

Bad Axe, Michigan
Tuesday, August 28, 2018

The regular board meeting of the Huron County Board of Commissioners was held on Tuesday, August 28, 2018, commencing at 9:00 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. Commissioner Bodis pulled the fifth motion. **Motion** by Vaughan, seconded by Bodis to approve the agenda as amended. Motion carried. Agenda approved.

APPROVAL OF MINUTES: **Motion** by Bodis, seconded by Vaughan to approve the Committee of the Whole minutes of August 14, 2018, the Regular Board minutes of August 14, 2018 and the Committee of the Whole minutes of August 22, 2018. Motion carried.

COMMUNICATIONS:

- A letter from State Representative Edward J. Canfield, thanking the Board for being in contact with him in regards to your concerns on the baiting plan put forward by the Department of Natural Resource Commission.
- Kathie Harrison, Suicide Prevention Coalition, is requesting to place their Memorial Garden display on the courthouse lawn beginning the week of September 6, 2018.
- A letter from Sue Thelen of the Air Quality Division of the DEQ enclosing their monthly Pending New Source Review Application Report.

ANNOUNCEMENTS: None at this time.

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

- Robert Gaffke would like the Board to contact Rob Rand who is a professional in acoustics. Mr. Gaffke sees discrepancies with ABD. The Board should also contact Dale Hass to get side of the story.

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

CA RESOLUTION BY AGENCIES COMMITTEE: #18-90C

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

WHEREAS, the Huron County Board of Commissioners has received MDOT Agreement No. 2017-0066/P5/R1, a Revised Project Authorization for FY 2018 Section 5311 Operating Formula Grants for Rural Area Program, between the Michigan Department of Transportation and the Huron County Board of Commissioners to be used for public transit in Huron County throughout the year; and

WHEREAS, authorization is required by the Board of Commissioners for signature to said contract; now

THEREFORE, BE IT RESOLVED that Sami Khoury, Chairman of the Board of Commissioners, be authorized to sign MDOT Agreement No. 2017-0066/P5/R1 on behalf of the County of Huron.

CA RESOLUTION BY AGENCIES COMMITTEE: #18-91C

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

WHEREAS, the Huron County Board of Commissioners has received MDOT Agreement No. 2017-0066/P7, a Project Authorization for FY 2018 Section 5339 Bus and Bus Facilities Formula Program, between the Michigan Department of Transportation and the Huron County Board of Commissioners to be used for public transit in Huron County throughout the year; and

WHEREAS, authorization is required by the Board of Commissioners for signature to said contract; now

THEREFORE, BE IT RESOLVED that Sami Khoury, Chairman of the Board of Commissioners, be authorized to sign MDOT Agreement No. 2017-0066/P7 on behalf of the County of Huron.

CA RESOLUTION BY FINANCE COMMITTEE: #18-92C

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

WHEREAS, the United States Constitution and the amendments thereto, as well as the Michigan Constitution provide that people charged with criminal offenses are entitled the right to have an attorney represent them in court proceedings; and

WHEREAS, the judicial system recognizes the rights of persons without the ability to pay for an attorney and/or other legal services (such as hiring investigators or expert witnesses) have the same right of legal representation in the court system as a person who can afford to pay for an attorney and/or other legal services; and

WHEREAS, the State of Michigan ("State") has created the Michigan Indigent Defense Commission ("MIDC") within the Department of Licensing and Regulation; and

WHEREAS, the MIDC is purposed with creating more effective and equitable funding at the State and local level for persons who are charged with criminal offenses and do not have the financial ability to pay for an attorney and/or other legal services; and

WHEREAS, the State, through the MIDC, is separating the financial matters of court appointed cases away from the court system to local court funding units (i.e., in this case, the County of Huron on behalf of the 73B District Court and the 52nd Circuit Court), which requires creation of a separate fund within the local chart of accounts; and

WHEREAS, the MIDC is receiving grant applications to fund court-appointed attorney and related legal services from local court funding units to provide funding by the State to the local court funding units beginning October 1, 2018; and

