

Bad Axe, Michigan
Tuesday, July 10, 2018

The regular board meeting of the Huron County Board of Commissioners was held on Tuesday, July 10, 2018, commencing at 9:40 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 Sami Khoury, Dave Peruski, John Nugent, John Bodis, Ron Wruble, Todd Talaski, and Steve Vaughan.

AGENDA: The agenda was reviewed. **Motion** by Vaughan, seconded by Talaski to approve the agenda. Motion carried. Agenda approved.

APPROVAL OF MINUTES: **Motion** by Bodis, seconded by Vaughan to approve the Regular Board minutes of June 26, 2018. Motion carried.

Motion by Bodis, seconded by Vaughan to approve the Closed Session minutes of June 26, 2018. Motion carried.

COMMUNICATIONS:

- From the Saginaw County Board of Commissioners their resolution opposing any amendatory legislation to Public Act 93 of 2013 that would reduce or eliminate the State of Michigan's fiduciary responsibility.
- From the Berrien County Board of Commissioners their resolution opposing SB 1031.
- From the Osceola County Board of Commissioners their resolution #2018-0010 opposing the amendatory legislation to Michigan Public act 93 of 2013.
- A thank you letter from Bob Brown, Region VII Area Agency on Aging.
- From Ann Hepfer, Health Officer for Tuscola and Huron County Health Department's, has sent a copy of the Medical Director approval letter from MDHHS and will be sending the contract to the Board of Commissioner's to hire Dr. Mustafa Hamed as the Provisional Medical Director.
- A public hearing will be held on August 14, 2018 at 7:00 p.m. in the Sherman Township Hall on the Cooperative Elevator Company's application for an Industrial Facilities Exemption Certificate for a project to be constructed during 2018.

ANNOUNCEMENTS: None

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

- Robert Gaffke stated the Board should contact a legitimate company to do the sound studies. Mr. Gaffke feels that not everyone is doing their jobs correctly. He is upset with the wind company that came to his neighbor's property and did a poor sound study. He would like to know how and when his complaint is going to be corrected.
- Sally Kain feels that ABD is not a good choice for a sound study. She also stated that companies should stay within the guidelines of the ordinance.
- Chris Martinelli stated that he read the letter that Jeff Smith gave to Mr. Gaffke and stated if Mr. Gaffke doesn't like the choice of the 3rd party firm, the Board should use who Mr. Gaffke wants.
- Jeff Smith rebutted comments made by Mr. Gaffke.

- Don Koglin suggested sending a letter to the Attorney General and make sure everyone is doing their job.
- Steve Allen informed the Board that he did some research regarding the Fair Board's request, and it is acceptable. Mr. Allen also stated that once ABD completes their testing, it becomes a public document. The County created the law, the County should enforce the law.

10:03 a.m.

Huron County Road Commissioners and staff members appeared to present their 2017 Annual Reports. **Motion** by Vaughan, seconded by Bodis to accept the 2017 County Road Commission Report. Motion carried. **Motion** by Vaughan, seconded by Bodis to accept the 2017 Drain Commission Report as presented. Motion carried.

10:54 a.m.

Recess

11:00 a.m.

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

CA RESOLUTION BY FINANCE COMMITTEE: #18-68C

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

WHEREAS, there is a need to purchase one (1) commercial-grade lawn mower for the Sheriff's Office to be used by the Community Work Program crew; and

WHEREAS, Tri County Equipment, Inc. has submitted a bid in the amount of \$6,150 minus \$1,300 for trade-in, for a total cost of \$4,850 for the 2017 John Deere Z915E Commercial ZTrak; and

WHEREAS, donations have been received from those who utilize the work crew, and these funds will be used for this project; now

THEREFORE, BE IT RESOLVED that the Huron County Sheriff's Office be authorized to purchase a 2017 John Deere Z915E Commercial ZTrak at a total cost of \$4,850 from Tri County Equipment, Inc., to be taken from line 101-351-933.04.

CA RESOLUTION BY FINANCE COMMITTEE: #18-69C

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

WHEREAS, it is necessary to install a remote lock system for the Probate Court suite; and

WHEREAS, Security Lock Service has submitted a quote to install the remote lock system in the amount of \$2,864.97; now

THEREFORE, BE IT RESOLVED that the Facilities Manager be authorized to accept the quote from Security Lock Service to install the remote lock system in the amount of \$2,864.97, to be taken from the General Public Improvement Fund 445, line 445-902-932 (Building Maintenance).

