



COUNTY OF OSCODA

Board of Commissioners
Telephone (989) 826-1130
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Oscoda County Government Center, 311 S. Morenci Ave, P.O. Box 399, Mio, MI 48647

Official Minutes

June 23, 2020

A Regular Meeting of the Oscoda County Board of Commissioner's was held on **Tuesday, June 23, 2020** at 10:00 a.m. by Teleconference, in compliance to the Governor's Executive Order No. 2020-75 (Rescission of Executive Order 2020-48) from the Commissioner's Boardroom, at the Oscoda County Government Center Building, Mio Michigan 48647.

Pledge to the Flag.

Roll Call:

Members Present: Commissioners Yoder, Varner, Bondar, McCauley and Marsh.

Members by Teleconference: 6

Others Present: 2 members of the public were in attendance.

Commissioner Yoder called the Teleconference Meeting to order at 10:00 a.m.; in compliance to the Governor's Executive Order No. 2020-75 (Rescission of Executive Order 2020-48).

**The B.O.C cancelled the Work Session.

The B.O.C approved the Agenda for **June 23, 2020, with two additions.

Financial J4 = Oscoda County Park- Temp. /Seasonal Employee Hire.
Unfinished Business/New Business: I2= Gypsy Moth Discussion.

Varner/McCauley a motion to accept the Agenda for **June 23, 2020** with two additions.
2020-175

Roll Call Vote: Marsh, yes; Yoder, yes; Bondar, yes;
McCauley, yes; Varner, yes. **Motion Carried.**

The B.O.C approved the Consent Agenda for **June 23, 2020, as presented.

Item #1 Official Minutes for **June 9, 2020** were approved as presented.

Item #2 Building Department -Uniform Expense Line.

**The B.O.C authorized the Treasurer's Office to create a new uniform expense line for the Building Department, as requested by the Building Inspector, Mr. Tim Whiting.

Item #3 Claims and Audit Docket for **June 23, 2020** were approved as received from the County Clerk's Office. Total Claims & Audit **\$47,952.35.**

McCauley/Bondar a motion to approve the Consent Calendar Items for June 23, 2020.
2020-176

Roll Call Vote: McCauley, yes; Varner, yes; Marsh, yes;
Yoder, yes; Bondar, yes. **Motion Carried.**

Public Matters & Comments (Limited to three minutes per person).

Appointments:

**Sheriff Kevin Grace addressed the B.O.C (By Teleconference) regarding an old Sheriff Department Transport Van and a request for the B.O.C to authorize “Appreciation Pay” for Sheriff Deputies. Sheriff Grace stated that Motor Pool has the opportunity to sell an old Transport Van that does not run and has been stored for several years; the B.O.C authorized the sale. Commissioner Yoder stated that legislation has approved “Hazard Pay” for first responders and Governor Whitmore is expected to sign, he would like to wait to authorize any kind of pay until details are finalized. Commissioner Varner stated that he is in favor of compensating the Sheriff’s staff and EMS staff for their dedication and work during this pandemic, but agreed he would like to wait for final details. Sheriff Grace asked to schedule a meeting with the Commissioner Yoder and Varner, as the Finance Committee, in the near future. The following motions were made:

Varner/Marsh a motion to authorize Motor Pool to sell a 2004 White Express 3500 Services Van, with
2020-177 all proceeds returned to the Sheriff Equipment Special Fund 103, in the amount of
\$500.00.

Roll Call Vote: Varner, yes; Marsh, yes; Yoder, yes;
Bondar, yes; McCauley, yes. **Motion Carried.**

Varner/Marsh a motion to acknowledge the correspondence, as written, from Sheriff Kevin Grace,
2020-178 regarding “Appreciation Pay” for Oscoda County Sheriff Department Deputies.

Roll Call Vote: Bondar, yes; McCauley, yes; Varner, yes;
Yoder, yes; Marsh, yes. **Motion Carried.**

Correspondence/Reports/Resolutions:

**The B.O.C acknowledged the “Annual Land Sales Report” and the request to advertise to hire a new part-time Treasurer Deputy, as presented by the County Treasurer, Bill Kendall.

Marsh/McCauley a motion to acknowledge the receipt of the Annual Land Sales Proceeds Report, as
2020-179 received by the County Treasurer, Bill Kendall.

Roll Call Vote: Yoder, yes; Bondar, yes; Marsh, yes;
McCauley, yes; Varner, yes. **Motion Carried.**

McCauley/Bondar a motion to accept the request from the County Treasurer and allow the County
2020-180 Treasurer to advertise for hire a new part-time Treasurer Deputy II at 28 hours per week following the TPOAM Union Contract & Oscoda County Personnel Policy Manual.

