

COUNTY OF OSCODA

Board of Commissioners
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OFFICIAL MINUTES

NOVEMBER 25, 2008

A REGULAR MEETING OF THE OSCODA COUNTY BOARD OF COMMISSIONERS WAS HELD ON **TUESDAY NOVEMBER 25, 2008** AT 10:00 A.M. IN THE COMMISSIONER'S ROOM, COURTHOUSE ANNEX, MIO, MICHIGAN

Members Present: Commissioner Stone, Emig, Hunt, Cowger, and Kauffman.

Members Excused:

Others Present: 14 Members of the public were in attendance.

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

Roll Call, followed by the Pledge to the Flag.

The Board reviewed the agenda for today's meeting, **November 25, 2008 and approved, as presented.

Emig/Cowger a motion to accept the agenda for **November 25, 2008**, as presented.
2008-315 5 ayes: 0 nays: **Motion Carried.**

The minutes from the regular B.O.C meeting held on **November 13, 2008, were reviewed and approved as presented.

Emig/Hunt a motion to approve the minutes from the Regular B.O.C Meeting held on
2008-316 **November 13, 2008**, as presented.
5 ayes: 0 nays: **Motion Carried.**

Public Comments:

** November is National Adoption Awareness Month; Judge Root announced today was "Adoption Day" a day that is set aside to celebrate the creation of families through adoption by holding special court related events finalizing placements and today Oscoda County had two boys adopted. Mr. Paul Perry questioned the reason why Planning Commission was on the Agenda. Commissioner Stone apologized if Park Board members or residents took offence in regards to Smith Lake; the decision to take over Smith Lake was financial not due to the Park Board or Manager not doing a good job. Also, Commissioner Stone announced, as a result of the November 6th Public Hearing "ORV Discussion" the Board has asked the ORV Committee to review, therefore the Board will not make any decisions in regards to ORV's today.

Appointments:

**Chairman Stone called for a Public Hearing, as advertised. Mr. Cy Wakeley, Oscoda County Housing Administrator, stated the purpose of the hearing is to review the grant application being submitted to the Michigan State Housing Development Authority for the 2009 Community Development Block Grant Housing Program and to gain citizens input prior to the submission of the application to begin a Countywide Home Improvement Program. The grant amount is \$125,000.00 and the funds will be utilized to make housing rehabilitation/replacement funds available to low and very low-income households in Oscoda County. Mr. Wakeley, also reviewed the Oscoda 2009 County Community Development and Housing Needs Assessment, which included Community Development and Housing needs of low and moderate-income persons, other Community Development and Housing needs, and planned or potential activities to address Housing and Community needs. Mr. Wakeley asked the Board to adopt Resolution 2008-017 “Oscoda County 2009 CDBG Application” and accept the Community Development and Housing Needs Assessment as presented. The following motions were made.

**Emig/Hunt
2008-317** to hold a Public Hearing [10:05 a.m.] on the 2009 CDBG Application, Resolution 2008-017, as advertised.
Roll Call Vote: Hunt, yes; Kauffman, yes; Stone, yes; Cowger, yes; Emig, yes. **Motion Carried.**

**Kauffman/Emig
2008-318** to adjourn the Public Hearing [10:22 a.m.] and return to the Regular Board meeting.
5 ayes: 0 nays: **Motion Carried.**

**Kauffman/Emig
2008-319** a motion to adopt **Resolution 2008-017** “Oscoda County 2009 CDBG Application” as presented.
Roll Call Vote: Emig, yes; Hunt, yes; Kauffman; yes, Stone, yes; Cowger, yes. **Motion Carried.**

**Emig/Cowger
2008-320** a motion to accept the 2009 Community Development and Housing Needs Assessment, as presented
5 ayes: 0 nays: **Motion Carried.**

**Mr. Paul Olson – Regional Risk Manager, MUM (Municipal Underwriters of Michigan, Inc.) presented to the Board a summary of coverage of the Counties liabilities and the premium for Oscoda County 2009-2010.

**Emig/Kauffman
2008-321** to accept the 2009-2010, Municipal Underwriters of Michigan, Inc, proposal for Oscoda County Liability Coverage, as presented by Mr. Paul Olson, Risk Manager, in the amount of \$52,995.00.
Roll Call Vote: Emig, yes; Hunt, yes; Kauffman; yes, Stone, yes; Cowger, yes. **Motion Carried.**

**Ms. Amy Knepp addressed the Board to bring them up-to-date with the Oscoda County Planning Commission, in regards to PA 33 of 2008. Mr. Barry Shantz, Counties Attorney, has been asked to review PA 33 and advise. Also, the number of Board members currently on the Planning Commission is (9)-nine Ms. Knepp is recommending the Board consider changing the number of Board members to (5)-five; Mr. Paul Perry, who sits on the Planning Board, agreed. After some discussion the following motion was made.

