

COUNTY OF OSCODA

Board of Commissioners
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OFFICIAL MINUTES

AUGUST 4, 2009

A REGULAR MEETING OF THE OSCODA COUNTY BOARD OF COMMISSIONERS WAS HELD ON **TUESDAY AUGUST 4, 2009** AT 10:00 A.M. IN THE COMMISSIONER'S ROOM, COURTHOUSE ANNEX MIO, MICHIGAN

Members Present: Commissioners Stone, Hunt, Kauffman (Late), Marsh, and Trimmer.

Members Excused:

Others Present: 11 members of the public were in attendance.

Chairman Stone called the meeting to order at 10:00 a.m.

** (Commissioner Stone announced that Commissioner Kauffman would be late).

Roll Call, followed by the Pledge to the Flag.

The Board reviewed the agenda for today's meeting **August 4, 2009 and approved as presented.

Trimmer/Hunt a motion to accept the agenda for **August 4, 2009**, as presented.
2009-217 4 ayes: 0 nays: **Motion Carried.**

The Minutes of **July 14, 2009 were reviewed and approved as presented.

Marsh/Trimmer a motion to approve the Unofficial Minutes from the **July 14, 2009**
2009-218 B.O.C. Meeting, as presented.
4 ayes: 0 nays: **Motion Carried.**

Public Comments:

**Commissioner Stone announced that some topics on the agenda would be tabled until Commissioner Kauffman arrives for full Board approval.

Appointment: 10:15 a.m.

**Mr. Tim London, Emergency Management Coordinator, presented the Oscoda County Emergency Management Quarterly Report. The report included the major activities, recurring meetings and events, memberships, major upcoming events, status of the 2009 goals, projects, and an up-date on the homeland security grants.

Hunt/Trimmer a motion to accept the Emergency Management Quarterly Report, as presented
2009-219 by Mr. Tim London, Oscoda Counties Emergency Management Coordinator.
4 ayes: 0 nays: **Motion Carried.**

**Mr. London presented a copy of the “MPSCS Co-Location License Agreement with Oscoda County and asked the Board to adopt Resolution 2009-014 “Oscoda County Radio Co-Location” and authorize the Chairman to sign.

Resolution 2009-014
“Oscoda County Radio Co-Location”

Whereas, Oscoda County operates a public safety communications system for the purpose of communicating with emergency service agencies within the County;

Whereas, Oscoda County has a need to locate certain radio communication equipment in the eastern end of the county to enable said communications;

Whereas, The State of Michigan is the owner of the Michigan Public Safety Communications System (MPSCS), a public safety communications network, comprised of real and personal property, including communications towers, buildings, equipment and other related facilities and fixtures necessary for the operation and safety of the system;.

Whereas, The Department of Information Technology (DIT) is the State agency responsible for the management and operations of the system, including providing system support to MPSCS members;

Whereas, the Tower Site 8305 is part of the MPSCS;

Whereas, Oscoda County desires to install county owned communication equipment at Tower Site 8305, (the "Premises"), located in Oscoda County, Michigan;

Whereas, the parties desire to enter into an agreement, in which the State grants Oscoda County a license to install, operate, and maintain the County's equipment at the premises.

Now, therefore be it resolved, that the Board agrees to the terms and conditions of the "MPSCS Co-Location Agreement with Oscoda County, Michigan";

The Board further directs that the Oscoda County Board Chairman shall be authorized to 'sign the document "MPSCS Co-Location License Agreement with Oscoda County, Michigan."

Hunt/Trimmer 2009-220 a motion to adopt **Resolution 2009-014** “Oscoda County Radio Co-Location, as presented.

Roll Call Vote: Stone, yes; Marsh, yes; Trimmer, yes;
Hunt, yes; Kauffman, absent. **Motion Carried.**

Hunt/Marsh 2009-221 a motion to authorize the Chairman to sign the MPSCS Co-Location License Agreement (Resolution 2009-014), as presented.

4 ayes: 0 nays: **Motion Carried.**

**Also, Mr. London presented a copy of the Michigan Region 3 Emergency Management Agreement for approval and a signature.