CA RESOLUTION BY LEGISLATIVE COMMITTEE: #18-70C

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

WHEREAS, Senate Bill (SB) 1031 seeks to amend the General Property Tax Act to exempt qualified utility personal property from the collection of taxes under the Act; and

WHEREAS, "Qualified utility personal property" under the Act would include both of the following utility personal property; electric transmission and distribution systems, substation equipment, spare parts, gas distribution systems, water transmission and distribution systems, gas storage equipment, and transmission lines of gas or oil transporting companies, that was initially installed in the State after December 31, 2017; and

WHEREAS, SB 1031 in its present form as introduced on May 29, 2018, will impose a financial burden on Huron County and its local units, as it will not only reduce personal property tax revenues in 2019, but every year thereafter those annual losses will continue to increase; and

WHEREAS, SB 1031 was reported favorably by the Senate Committee on Finance without amendment for immediate effect to the Committee of the Whole on June 6, 2018; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners hereby opposes SB 1031; and

BE IT FURTHER RESOLVED that this resolution shall be forwarded to all counties in Michigan, Representative Canfield, Senator Pavlov, Governor Rick Snyder, and the Michigan Association of Counties.

CA RESOLUTION BY LEGISLATIVE COMMITTEE: #18-71C

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

WHEREAS, on June 25, 2018, the Huron County Building & Zoning Department received a request from Melvin E. Polega and Marie E. Polega, for approval of the release of a 1.41-acre parcel from the Development Rights Agreement Act, Farmland Development Rights Agreement No. 32-43386-123118 currently enrolled by Esther E. Polega, which was executed in accordance with the provisions of PA 116 of 1974, commonly known as the Farmland and Open Space Preservation Act; and

WHEREAS, the Dwight Township assessor has reviewed this request and determined that at least one structure located on Parcel No. 3207-035-004-00 was present prior to the original execution of said P.A. 116 agreement; and

WHEREAS, the Parcel requested for release consists of 1.41 acres including structures, in which the Huron County Zoning Administrator has determined the location of existing structures comply with the Huron County Zoning Ordinance, which is compliant with the partial termination requirements of the Farmland Development Rights Agreement and is described as follows:

See Attached Parcel Information, Farmland Agreement, GIS Aerial Map, Survey and Legal Description for 1.41 acre Termination; and

WHEREAS, Melvin E. Polega has included in addition to the partial termination request the legal documents necessary to transfer ownership of the Ester E. Polega P.A. 116 enrollment into the current ownership names of Melvin E. Polega and Marie E. Polega; and

WHEREAS, the Dwight Township Assessor has completed a tax cost for this parcel that is intended to be released from the P.A. 116 program, in which the last seven (7) years tax credits would be reimbursed to the State of Michigan; now

THEREFORE, BE IT RESOLVED that the Huron County Zoning Administrator and the Huron County Board of Commissioners have no objection to the releasing of this 1.41 acre parcel of land from P.A. 116.

NEW BUSINESS:

RESOLUTION BY PERSONNEL COMMITTEE: #18-72

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

WHEREAS, the Board of Commissioners concurs with the revisions made by the Personnel Committee to the Huron County Employee Handbook; and

WHEREAS, said revisions will become effective January 1, 2018; now

THEREFORE, BE IT RESOLVED that this Board of Commissioners hereby adopts the attached Huron County Employee Handbook as revised by the Personnel Committee; and

BE IT FURTHER RESOLVED that the attached Huron County Employee Handbook will be effective January 1, 2018.

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

RESOLUTION BY PERSONNEL COMMITTEE: #18-73

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

WHEREAS, there is need to hire a part time employee to fill the position of part time Deputy Sheriff in the Huron County Sheriff's Office to serve in the capacity(s) designated by the Sheriff including, but not limited to, Road Patrol; and

WHEREAS, Matt Clark has applied for said position in the Huron County Sheriff's Office; and

WHEREAS, Sheriff Kelly J. Hanson has recommended to the Personnel Committee that Matt Clark be hired to fill said position at the rate(s) in accordance with those established per Resolution No. 18-65 (see attached), that being a rate of \$18.50 per hour; now

THEREFORE, BE IT RESOLVED that Matt Clark shall be employed effective July 11, 2018, as a part time employee to fill the above referenced position, in accordance with the pay, terms, and conditions of the Huron County Sheriff's Office Policy and Procedures Book.

Motion by Nugent, seconded by Peruski to approve this resolution. Discussion followed. Roll call vote: Ayes – Peruski, Nugent, Talaski, Bodis, Wruble, Vaughan, and Khoury. Nays – None. Motion carried. Resolution adopted.