**Emig/Hunt
2008-322**

a motion to take the Oscoda County Planning Commission Board down to a (5) Five-Member Board and appoint a County Commissioner as a Liaison Member only, effective January 1, 2009.

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

Old Business:

**There was a misunderstanding on what the application received from Mutual of Omaha was for. The application was not a renewal for the Counties Life Insurance, which is employer paid, but rather the authority to give Benefits for Life, which is a State of Michigan's employee paid benefit program, the opportunity to offer Life and Dependent Life Insurance in addition to Universal Life, Critical Illness, Auto and Home Insurance during their annual open enrollment in December. Therefore, a request to rescind motion 2008-306 and a corrected motion made. Also, the Board has been asked by many of the County employees why the meetings for enrollment mandatory? especially if employee's are not interested. After some discussion the Board made a motion not to make it mandatory.

**Kauffman/Emig
2008-323**

a motion to rescind **Motion 2008-306**, as presented.

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

**Hunt/Emig
2008-324**

a motion to allow the Chairman to sign the application from Mutual of Omaha to allow Benefits for Life, which is a State of Michigan's employee paid benefit program, the opportunity to offer employee's Life and Dependent Life.

Roll Call Vote: Stone, yes; Cowger, yes; Emig, yes;
Hunt, yes; Kauffman, yes. **Motion Carried.**

**Kauffman/Emig
2008-325**

a motion to allow employee's to just sign a wavier, when the employee is not interested in the Benefit Program being offered, without having to attend a mandatory meeting during the enrollment period with Mutual of Omaha, "Benefits for Life"(State of Michigan's Employee Paid Benefit Program).

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

New Business:

**The Board received a letter from the Oscoda County Park & Recreation Commission requesting the reappointment of two members. The Park Board is current advertising for new members, therefore Commissioner Emig asked to table until the Park Board has the opportunity to review and consider new applicants.

**The Board received a letter from the 23rd Circuit Court Family Division asking to allow Ms. Judy Olsen to provide training and support services for the new Juvenile Officer, on a contracted basis. Ms. Olsen is retiring, as of November 30, 2008, after serving as the Juvenile Officer more than 11 years.

**Kauffman/Emig
2008-326**

a motion to accept the proposed short-term Contract between the 23rd Circuit Court and Judy Olsen for training and support services for the incoming Juvenile Officer, and make the necessary 2008 Budget Amendments.

Roll Call Vote: Emig, yes; Hunt, yes; Kauffman, yes;
Stone, yes; Cowger, yes. **Motion Carried.**

**The Board received a request from the County Clerk & Register of Deeds, Jeri Winton, to adopt Resolution 2008-018 "Removal of the Oscoda County Clerk/Register of Deeds Office Staff from the United Steel Workers AFL- CIO-CLC Local Union 14540-01". The Board also received an e-mail from the Steelworkers

Union Steward, Audry Lunning and from Gary King, Attorney, from Keller, Thoma, Schwarze, Schwarze, Dubay & Katz. Since the Board has not had time to review the information presented, Commissioner Hunt asked to table until the next Board meeting, to allow time for the Board to receive legal advice and review.

**Hunt/Kauffman
2008-327** a motion to table the request to adopt Resolution 2008-018 “Removal of the Oscoda County Clerk/Register of Deeds Office Staff from the United Steel Workers AFL-CIO-CLC Local Union 14540-01” until the next Board Meeting, to allow time for the Board to receive legal advice and review.

Roll Call Vote: Emig, yes; Hunt, yes; Kauffman, yes; Stone, yes; Cowger, yes. **Motion Carried.**

**Commissioner Stone was asked by a member of the Montmorency Board to consider lowering the per-diem for a shared D.H.S. Board Member. Montmorency per-diem rate is \$60.00 and Oscoda County per-diem rate is \$75.00. Commissioner Emig stated that in the pass Oscoda County has had to pay the higher per-diem, why won't Montmorency? After some discussion, the following motions were made.

**Emig/Hunt
2008-328** a motion to leave the per-diem for the Oscoda County D.H.S shared Board Member at \$75.00.

Roll Call Vote: Hunt, yes; Kauffman, no; Stone, no; Cowger, no; Emig, yes. **Motion Failed.**

**Kauffman/Cowger
2008-329** a motion to set and pay the per-diem for any Oscoda County D.H.S Board Member who is shared with another County at the lower of the two Counties set per-diems.

Roll Call Vote: Kauffman, yes; Stone, yes; Cowger, yes; Emig, no; Hunt, no. **Motion Carried.**

Financial:

**Commissioner Stone stated that Commissioner Hunt and myself have been trying to work with District Court, keeping Oscoda County best interest in mind, however Judge Yenior and the Oscoda County Board do not agree on a few issues, therefore it is our recommendation the County hire Mr. Peter Cohl, Attorney & Counselors, with Cohl, Stoker, Toskey & McGlinchey, P.C. to assist the County. Also, the County Clerk, Jeri Winton, asked the Board for permission to contact Ms. Bonnie Toskey, from Cohl, Stoker, Toskey & McGlinchey, P.C to assist her.

