of why some Planning Commission meetings were called early, some of the members have to work the next day or due to bad weather.
- Robert Gaffke feels the Board needs the moratorium,
- Sally Kain said we need the moratorium extended.
- Daniel Volmering said the moratorium needs to be extended. They shouldn't be built around homes.
- Richard Stein said the Planning Commission is great, there's no bickering. The people of Huron County don't want the wind turbines.
- Jerome Hessling said he sits on the Sherman Township Board. People want the moratorium.
- Rita Parsch said the Planning commission meeting are running great and professionally. Infrasound isn't safe.

9:55 a.m.

Time scheduled for the public hearing for the Village of Pigeon Annexation. Steven Corrion, Village of Pigeon Clerk, and Mike LePage, Village of Pigeon President, present. Mr. Corrion gave a brief overview of the property to be annexed. Public hearing concludes. **Motion** by Vaughan, seconded by Bodis to close the public hearing. Motion carried.

10:00 a.m.

CONSENT ACTION: Motion by Bodis, seconded by Talaski to approve the resolutions on the Consent Actions. Motion carried. Resolutions adopted:

CA RESOLUTION BY FINANCE COMMITTEE: #19-8C

WE, the FINANCE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, there is a need to upgrade the entrance access control system in the County Building; and

WHEREAS, Thumb Alarm Systems, Inc. has submitted the best bid in the amount of \$10,586.60 for the necessary hardware and software to install a new system, for a total project cost not to exceed \$10,586.60 (see attached); and

THEREFORE, BE IT RESOLVED that the Facilities Manager be authorized to accept the quote from Thumb Alarm Systems, Inc. to install a new entrance access control system in the amount of \$10,586.60, to be taken from the General Public Improvement Fund 445, line 445-902-932.

CA RESOLUTION BY LEGISLATIVE COMMITTEE: #19-9C

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, the Board of Commissioners has reviewed the Huron County Board of Commissioners Rules that were adopted on January 9, 2018; and

WHEREAS, no revisions were deemed necessary at this time; now

THEREFORE, BE IT RESOLVED that this Board of Commissioners hereby adopts the attached Huron County Board of Commissioners Rules; and

BE IT FURTHER RESOLVED that the attached Board Rules will be effective immediately.

CA RESOLUTION BY LEGISLATIVE COMMITTEE: #19-10C

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, the Village of Pigeon has presented to this Board of Commissioners a Petition for Annexation of certain lands, which, if granted, will alter the boundaries of said general law village; and

WHEREAS, the Board of Commissioners has authority and concomitant duties pursuant to MCL 74.6 to examine said Petition and conduct a hearing for the purpose of considering said Petition and then either modifying, granting, or denying the prayer contained therein; and

WHEREAS, this Board has examined the Petition and after conducting a hearing for due consideration of said Petition on February 12, 2019, and it having appeared that the Village of Pigeon has complied with all statutory requirements relative to the presentation of a Petition for the alteration of its boundaries; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners has determined that the prayer contained in the Petition shall be granted and that an Order of Such Determination shall be entered upon the records of this Board; a copy of said Order is attached hereto and incorporated by reference as though fully set forth herein and marked as "Attachment A".

BE IT FURTHER RESOLVED that a certified copy of the Order of Such Determination shall be transmitted to the Clerk of the Village of Pigeon and to the Secretary of State of the State of Michigan.

CA RESOLUTION BY LEGISLATIVE COMMITTEE: #19-11C

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, the Huron County Planning Commission, at their meeting of February 6, 2019, reviewed and approved the attached application(s) for Farmland Agreement under the provisions of P.A. 116 of 1974, which were made by the person(s) listed below:

*Wayne F. Lubeski Land LLC
Lincoln Township, Section 26, 9.49 acres; and*

WHEREAS, under provisions of P.A. 116 of 1974, Farmland Agreements in townships under county zoning require approval of the County Board of Commissioners; now

THEREFORE, BE IT RESOLVED that the above application(s) as submitted for Farmland Agreement be approved.