Hunt/Marsh 2009-222 a motion to accept the Region 3 Emergency Management Agreement, as presented, and authorize the Chairman to sign.

Roll Call Vote: Marsh, yes; Trimmer, yes; Hunt, yes;
Kauffman, absent; Stone, yes. **Motion Carried.**

Old Business:

**Mr. Kelly Smith, Fire Chief of the Luzerne Fire Department, sent in a request asking the Board to consider granting additional Title III Funds to purchase a foam system, foam tank, and 20 containers of selvex foam for fighting wild land fires.

**Hunt/Trimmer
2009-223** a motion to award \$4,614.00 of Title III Funds to the Luzerne Fire Department and to authorize the County Treasurer to appropriate the \$4,614.00 at the end of the advertised 45-days, as required by Title III.

Roll Call Vote: Trimmer, yes; Hunt, yes; Kauffman, absent;
Stone, yes; Marsh, yes. **Motion Carried.**

**Commissioner Hunt gave an up-date on the Perry Lake Project. The DEQ requested an additional \$200.00 for the application permit and some additional information; a check and the information requested has been sent out. Also, the Board received a request from our Prosecutor, Kathleen Solomon, to hire Mr. Michael Tarnow, MAI, SRA, (Northern Michigan Real Estate Consultants), out of Traverse City, to submit an appraisal of Brown's property located at Perry Lake. The total cost is \$3,895.00 for a summary appraisal and \$275 per hour plus expenses. Commissioner Hunt stated a new appraisal is required and is necessary to have completed by the scheduled Court date at the end of September. Commissioner Marsh questioned the cost and the selection process. Commissioner Stone stated that this is a unique situation and we have to have confidence and trust in our Prosecutor and strongly consider her recommendations.

**Hunt/Marsh
2009-224** a motion to hire Mr. Michael Tarnow, MAI, SRA, (Northern Michigan Real Estate Consultants), out of Traverse City, to submit an appraisal of Brown's property located at Perry Lake, in the amount of \$3,895.00 for a summary appraisal and to pay \$275 per hour plus expenses, a total not to exceed \$5,000.00, paid out of the General Fund 101-115-806.00 with the understanding the Assessment District for Perry Lake, once it is officially established, will reimburse the County, and so amend the 2009 Budget.

Roll Call Vote: Hunt, yes; Kauffman, absent; Stone, yes;
Marsh, no; Trimmer, yes. **Motion Carried.**

New Business:

**The Board received the annual request from the Department of Natural Resource in regards to Title III & Title II payments to our County from National Forest Revenues.

**Hunt/Trimmer
2009-225** a motion to accept the full payment method for the 2009 Huron National Forest Revenues and continue to commit 7% of the payment to Title III County Projects and 13% of the payment for Title II Federal Projects, recommended by the RAC Committee.

Roll Call Vote: Marsh, yes; Trimmer, yes; Hunt, yes;
Kauffman, absent; Stone, yes. **Motion Carried.**

**The Board received a request from the Montmorency-Oscoda-Alpena Solid Waste Management Authority asking the Board to authorize the Chairman to sign the Chief Financial Officer Letter. A copy of the 2008 Audit Report, prepared by Thomas Zick, CPA, is available for review at the B.O.C Office, Clerk's Office, and Treasurer's Office.

**Hunt/Marsh
2009-226**

a motion to authorize the Chairman to sign the Chief Financial Officer Letter in support of the Montmorency-Oscoda-Alpena Solid Waste Management Authority, as presented.

Roll Call Vote: Trimmer, yes; Hunt, yes; Kauffman, absent; Stone, yes; Marsh, yes. **Motion Carried.**

**The Board received a request from NEMCOG (Northeast Michigan Council of Governments) to adopt a resolution in support of the Community Corrections Grant Application.