**Hunt/Emig
2008-330** a motion to hire Peter Cohl, Attorney & Counselors, with Cohl, Stoker, Toskey & McGlinchey, P.C. to assist the Oscoda County Board, keeping the best interest of Oscoda County in mind, with District Court concerns.

Roll Call Vote: Stone, yes; Cowger, yes; Emig, yes; Hunt, yes; Kauffman, yes, **Motion Carried.**

**Emig/Kauffman
2008-331** a motion to allow the County Clerk, Jeri Winton, to contact Bonnie Toskey, Attorney & Counselors, with Cohl, Stoker, Toskey & McGlinchey, P.C. in regards to the request to remove the Oscoda County Clerk/Register of Deeds Office Staff from the United Steelworkers AFL-CIO-CLC Local Union 14540-01”.

Roll Call Vote: Cowger, yes; Emig, yes; Hunt, yes; Kauffman, yes, Stone, yes. **Motion Carried.**

**The Treasurer's Office presented two new expense lines for the Ambulance Department to add to the 2009 Budget.

Emig/Cowger a motion to approve two new Ambulance Departments Expense lines requested by
2008-332 the County Treasurer's Office.

Roll Call Vote: Emig, yes; Hunt, yes; Kauffman, yes;
Stone, yes; Cowger, yes. **Motion Carried.**

**Commissioner Stone asked to table the requests from the Ambulance Department to increase run fees and to turn over several Ambulance Accounts to collections until he had time to review.

Hunt/Emig a motion to table the Ambulance Departments request to increase run fees, and turn
2008-333 over several accounts to collections.

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

The Claims & Audit Docket, presented by the Clerks Office, dated for **November 25, 2008 was approved as presented, in the amount of **\$63,887.86.**

Emig/Cowger a motion to accept Claims & Audit Docket, for **November 25, 2008**, presented by
2008-334 the Clerk's Office, in the amount of **\$63,887.86.**

Roll Call Vote: Kauffman, yes; Stone, yes; Cowger, yes;
Emig, yes; Hunt, yes. **Motion Carried.**

Correspondence, Reports, Resolutions (acknowledge receipt):

**Montmorency, Oscoda, Alpena Solid Waste Management Authority 2009 Recycling
& Landfill Budget.

**ORV Advisory Committee Minutes

Committee Reports:

Commissioner Stone:

**Working closely with the Ambulance Department.

**Attended the ORV Advisory Committee held on November 19, 2008 at the Mio, District Ranger
Station.

**Attended the Emergency Management, EOC, and annual Exercise & Training Plan Workshop.

**Working on scheduling a meeting with a representative from Northern Tool, Mio to discuss the possibility
of a Tax Abatement, Operating Grants, or an Economical Development Revolving Loan before they close
and leave Oscoda County.

Commissioner Kauffman:

**Attended a meeting with NEMCOG Representatives and Judge Root regarding possible correction
programs. Also, held a Community Caring meeting.

**Attended Landfill Meeting-

**Attended the ORV Advisory Committee held on November 19, 2008 at the Mio, District Ranger
Station.

Commissioner Hunt:

**Attended Landfill Meeting & Claims & Audit- Recycling Budget lower, moving toward self-efficiency.
Leach ate surcharges still high- Board is requesting an adjustment, may bid out. Safety was discussed
and the purchase of breathing apparatus.

**Still waiting on a response from MAC regarding Elective Officials Retirement Benefits, and who sets
County hours of operation.

**Attended District Health #2 Meeting- Budget & Health Benefits discussed. Also, the County
A prosecutor has been asked to assist the Health Department in reference to property out on Popps
Road that is in violation of environmental Health Regulation.

**Still waiting on a response from the County Prosecutor in regards to the easement rights necessary to continue with the Perry Lake Project, was an extension given?

Commissioner Cowger:

**Attended District Health #2 Meeting-

**EDC & Brownfield and Fairgrounds Board Meeting was cancelled.

Commissioner Emig:

**Attended Road Commission Meeting- ORV's Ordinance was discussed.

**Attended the Emergency Management, EOC, and annual Exercise & Training Plan Workshop.

Ms. Emig announced she will remain as the Public Information Officer (PIO) after leaving office.

**Attended the Planning Commission Meeting.

Public Comments:

**A resident stated if the County opens all the roads it would be a disaster. Another resident stated if the County is considering opening all the roads, it should be placed on a ballot for the residents to vote on.

**Chairman Stone adjourned the meeting. [11:30 a.m.]

**Next Meeting Scheduled for
Tuesday, December 9, 2008
at 10:00 a.m.**

Joseph L. Stone, Chairman

Jeri Winton, County Clerk