Roll Call Vote: Marsh, yes; Yoder, yes; Bondar, yes;
McCauley, yes; Varner, yes. **Motion Carried.**

**The B.O.C approved an Oscoda County Veterans Affairs Board appointment.

Marsh/Varner a motion to acknowledge the endorsement and approval of the Veteran Affairs Board and
2020-181 authorize the appointment of Mr. Robert Whittaker to the Oscoda County Veterans Affairs Board, as of June 11, 2020.

Roll Call Vote: McCauley, yes; Varner, yes; Marsh, yes;
Yoder, yes; Bondar, yes. **Motion Carried.**

**The B.O.C approved to advertise for 2020 Title III Funds.

Varner/Bondar 2020-182 a motion to advertise for Title III Funds, in the amount of \$16,359.72; Title III Projects must include one or more of the following: Fire Wise Community Programs, Reimburse for Emergency Services Performed on Federal Land, and/or Develop Community Wildfire Protection Plans.

Roll Call Vote: Varner, yes; Marsh, yes; Yoder, yes;
Bondar, yes; McCauley, yes. **Motion Carried.**

Unfinished Business/New Business:

**Commissioner Yoder stated that there is little information to share regarding COVID-19; Oscoda County Preparedness and Response Plan is in place and County offices are open. Commissioner Varner stated for more information on COVID-19 to contact the District Health Department #2.

**The B.O.C addressed Gypsy Moths. The County has received several calls from concern property owners regarding the damage that the Gypsy Moths are creating. Ms. Kelly Sinnaeve, District Forester for Ogemaw and Oscoda Counties was on the line and stated that there has been no spraying and it is too late this year. Commissioner Yoder stated that over 15 years ago the County passed a millage to spray for Gypsy Moths and he would suggest that the County look into placing a millage on the ballot for November 2020 but for all invasive species so that taxes collected can be used for all type of species. County Clerk & Register of Deeds, Ms. Jeri Winton stated that language for a new millage would have to be approved by August 11, 2020 to be placed on the November ballot. The B.O.C will continue to work with the Conservation District to work towards an invasive species millage to assist our county residents. Information will be placed on the County website when it is available. Property owners can call and leave their name, address, number of acres, and phone number with the Conservation District at 989-826-8824 to be placed on a list.

Financial:

**The B.O.C approved to redistribute Bankhead Jones Federal Forest Funds, as requested by the County Treasurer's Office.

Varner/Marsh 2020/183 a motion to direct the County Treasurer to redistribute Bankhead Jones Federal Forest Funds, as requested on past percentages. Apportioned in the following amounts:

75% to schools (\$1,784.31)
25% to townships (\$594.76)

Schools:

Mio AuSable 94.1% = \$1,679.04
Fairview Area 5.9% = \$105.27

Townships:

Big Creek 47.05% = \$279.84
Mentor 47.05% = \$279.84
Comins 5.9% = \$35.08

Roll Call Vote: Bondar, yes; McCauley, yes; Varner, yes;
Yoder, yes; Marsh, yes. **Motion Carried.**

**The B.O.C approved the final invoice, that the County is responsible for, on the two mobile units rented for the last four years; due to the May 4, 2016 Courthouse FIRE.

McCauley/Bondar a motion to pay the **FINAL** invoice from McDonald Modular Solutions, in the **2020/184** amount of \$12,491.00 moved from contingency, paid out of the General Fund 101/371 and so amend the 2020 Budget.

Roll Call Vote: Yoder, yes; Bondar, yes; Marsh, yes;
McCauley, yes; Varner, yes. **Motion Carried.**

**The B.O.C approved the final invoice from Wolgast Corporation for the “Rebuild Project”. Commissioner Bondar expressed her concerns paying a final invoice without a walk-through with Wolgast and some repairs completed. Commissioner Yoder reiterated that Wolgast workmanship for the “Rebuild Project” is under warranty and they are responsible for any repairs. The following motions were made:

Marsh/Varner a motion to authorize the County Treasurer and County Clerk to issue a check to **Wolgast** **2020/185** **Corporation** for Invoice #16, in the amount of \$4,376.32, as part of the **FINAL** invoice for the “Rebuild Project”.