Resolution 2009-015

“Approving the Fiscal Years 2010-2013 Community Corrections Grant Applications of the Northeast Michigan Council of Governments”

WHEREAS, the Northeast Michigan Council of Governments (NEMCOG) serves as the Northern Michigan Community Corrections Advisory Board's (NMCCAB) fiscal agent and manager, and

WHEREAS, this County is a member of the Northern Michigan Community Corrections Advisory Board, has been served by its programs, and wishes to continue participation with the Board's programs and services in the future, and

WHEREAS, an application in the amount of \$257,075 for the general program has been prepared by NEMCOG to continue the Community Corrections programs in Cheboygan, Crawford, Oscoda, Otsego, and Presque Isle counties, and

WHEREAS, the Northern Michigan Community Corrections Advisory Board, has approved this proposal, and recommends its approval by the member counties, and

THEREFORE BE IT RESOLVED, that Oscoda County hereby approves the Northern Michigan Community Corrections Advisory Board Grant Application prepared by NEMCOG for Community Corrections funding in the annual amount of \$257,075 for the general program for Fiscal Years 2010-2013.

**Trimmer/Marsh
2009-227**

a motion to adopt **Resolution 2009-015** “Approving the Fiscal Years 2010-2013 Community Corrections Grant Applications of the Northeast Michigan Council of Governments” as presented.

Roll Call Vote: Hunt, yes; Kauffman, absent; Stone, yes; Marsh, yes; Trimmer, yes. **Motion Carried.**

**The Board received a request from the NMSAS (Northern Michigan Substance Abuse Services, Inc.) to adopt a resolution opposing the Senate version of House Bill 4436 that would transfer Northern Michigan Substance Abuse Services to Community Mental Health Departments.

Resolution 2009-016

“Oscoda County Supports Northern Michigan Substance Abuse (NMSAS) Opposes the Senate version of House Bill 4436”.

WHEREAS, Northern Michigan Substance Abuse Services represents 30 counties within the northern half and central lower peninsula of Michigan, and

WHEREAS, these 30 counties represent 849,968 people who reside in the rural and urban centers of this great region, and

WHEREAS, of these 849,968 citizens, approximately 10% are in need of substance use disorder services, and

WHEREAS, all of these citizens deserve the highest quality of substance use disorder prevention services to promote a healthy and productive lifestyle, and

WHEREAS, these citizens in need of substance use disorder treatment services are equally deserving of quality treatment provided with maximum utilization of available dollars, and

WHEREAS, Section 407 (1) would diminish the effectiveness of prevention, education and treatment, and

WHEREAS, Section 407 (4) would reduce efficiency of service and dilution of available dollars,

NOW THEREFORE we urge all legislators, both Senators and House of Representatives to delete the boilerplate language introduced in the Senate Appropriations Subcommittee for Community Health and adopted as Senate Substitute for HB 4436, known as Section 407 (1) and Section 407 (4),

AND FURTHER, we urge the continuance of the current structure and funding of Coordinating Agencies for the welfare and benefit of citizens within the NMSAS catchment area.

BE IT FURTHER RESOLVED that copies of this resolution are provided to Governor Jennifer Granholm, Senator Tony Stamas, House Representative Andy Neumann, AuSable Valley Community Mental Health Service, Michigan Association of Counties and NMSAS.

Hunt/Trimmer 2009-228 a motion to adopt **Resolution 2009-016** "Oscoda County Supports Northern Michigan Substance Abuse (NMSAS) Opposes the Senate version of House Bill 4436".

Roll Call Vote: Kauffman, absent; Stone, yes; Marsh, yes; Trimmer, yes; Hunt, yes; **Motion Carried.**

**Commissioner Stone called for a recess at 10:32 a.m. At 10:37 Commissioner Kauffman arrived and Commissioner Stone called the meeting back to order.

Appointment: 10:30 a.m.

**Sheriff Grace addressed the Board again with his request to fill an open deputy position. Sheriff Grace reminded the Board the position is a re-hire and not a new one and already in his budget; stating he is well within his Budget. Sheriff Grace stated that the residents of our county have supported both an operational and equipment millage for the Sheriff's Department and they come to expect service; public safety is the main concern. Commissioner Hunt addressed the reason for the "Hiring Freeze" and the motion to deny his request at the last meeting. Commissioner Stone stated his disappointment in Sheriff Grace patience, stating there was not a need to go to the Townships, Sheriff Grace stated that he went to the Townships for support only. Commissioner Kauffman asked what the attorney's recommendation was. Commissioner Hunt stated that although the County is still dealing with other hiring requests that the Board could move forward if they wanted, however Commissioner Hunt stated we have another meeting scheduled and I would like to wait to make a decision on Sheriff Graces request until at least the next meeting. After a lot of discussion, Commissioner Hunt made the following motion, which failed, and Commissioner Trimmer made a second motion that carried.