WHEREAS, the MIDC allows for grant applications to request funds for limited construction costs to allow for criminal defense attorneys and their clients to meet in a private and secure setting at or near a courtroom, in furtherance of protecting attorney-client confidentiality; and

WHEREAS, this new fund, Fund 260 – Indigent Defense Fund, within the local chart of accounts will accept all funds from the State through MIDC grants and will charge all MIDC-related costs to this fund; and

WHEREAS, the MIDC recommends any fund balance at the end of the County's fiscal year should remain in the newly created fund and not revert to the County's general fund so that funds are used exclusively for court appointed attorney and related legal services; and

WHEREAS, the MIDC recommends any fund balance at the end of the County's fiscal year shall remain in the fund to carry over to the next year to be used for future compliance expenditures; and

WHEREAS, the County acknowledges that a separate fund will allow for better management of the grant funds and monitoring by the local and state interested parties; and

WHEREAS, the Huron County Board of Commissioners determines that this is an important service and source of funding for defendants in criminal cases who do not have the ability to afford an attorney or legal services in the 73B District Court and 52nd Circuit Court; now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners hereby resolves that the Huron County Treasurer shall create a separate fund within the local chart of accounts to accept all funds from the

State through MIDC grants and to charge all MIDC-related costs to this fund, namely Fund 260 – Indigent Defense Fund; and

BE IT FURTHER RESOLVED that all funds received through the MIDC grants will be placed in Fund 260 – Indigent Defense Fund and all MIDC-related costs shall be charged to this fund; any fund balance at the end of the County’s fiscal year will remain in the fund and carry over to the next year to be used for future compliance expenditures.

CA RESOLUTION BY FINANCE COMMITTEE: #18-93C

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

WHEREAS, the Huron County Sheriff’s Office applied for and received the FY 2018 Medical Marijuana Operation and Oversight Grant through the Michigan Department of Licensing and Regulatory Affairs; and

WHEREAS, there is a need to purchase ten (10) iPads and cases for the Huron County Sheriff’s Office; and

WHEREAS, Apple Inc. has submitted an invoice in the amount of \$6,389.45 (see attached) for ten (10) iPads and cases; and

WHEREAS, there is a need to amend the 2018 General Fund 101 revenue and expenditure budgets for this purchase; now

THEREFORE, BE IT RESOLVED that the Huron County Treasurer be authorized to issue payment in the amount of \$6,389.45 to Apple Inc. for ten (10) iPads and cases, to be taken from line 101-301-977; and

BE IT FURTHER RESOLVED to amend the 2018 General Fund 101 revenue and expenditure budgets as follows:

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|-----------------------|---------------------------|-------------------|
| <i>101-301-540.01</i> | <i>State Grant - MMOG</i> | <i>\$6,888.00</i> |
| <i>101-301-977</i> | <i>Equipment - MMOG</i> | <i>\$6,888.00</i> |

CA RESOLUTION BY FINANCE COMMITTEE: #18-94C

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

WHEREAS, on July 24, 2018, this Board adopted Resolution No. 18-76 authorizing the transfer of \$1,000,000 from the General Fund to meet a partial requirement of the OPEB actuarial study; and

WHEREAS, after its adoption, it was discovered that there was a typographical error; and

WHEREAS, in order to rectify this error, it is necessary to amend Resolution No. 18-76 by amending the budget adjustment; now

THEREFORE, BE IT RESOLVED to authorize the Huron County Treasurer to transfer \$1,000,000 from the General Fund 101 to Fringe Benefit Fund 678 and amend the budgets as follows:

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|-----------------------|--|--------------------|
| <i>101-861-965.55</i> | <i>Appropriation to MERS – GASB 68</i> | <i>\$1,000,000</i> |
| <i>678-861-606.52</i> | <i>Retirement – GASB 68</i> | <i>\$1,000,000</i> |

CA RESOLUTION BY FINANCE COMMITTEE: #18-95C

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

WHEREAS, it is necessary to replace the current cassette recording equipment for the 73B Magistrate Court; and

WHEREAS, BIS Digital, Inc. has submitted a quote to install a new digital recording system in the amount of \$3,550, which includes software, setup, installation, and training (see attached); now

THEREFORE, BE IT RESOLVED that the Huron County Board of Commissioners hereby accepts and authorizes the Chief Judge to sign the order from BIS Digital, Inc. to purchase a new digital recording system for the 73B Magistrate Court at a cost not to exceed \$3,550, to be taken from the General Public Improvement Fund 445, line 445-902-932.