Roll Call Vote: Marsh, yes; Yoder, yes; Bondar, yes;
McCauley, yes; Varner, yes. **Motion Carried.**

Marsh/Varner a motion to authorize the County Treasurer to transfer \$4,376.32 as part of the **FINAL** **2020-186** invoice for the “Rebuild Project” out of General Fund 101 from line 101-965-999.32 (transfers out May 4 Courthouse Fire) to Special Fund 258 line 258-000-699.00 (transfers in May 4 Courthouse Fire), and so amend the Budget. This amount will be reimbursed to the General Fund once funds are received from the Insurance Company. The funds from insurance will be deposited into Special Fund 258 and then transferred to reimburse the General Fund.

Roll Call Vote: McCauley, yes; Varner, yes; Marsh, yes;
Yoder, yes; Bondar, yes. **Motion Carried.**

Marsh/McCauley a motion to authorize the County Treasurer and County Clerk to issue a check to **2020/187** Wolgast Corporation, as part of the **FINAL** invoice for the “Rebuild Project”, for the retainage portion of Invoice #16, in the amount of \$12,153.81 from Trust and Agency Account 701-000-273.01 (Wolgast Retainage), and so amend the FIRE Budget 258.

Roll Call Vote: Varner, yes; Marsh, yes; Yoder, yes;
Bondar, yes; McCauley, yes. **Motion Carried.**

Marsh/Varner a motion to authorize the Oscoda County Chairman to sign the “Certificates of **2020/188** Substantial Completion”, as presented and requested by Wolgast Corporation.

Roll Call Vote: Bondar, yes; McCauley, yes; Varner, yes;
Yoder, yes; Marsh, yes. **Motion Carried.**

**The B.O.C approved a third Oscoda County Park Temporary/Seasonal Employee. The Oscoda County Park is open and campsites are filling up and help is needed.

Varner/Bondar a motion to authorize the of hire Rod Buckel, Oscoda County Park Temporary/Seasonal **2020/189** Employee, from June 23, 2020 to December 1, 2020, at \$9.65 per hour to work up to 28 hours per week, and so amend the Oscoda County Park Budget (208).

Roll Call Vote: Marsh, yes; Yoder, yes; Bondar, yes;
McCauley, yes; Varner, yes. **Motion Carried.**

**Commissioner Yoder called for a 10 minute break (11:30 a.m.) and announced that the B.O.C would be going into a scheduled closed session (for a written legal opinion within the attorney-client privilege) and would reopen the meeting to the public at 12:30 p.m.

Varner/McCauley a motion to go into **Closed Session** (11:42 a.m.), for written legal opinion within the attorney-client privilege, in accordance with the “Open Meetings” (1976 PA267 MCL 2020-190 15.261 et seq.) (Section 8-H).

Roll Call Vote: McCauley, yes; Varner, yes; Marsh, yes;
Yoder, yes; Bondar, yes. **Motion Carried.**

Varner/McCauley a motion to return to the B.O.C Meeting (12:17 p.m).
2020-191

Roll Call Vote: Varner, yes; Marsh, yes; Yoder, yes;
Bondar, yes; McCauley, yes. **Motion Carried.**

**The following motion was made upon returning from closed session.

Varner/Marsh a motion to **approve** the settlement offer in the amount of \$215,000.00 as proposed & outlined by Mr. Kevin J. Gleeson, Mediator and recommended by Attorney Joseph E. Quandt, Kuhn Rogers PLC, between the County’s Liability Insurance Carrier, Tokio Marine HCC, regarding Claim# 180364 (May 4, 2016 Courthouse Fire), total aggregate sum of \$1,152,634.00 payable by Tokio Marine HCC, within 30 days of execution of settlement agreement and authorize the Chair to sign on behalf of Oscoda County, contingent upon Tokio Marine HCC acceptance of the Mediator’s settlement offer, otherwise to authorize Attorney Joseph E. Quandt, Kuhn Rogers PLC to move forward and file a lawsuit against Oscoda County’s Liability Insurance Carrier, Tokio Marine HCC, regarding Claim# 180364 (May 4, 2016 Courthouse Fire).
2020-192

Roll Call Vote: Bondar, yes; Varner, yes; McCauley, yes;
Marsh, yes; Yoder, yes. **Motion Carried.**

**Commissioner Yoder called the teleconference meeting back into session (12:30 p.m.) and read the above motion back to those in attendance by teleconference, made by the B.O.C as a result of the closed session with our attorney regarding the County’s liability insurance settlement. Commissioner Yoder asked for public comment at this time, due to time restraints; the B.O.C is scheduled for another closed session.