**Hunt/Kauffman
2009-229** a motion to stand by motion 2009-212 “ to deny the request by Sheriff Grace to rehire an Oscoda County Deputy”, until the August 11, 2009 B.O.C Meeting.

Roll Call Vote: Hunt, yes; Kauffman, yes; Stone, no;
Marsh, no; Trimmer, no. **Motion Failed.**

**Trimmer/Marsh
2009-230** a motion to make an exemption to the “Hiring Freeze” and allow the Sheriff to hire a full-time Deputy, effective immediately, in accordance to the F.O.P Union Contract and County hiring guidelines.

Roll Call Vote: Kauffman, no; Stone, yes; Marsh, yes;
Trimmer, yes; Hunt, no; **Motion Carried**

Appointment: 11:00 a.m.

**Ms. Karen Sanback, the owner of Karefree Ranch Riding Stable, addressed the Board again asking them to consider her request to close the east end of Kurtz Road to Schmid Road to ORV Traffic, due to public safety. Commissioner Stone allowed Mr. Klimmek, who is a member on the ORV Committee, to address Ms. Sanback and the Board. Mr. Klimmek stated he apologized for not being able to attend the meeting and although he can sympathize with Ms. Sanback he does not feel the Board should close Kurtz Road to ORV Traffic, Commissioner Stone agreed stating we maybe opening the door for others to request. Commissioner Marsh stated that the ORV Committee met, however several members were not able to attend; those members who were in attendance did vote to close Kurtz Road. Commissioner Hunt said that to amend an Ordinance a “Notice to Adoption” has to be placed in the paper for two weeks and copies of the amended Ordinance available to the public. After a lot of discussion Commissioner Trimmer made a motion to take the recommendation of the ORV Committee.

**Trimmer/Hunt
2009-231** a motion to close approximately 1861.33 feet East of 2809 E. Kurtz Road to Schmidt Road, due to public safety concerns; and amends ORV Ordinance 2009-001, Section 4A, effective upon the required publication of “Notice to Adoption”.

Roll Call Vote: Stone, no; Marsh, yes; Trimmer, yes;
Hunt, yes; Kauffman, no. **Motion Carried.**

New Business:

**Mr. Casey Pullum, Ambulance Director, presented a request to hire two new Paramedic’s for the Ambulance Department. Mr. Pullum stated that the two positions would be irregular employees and would not affect his Budget. Hiring several irregular employee’s allow the Ambulance Department to call on employee’s to fill a 12 or 24 hour shift on a monthly schedule rather than hiring or having full-time, part-time staff members and/or the Director fill those shifts; that could cause overtime and cost more for the Department. Commissioner Hunt also stated that the Ambulance Department is a Special Fund fully funded by the Operation Millage passed by our residents and Ambulance Fees. The following motion was made:

**Kauffman/Marsh
2009-232** a motion to grant the request received by Casey Pullum, Ambulance Director, and to allow him to hire two paramedic’s (irregular part-time) employees, effective August 1, 2009.

Roll Call Vote: Marsh, yes; Trimmer, yes; Hunt, yes;
Kauffman, yes; Stone, yes. **Motion Carried.**

Financial:

**The Claims & Audit report approved at the July 14, 2009 B.O.C. Meeting did not include invoice 4389 for \$200.00 and it should of, therefore an amendment is requested to reflect the corrected total.

