



MICHIGAN'S OLDEST COURTHOUSE

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## **A-G-E-N-D-A**

### **LAPEER COUNTY BOARD OF COMMISSIONERS REGULAR BOARD MEETING**

**July 31, 2008**

**8:30 A.M.**

Cheryl Clark	District #1
Dyle Henning	District #2
Gary Roy	District #3
Lenny Schneider	District #4
Dave Taylor	District #5
Linda M. Jarvis	District #6
Ian Kempf	District #7

#### **CALL TO ORDER BY CHAIRMAN/VICE-CHAIR**

- ◆ Roll Call
- ◆ Opening Prayer
- ◆ Pledge of Allegiance

#### **CONSIDERATION FOR APPROVAL:**

- ◆ Agenda
- ◆ July 17, 2008 Regular Board Meeting

#### **REVIEW OF COMMISSIONER MILEAGE/EXPENSE SHEETS**

**PUBLIC TIME - Citizens Comments, etc.**

**CONTINUED-**

**NEW/OLD BUSINESS:**

(Additional items)

- A.
- B.
- C.

**DRAFT MOTIONS**

- ◆ **Committee of the Whole**      (07/24/08)      (attached)

**AUDIT MOTIONS**

- ◆ **County Audit Motion**  
For disbursements dated August 1, 2008
- ◆ **Road Commissioner's Audit Motion**  
For disbursements dated July 31, 2008

**PUBLIC TIME** - Citizens Comments, etc.

**COMMISSIONERS' REPORTS**

**CLOSED SESSION** - If needed

**RECESS/ADJOURN**

**LAPEER COUNTY BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING  
July 17, 2008  
7:30 P.M.**

Chairman Taylor called the meeting to order at 7:32 p.m. at the Goodland Township Hall, 2374 N. Van Dyke, Imlay City, MI 48444. Commissioner Taylor opened the meeting with prayer. The Pledge of Allegiance was recited.

Present:	Cheryl A. Clark	District #1
	Dyle Henning	District #2
	Gary Roy	District #3
	Lenny Schneider	District #4
	David Taylor	District #5
	Linda M. Jarvis	District #6
	Ian Kempf	District #7

**AGENDA**

It was the consensus of the Board to accept the agenda with the addition of an appointment to the Thumb Area Workforce Development Board, and the deletion of the closed session.

The draft minutes from the July 3, 2008 Regular Board Meeting were reviewed.

**228-08**

Motion by Schneider, supported by Roy, to approve the draft minutes from the July 3, 2008 Regular Board Meeting. Motion carried.

It was noted that the Commissioner Mileage/Expense Sheets are in the packet for review.

**PUBLIC TIME** – Dana Miller introduced herself as a candidate for County Treasurer.

Chairman Taylor introduced Mike Burke, who is the chairman of the Central Dispatch Authority Board. Mr. Burke introduced the other members of the Authority Board, and Mr. Curt Andrich of Kimball and Associates. Mr. Andrich presented the Public Safety Communications Network Assessment Report.

**229-08**

Motion by Kempf, supported by Clark, to receive into the record the Public Safety Communications Network Assessment Report, from Kimball and Associates. Motion carried.

**230-08**

Motion by Kempf, supported by Henning, to refer the Valley Area Agency on Aging (VAAA) Plan to the July 24, 2008 Committee of the Whole Meeting. Motion carried.

It was the consensus to carry the Animal Control Ordinance on each agenda, with authority to act.

Discussion followed regarding the City of Imlay City's request to create a Commercial Rehabilitation District.

231-08

Motion by Kempf, supported by Clark, to approve the request from the City of Imlay City's request to create a Commercial Rehabilitation District. Roll Call Vote: Kempf, aye; Schneider, nay; Clark, nay; Henning, nay; Jarvis, nay; Roy, nay; Taylor, nay. 1 aye, 6 nays. Motion failed.