****Public Comment:**

**County Resident addressed the Gypsy Moth concerns; information will be available on the County website once it is available.

**Sheriff Grace stated that gun applications and registration are going to be online. The Sheriff Department has applied for an Enbridge Grant. Complaints continue to be up and he looks forward to meeting with the Finance Committee soon.

**County Treasurer, Bill Kendall, thanked the B.O.C for allowing him to advertise for a new employee.

Committee Reports:

Commissioner Yoder

**Community Development Council – Teleconference.

- **Conference call with Mr. Joe Quandt, Attorney, along with Commissioner Varner, regarding insurance mediation.
- **EDC & Brownfield Board Meeting.
- **MI Works Consortium Board Meeting - Teleconference.
- **NEMCOG Board Meeting - Teleconference.
- **Participated in the insurance mediation along with Commissioner Varner and Mr. Joe Quandt, Attorney.
- **Reviewed the Claims & Audit Docket for June 23, 2020; as part of the Finance Committee.

Commissioner Bondar

- **Attended the N. MI Associations of Counties - Teleconference.
- **Attended the Landfill Claims & Accounts.
- **Attended the Landfill Board Meeting.
- **Met with Ms. Holly Stoner, Oscoda County Park Manager/Administrator.

Commissioner Varner

- **Attended the Landfill Board Meeting.
- **Several calls & discussions regarding TPOAM Union Contract, regarding a settlement.
- **Participated in the insurance mediation along with Commissioner Yoder and Mr. Joe Quandt, Attorney.
- **Reviewed the Claims & Audit Docket for June 23, 2020; as part of the Finance Committee.
- **Met with Mr. Bob Hunter, EMS Director.
- **Met with Ms. Brenda Moore, Executive B.O.C Secretary.
- **Attended the District Health Department #2 Board Meeting.

Commissioner Marsh

- **District Human & Health Services Board Meeting - Teleconference.

Commissioner McCauley

- **Attended the Greenwood Township Board Meeting.
- **Attended the Road Commission Board Meeting.
- **Attended the District Health Department #2 Board Meeting.

**Commissioner Yoder thanked the public on the line for participating in today’s teleconference and called a motion to go into a closed session for collective bargaining.

Varner/Bondar a motion to go into Closed Session (1:06 p.m.), Strategy with the negotiations of a **2020-193** Collective Bargaining Agreement, in accordance with the “Open Meetings” (1976 PA267 MCL 15.261 et seq.) (Section 8-C).

Roll Call Vote: Yoder, yes; Bondar, yes; Marsh, yes; McCauley, yes; Varner, yes. **Motion Carried.**

McCauley/Marsh a motion to return to the B.O.C Meeting (1:22 p.m). **2020/194**

Roll Call Vote: Marsh, yes; Yoder, yes; Bondar, yes; McCauley, yes; Varner, yes. **Motion Carried.**

**The following motions were made upon returning from closed session.

Varner/Marsh a motion to ratify the Contract Agreement “between” County of Oscoda and the **2020-195** Technical, Professional, and Office Workers Association of Michigan (TPOAM), effective July 1, 2020 through June 30, 2023, as agreed upon by all parties.

Roll Call Vote: McCauley, yes; Varner, yes; Marsh, yes;
Yoder, yes; Bondar, yes. **Motion Carried.**

Varner/Marsh a motion to authorize the County Clerk's Office (Payroll) to implement the
2020-196 TPOAM Contract Union wage increase on June 28, 2020 the beginning of a pay
period, prior to the effective date of the union contract.

Roll Call Vote: Marsh, yes; Yoder, yes; Bondar, yes;
McCauley, yes; Varner, yes. **Motion Carried.**

**Commissioner Yoder called for a motion to adjourn.

Marsh/McCauley a motion to adjourn today's meeting (1:25 p.m.).
2020-197

Roll Call Vote: Bondar, yes; McCauley, yes; Varner, yes;
Yoder, yes; Marsh, yes. **Motion Carried.**

The next Regular B.O.C Meeting is scheduled for **Tuesday, July 14, 2020. A B.O.C Work Session
will be held at **9:00 a.m.** and the Regular B.O.C Meeting at **10:00 a.m.** held by teleconference in
compliance to the Governor's Executive Order No. 2020-15. ***Public Welcomed by dialing 989-826-1163
(Pin#353)***

**Kyle Yoder, Oscoda County
Board of Commissioners Chairman**

**Jeri Winton, Oscoda County
Clerk & Register of Deeds**