**Hunt/Marsh
2009-233** a motion to amend motion 2009-216 Claims & Audit total to reflect the corrected total **\$145,206.95.**

Roll Call Vote: Kauffman, yes; Stone, yes; Marsh, yes; Trimmer, yes; Hunt, yes; **Motion Carried.**

The Board reviewed and approved the Claims & Audit Docket, presented by the Clerk's Office, dated for **August 4, 2009, total Claims & Audit **\$65,353.31.**

**Kauffman/Hunt
2009-234** a motion to accept Claims & Audit Docket, for August4, 2009 presented by the Clerk's Office, in the amount of **\$65,353.31.**

Roll Call Vote: Stone, yes; Marsh, yes; Trimmer, yes; Hunt, yes; Kauffman, yes. **Motion Carried.**

Correspondence, Reports, Resolutions (acknowledge receipt):

Committee Reports:

Commissioner Stone:

- **Participated in a phone conference with County Attorney, Peter Cohl, along with Commissioner Hunt to discuss the "Hiring Freeze" and County concerns.
- **Attended a meeting with Commissioner Hunt and Ms. Jennifer Huebel, District Court Administrator, to discuss the request to hire a part-time clerk.
- **Attended a meeting with Commissioner Hunt and Mr. Casey Pullum, Ambulance Director, to discuss the request to hire two paramedic's.
- **Attended a meeting with Commissioner Trimmer and Mr. Phil Durst, MSU Extension Director, to discuss the request to hire a part-time 4-H Director.
- **Attended a meeting with Commissioner Marsh and Mr. Paul Perry, Planning Commission Chairman, to discuss the Counties "Capital Improvement Projects".
- **Commissioner Stone announced that Judge Root has received a Security Initiative Grant & Juvenile Justice Delinquency Prevention Grant.

Commissioner Hunt:

- **Attended the Landfill Meeting and Landfill Claims & Audit- Budget concerns, an additional cell may be necessary. The Landfill may need to start charging for recycling. Montmorency Treasurer gave a presentation on investments and the protection of Landfill funds. The Landfill Administrator was sent to Minnesota and North Dakota to tour and review the operations of two Gasification Plants.
- **Participated in a phone conference with County Attorney, Peter Cohl, along with Commissioner Stone to discuss the "Hiring Freeze" and County concerns.
- **Attended a meeting with Commissioner Stone and Ms. Jennifer Huebel, District Court Administrator, to discuss the request to hire a part-time clerk.
- **Attended a meeting with Commissioner Stone and Mr. Casey Pullum, Ambulance Director, to discuss the request to hire two paramedic's.
- **Attended the ORV Advisory Committee Meeting, discussed Kurtz Road, ORV Ordinance, signage and mapping.
- **Attended a meeting with Employee Benefit Solutions, Inc. on some up-coming Health Insurance options.
- **Attended the LEPC Meeting- Filled in for Commissioner Stone.
- **Researched the insurance coverage for the MDOT Building.

Commissioner Kauffman:

**Attended the Landfill Board Meeting- Special meeting held today with GZA Environmental Firm- The extra cell may not be needed now.

Commissioner Marsh:

**Attended a Literacy Council Meeting-Discussed direction, budget, and advertising.

**Attended the ORV Advisory Committee Meeting, discussed Kurtz Road, ORV Ordinance, signage and mapping.

**Attended the Park Board Meeting, reviewed Budget, ongoing projects and reviewed ORV Campsites.

**Attended a meeting with Commissioner Stone and Mr. Paul Perry, Planning Commission Chairman, to discuss the Counties "Capital Improvement Projects".

Commissioner Trimmer:

**Attended the DHS Board Meeting- Budget concerns. County-shared Board seat still open.

**Attended a meeting with Commissioner Stone and Mr. Phil Durst, MSU Extension Director, to discuss the request to hire a part-time 4-H Director.

**Attended the MSU Extension Advisory Board Meeting- Planning session for August 27th Oscoda County Volunteer Appreciation Event at 6p.m. on the Courthouse Lawn.

Public Comments:

**Ms. Tammy Emig questioned the cost and selection process in regards to the hiring of a new appraiser for the Brown's property and why someone local could not have been selected. Ron Burner, Road Commission Manager, stated that with roads opened to ORV 's the Road Commission has been requested to sweep roads more often, due to the excess stone on roads; several reports of cracked windshields.

Chairman Stone adjourned the meeting. [12:00 p.m.]

Next Meeting Scheduled for
Tuesday August 11, 2009
at 10:00 a.m.