CA RESOLUTION BY PERSONNEL COMMITTEE: #19-12C

WE, the PERSONNEL COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, there is a need to amend Appendix A-1, A-2, and A-3 of the Huron County Employee Handbook to update policies and procedures; now

THEREFORE, BE IT RESOLVED that this Board of Commissioners hereby amends Appendix A-1, A-2, and A-3 of the Huron County Employee Handbook (see attachment) updating policies and procedures; and

BE IT FURTHER RESOLVED that this amendment be effective April 1, 2019.

NEW BUSINESS:

9:58 a.m.

Motion by Vaughan, seconded by Bodis to go into Closed Session to discuss pending litigation, pursuant to MCL 15.268(e) under the Open Meetings Act. Roll call vote to go into closed session. Ayes – Talaski, Vaughan, Bodis, Babcock, Meissner, and Khoury. Nays – None. Absent – Wruble. Motion carried.

10:12 a.m.

Reconvened regular session.

RESOLUTION BY LEGISLATIVE COMMITTEE: #19-13

WE, the LEGISLATIVE COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, on Wednesday, January 2, 2019, the Huron County Planning Commission discussed the process required to extend Article X. Huron County Wind Energy Conversion Facility Overlay Zoning Ordinance, Section 10 Moratorium, set to expire on March 1, 2019; and

WHEREAS, the Huron County Planning Commission conducted a public hearing, pursuant to notice, at a regular meeting held on February 6, 2019, regarding proposed “Amendment to Article X. Huron County Wind Energy Conversion Facility Overlay Zoning Ordinance [Second amendment to Extend] Section 10. Moratorium” and thereafter discussed and considered the merits of the proposed amendment to the zoning ordinance; and

WHEREAS, a motion was made by Planning Commission member Robert Tenbusch to recommend adoption of the second amendment to the zoning ordinance for extension of the moratorium for one year, seconded by Planning Commission member Carl Duda, which was approved by a vote of seven to one; and

WHEREAS, a copy of the proposed Zoning Ordinance Amendment, ZA 2019-01, is attached hereto; and

WHEREAS, pursuant to MCL 125.3308(1), the Planning Commission transmitted a summary of comments received at the hearing, along with the result of the motion to adopt the amendment, which was approved, to the Board of Commissioners on February 7, 2019; and

WHEREAS, this matter is before the Board of Commissioners pursuant to MCL 125.3401(5), which requires this body to consider and vote upon the adoption of the proposed zoning ordinance amendment, with or without amendments, requiring a majority vote of the members for approval; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners, Huron County, Michigan, adopts zoning amendment ZA 2019-01 in Ordinance form, which revises the Huron County Zoning Ordinance, Article X, Section 10, "Second Amendment To Impose A Moratorium On The Issuance Of Permits, Licenses Or Approvals For Wind Energy Systems"; by extending the moratorium with the aforementioned ordinance amendment having an effective date of March 1, 2019, a date pursuant to the Michigan Zoning Enabling Act, PA 110 of 2006, as amended; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners and the County Clerk are authorized to attest to this amendment by signing the attached Ordinance amendment ZA 2019-01.

Motion by Babcock, seconded by Vaughan to approve this resolution. Discussion followed. Roll call vote: Ayes – Meissner and Khoury. Nays – Babcock, Bodis, Vaughan, and Talaski. Absent – Wruble. Motion defeated. Resolution failed.

RESOLUTION BY PERSONNEL COMMITTEE: #19-14

WE, the PERSONNEL COMMITTEE, respectfully beg leave to submit the following resolution for your consideration:

WHEREAS, at all times pertinent hereto, Matthew Blaine has been employed by the Office of the Huron County Sheriff as a corrections officer; and

WHEREAS, the County and the employee agree that it would be in their best interest to sever the employment relationship and for the employee to resign; and

WHEREAS, the terms of the employee's separation from the County are set forth in a confidential separation agreement and general release executed by the parties; now

THEREFORE, BE IT RESOLVED that this Board hereby approves the terms of the confidential separation agreement as it pertains to Matthew Blaine and authorizes the Chairman to execute same.

Motion by Talaski, seconded by Bodis to approve this resolution. Roll call vote: Ayes – Vaughan, Talaski, Bodis, Babcock, Meissner, and Khoury. Nays – None. Absent – Wruble. Motion carried. Resolution adopted.