RESOLUTION BY PERSONNEL COMMITTEE: #18-74

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

WHEREAS, there is a need to hire a part time employee to fill the position of dispatcher in training at Central Dispatch; and

WHEREAS, Kelly L. Castro has applied for said position in Central Dispatch; and

WHEREAS, Randy Miller, 911/EMS Director, has recommended to the Personnel Committee that Kelly L. Castro be hired to fill said position at a rate of \$11.75 per hour while in training, per Resolution No. 17-77; and

WHEREAS, upon successful completion of training for Ms. Castro (written documentation of such to be provided to the Board of Commissioners Office), she will be classified as a regular, part time employee in Central Dispatch; and

WHEREAS, upon Ms. Castro classification as a regular part time employee, she will be placed at the current hourly wage as defined by the POAM Central Dispatch Unit Contract for Grade 140, Step 1. Ms. Castro will proceed through the steps of the salary progression schedule as follows:

- Step 1 – Date of successful completion of training*
- Step 2 – Six months following date of successful completion of training*
- Step 3 – One year following date of successful completion of training*
- Step 4 – Two years following date of successful completion of training*
- Step 5 – Three years following date of successful completion of training*
- Step 6 – Four years following date of successful completion of training*
- Step 7 – Five years following date of successful completion of training*
- Step 8 – Six years following date of successful completion of training*
- Step 9 – Seven years following date of successful completion of training; now*

THEREFORE, BE IT RESOLVED that Kelly L. Castro shall be employed effective July 12, 2018, as a part time employee to fill the above referenced position, in accordance with the pay, terms, and conditions of the Huron County Employee Handbook.

Motion by Nugent, seconded by Talaski to approve this resolution. Discussion followed. Roll call vote: Ayes – Peruski, Nugent, Talaski, Bodis, Wruble, Vaughan, and Khoury. Nays – None. Motion carried. Resolution adopted.

APPOINTMENTS: None at this time.

MOTIONS:

Motion by Vaughan, seconded by Bodis to approve Region VII Area Agency on Aging's proposed FY 2019 Annual Implementation Plan and authorize the Executive Assistant to send a letter of support for said plan. Motion carried.

Motion by Peruski, seconded by Vaughan to contract with ABD Engineering & Design, a INCE Board Certified Acoustician, to conduct audible noise level evaluations at three (3) complainant locations, compile, and analyze data in accordance with the 2010 Wind Energy Facility Overlay Zoning Ordinance utilizing the 2015 County-approved measurement methodology. Resolution to follow. Discussion followed. Motion by Peruski, seconded by Vaughan to amend the motion by inserting "support the Zoning Administrator's decision to" in front of contract. Roll call vote on the amendment: Ayes-Wruble, Peruski, Nugent, Bodis, Vaughan, Talaski, and Khoury. Motion carried to amend the original motion. Motion carried as amended.

Motion by Talaski, seconded by Bodis to demolish the Expo Center and Arena building and construct a community center/ice arena in their location. Discussion followed. **Motion** by Talaski, seconded by Vaughan to amend the motion to read "to make the current site available if the County approves the plans of the new Expo Center/Arena." Motion carried.

Motion by Vaughan, seconded by Peruski to return the allocation for the Fair back to \$14,000, with a resolution to follow. Motion carried.

REPORTS:

Khoury attended: June 26 – regular board meeting; Personnel Committee meeting. June 27 – Planning Commission meeting. July 2 – Huron Republican Party meet and greet. July 3 – Sebewaing Lions club meeting. July 9 – Brookfield Township meeting.

Peruski attended: June 26 – regular board meeting; Properties Committee meeting. July 3 – Personnel Committee meeting.

Bodis attended: June 26 – Finance Committee meeting; regular board meeting. June 27 – MDHHS Board meeting; 911 Authority Board meeting; meeting with auditors to go over preliminary budget audit numbers/information. July 9 – met with constituent; Expo Center Facility; met with constituent; Animal Control.

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

Health Department	\$59,680.68
Board Bills Approved	68,118.42
Paid Without Presentation	<u>2,515,913.94</u>
Total	\$2,643,713.04

FINAL PUBLIC COMMENT:

- Carl Duda agrees the noise is an issue.
- Chris Martinelli, gave his opinion that both ABD and Rand do their studies and compare their reports. This could make everything go away.
- Sue Morell, Hockey Association Chairperson, thanked the Board and gave their yearly donation.
- Robert Gaffke responded once again to Jeff Smith's letter.
- Jeff Smith, B&Z Director, said that he has completed the investigation.
- Steve Allen, Corporation Counsel, stated that we can't lose sight that this is a private dispute between two landowners. He also noted that the Board of Commissioners is a legislative body that can make an ordinance, but can't enforce it.

FINAL BOARD COMMENT:

- Commissioner Vaughan thanked Ed Eichler for his support to this community.

12:15 p.m.

Meeting adjourned.

Sami Khoury, Chairman
Board of Commissioners

Lori Neal-Wonsowicz
Huron County Clerk