CA RESOLUTION BY LEGISLATIVE COMMITTEE: #18-96C

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

WHEREAS, it is the intention of this Board to participate in the 2019 Survey and Monumentation Program through the Michigan Department of Energy, Labor, and Economic Growth; and

WHEREAS, in order to participate in the State Survey and Monumentation Program, Huron County must submit a grant application with the Michigan Department of Energy, Labor, and Economic Growth; now

THEREFORE, BE IT RESOLVED that Huron County submit a grant application to participate in the 2019 Survey and Monumentation Program through the Michigan Department of Energy, Labor, and Economic Growth; and

BE IT FURTHER RESOLVED that the Huron County Board of Commissioners appoints Sarah Durr, Huron County Register of Deeds-Elect, as the Survey and Monumentation Grant Administrator and authorize her to sign the aforementioned grant application.

NEW BUSINESS: None at this time.

APPOINTMENTS: None at this time.

MOTIONS:

Motion by Peruski, seconded by Vaughan to authorize the County Clerk to advertise for vacancies on the following Boards, with an application deadline of noon on Thursday, September 20, 2018:

- o Construction Code Board of Appeals – 1 member, 1.25-year term.
- o Nature Center – 5 members, 3-year term.

Motion carried.

Motion by Talaski, seconded by Bodis to grant permission to the Huron County Suicide Prevention Coalition to place a Memorial Garden display for Suicide Awareness Week on the lawn of the County Building, September 6 through September 14, 2018. Motion carried.

Motion by Bodis, seconded by Peruski to authorize the Chairman to sign the Local Health Department Plan of Organization Approval Form for submission to the State. Motion carried.

Motion by Bodis, seconded by Talaski to authorize the Chairman to sign the Contact for Deer Carcass Removal Services between Huron County and JLP Services, LLC. Discussion followed. Motion carried.

REPORTS:

Khoury attended: Aug. 14 – regular board meeting. Aug. 20 – Sebewaing Village Council meeting. Aug. 21 – Friends of the lions annual picnic. Aug. 22 – Committee of the Whole meeting; Legislative Committee meeting; Safety Committee meeting; Huron County Planning Commission meeting.

Peruski attended: Aug. 14 – regular board meeting; Personnel Committee meeting. Aug. 22 – Committee of the Whole meeting; Legislative Committee meeting.

Bodis attended: Aug. 14 – Finance Committee meeting; regular board meeting. Aug. 15 – Board of Health meeting; meeting with ME; meeting with Board of Health member. Aug. 20 – Public Safety, Ambulance Services. Aug. 22 – Road Commissioners Board meeting; meeting with Corporation Council, Ambulance Services; Committee of the Whole meeting; Public Safety Committee meeting, Ambulance Services.

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

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|---------------------------|---------------------|
| Health Department | \$95,869.07 |
| Board Bills Approved | 58,209.61 |
| Paid Without Presentation | <u>1,373,156.16</u> |
| Total | \$1,527,234.84 |

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

- Paul Holz stated that even with him and Mr. Gaffke present, it's still possible to have a short meeting.
- Robert Gaffke hopes the Board finds his request reasonable and will give Rob Rand a call.

FINAL BOARD COMMENT:

- Commissioner Vaughan thanked Jeff Smith, B & Z Director, for the hard copy of the Master Plan. There is a lot of information. Chairman Khoury asked that everyone look it over to make sure there are no mistakes. Jeff Smith said he will need comments by September 7th.
- Chairman Khoury said Sebewaing is processing sugar beets. Please look out for sugar beet trucks and also school buses now that school has started.

9:15 a.m.

Meeting adjourned.

Sami Khoury, Chairman
Board of Commissioners

Lori Neal-Wonsowicz
Huron County Clerk