APPOINTMENTS: None at this time.

MOTIONS:

Motion by Babcock, seconded by Vaughan to authorize the County Clerk to advertise for vacancies on the following Boards, with an application deadline of 5:00 p.m. on Wednesday, March 6, 2019:

- Mental Health Services Board – 4 members, 3-year term
- Planning Commission – 3 members, 3-year term

Motion carried.

Motion by Talaski, seconded by Bodis to authorize the Chairman to sign the Independent Contractor Agreement between the County of Huron and Taryn Ward. Motion carried.

Motion by Talaski, seconded by Bodis to approve the Family Medical Leave Request as submitted by Linda M. Gembariski. Motion carried.

REPORTS:

Khoury attended: Jan. 23 – regular board meeting. Feb. 4 – Sebewaing Village Council meeting. Feb. 5 – Sebewaing Township meeting. Feb. 6 – Huron County Planning Commission meeting. Feb. 11 – Brookfield Township meeting.

Bodis attended: Jan. 23 – Finance Committee meeting; regular board meeting; Personnel Committee meeting. Jan. 24 – Tuscola County Health Department. Health Officers Annual Review. Jan. 30 – Personnel Committee meeting; Huron Behavioral Health, orientation. Feb. 4 – Forensic Pathologist issues. Feb. 5 – Forensic Pathologist issues continued. Feb. 6 – Road Commissioners Board meeting. Feb. 8 – Michigan GST Governing Board meeting in Lapeer. Feb. 9 – Genesee County Morgue. Multi County meeting. Medical Examiner and forensic pathologist proposal and options.

Babcock attended: Jan. 23 – Finance Committee meeting; regular board meeting; Personnel Committee meeting. Jan. 26 – Welcomed Olivet Students to the Thumb for their community service day. Jan. 30 – Personnel Committee meeting. Feb. 4 – Triad meeting. Feb. 5 – Legislative Committee meeting; EDC meeting.

Meissner attended: Jan. 23 – regular board meeting. Feb. 4 – Paris Township Board meeting; Grant Township Board meeting. Feb. 6 – Huron County Planning Commission meeting.

APPROVAL OF BILLS: Motion by Bodis, seconded Talaski to approve monthly bills as submitted. Motion carried.

Health Department		\$284,440.44
Board Bills Approved	2018	17,074.81
	2019	69,271.47
Paid Without Presentation	2018	19,197.98
	2019	<u>438,064.82</u>
Total		\$828,049.52

FINAL PUBLIC COMMENT: (Limit of 3 minutes per person):

- Robert Gaffke stated developers can lie and not prove compliancy. He also stated the 2015 ordinance is deficient. Mr. Gaffke said he is disappointed the wind moratorium didn't pass.
- Carl Duda is disappointed on the moratorium.
- Sally Kain is disappointed also. The people living under the wind turbines are suffering.
- Bob Tenbusch is disappointed and wanted to know what item the Board didn't like.
- Rita Parsch said Mary Babcock's survey didn't mean anything to her.
- Daniel Volmering asked what the cost was to the county for the referendum votes.

FINAL BOARD COMMENT:

- Commissioner Vaughan stated, according to the public comments, he interprets that as meaning the Planning Commission is doing a good job. The moratorium doesn't mean anything and to continue to get things done.

- Chairman Khoury agrees with Vaughan. They can continue to work on getting things done. Commissioner Babcock suggested the Planning Commission utilize subcommittees to complete items more quickly and efficiently.

10:39 a.m.

Motion by Vaughan, seconded by Talaski to go into Closed Session to discuss property, pursuant to MCL 15.268(d) under the Open Meetings Act. Roll call vote to go into closed session. Ayes – Meissner, Babcock, Bodis, Vaughan, Talaski, and Khoury. Nays – None. Absent – Wruble. Motion carried.

10:56 a.m.

Reconvened regular session.

10:56 a.m.

Meeting adjourned.

Sami Khoury, Chairman
Board of Commissioners

Lori Neal-Wonsowicz
Huron County Clerk