232-08

Motion by Schneider, supported by Roy, to adopt the following resolution regarding the City of Imlay City's request to establish a Commercial Rehabilitation District:

**RESOLUTION TO DENY THE CREATION OF  
COMMERCIAL REHABILITATION DISTRICTS**

**WHEREAS,** P.A. 210 of 2005 provides that a city, village or township (qualified local government) may establish a Commercial Rehabilitation District which would allow a "qualified facility" to be exempt from ad valorem property taxes, but would be subject to a newly created specific tax that would base the tax liability of the facility on its value to rehabilitation (i.e. commercial rehabilitation tax) for a period of one to ten years; and,

**WHEREAS,** the City of Imlay City has requested pursuant to the Act that the Lapeer County Board of Commissioners consider a resolution to establish a Commercial Rehabilitation District; and,

**WHEREAS,** P.A. 210 of 2005 provides that within 28 days of receipt of the resolution a County may reject the establishment of the district; and,

**WHEREAS,** the Lapeer County Board of Commissioners has considered this request as received from the City of Imlay City.

**NOW, THEREFORE, BE IT RESOLVED,** that the Lapeer County Board of Commissioners denies the creation of the Commercial Rehabilitation District in the City of Imlay City based on the 28 day requirement; and,

**BE IT FURTHER RESOLVED,** that the Imlay City Commission be so advised pursuant to the requirements of P.A. 210 of 2005 by receipt of a copy of this Resolution.

Roll Call Vote: Schneider, aye; Clark, aye; Henning, aye; Jarvis, aye; Kempf, nay; Roy, aye; Taylor, aye. 6 ayes, 1 nay. Motion carried.

**THUMB AREA WORKFORCE DEVELOPMENT BOARD –one appointment**

Commissioner Clark nominated Michelle Hill, and Commissioner Kempf nominated Bill Lloyd, to serve on the Thumb Area Workforce Development Board.

**233-08**

Motion by Clark, supported by Kempf, that nominations be closed, the rules set aside, and a ballot be cast. Motion carried.

**Ballot #1**

Henning	Lloyd
Jarvis	Hill
Kempf	Lloyd
Roy	Hill
Schneider	Hill
Clark	Hill
Taylor	Hill

Chairman Taylor declared that Michelle Hill is appointed to serve on the Thumb Area Workforce Development Board.

**234-08**

Motion by Henning, supported by Schneider, to adopt the following resolution regarding Critical Energy Development:

**RESOLUTION**

**WHEREAS,** the people of Lapeer County need relief from high gas and other energy costs and also from related economic conditions; and,

**WHEREAS,** it is clear that our United States Congress should act expeditiously without political posturing to remove obstacles from energy development that have too long stifled rational development; and,

**WHEREAS,** it is also obvious that our nation needs a more aggressive energy development policy with old and new energy sources; and,

**WHEREAS,** expanded oil drilling off our coasts, in Alaska, and in other areas of our country must occur; and,

**WHEREAS,** an increased number of domestic oil refineries is required; and,

**WHEREAS,** the construction of new nuclear energy plants must be undertaken; and,

**WHEREAS,** the pace of alternative energy and conservation research and implementation must be increased.

**NOW, THEREFORE, BE IT RESOLVED,** that this Board of Commissioners of Lapeer County, Michigan, urges our United States Senators and Congressman to actively work to remove all national legislative barriers to accomplishing this critical energy development during this session; and,

(Resolution regarding critical energy development continued)

**BE IT FURTHER RESOLVED**, that the Clerk of the Board send a copy of this resolution to Senators Levin and Stabenow, Congresswoman Miller, and to the Michigan Association of Counties and National Association of Counties.

Roll Call Vote: Henning, aye; Jarvis, aye; Kempf, aye; Roy, aye; Schneider, aye; Clark, nay; Taylor, aye. 6 ayes, 1 nay. Motion carried.

235-08

Motion by Roy, supported by Clark, to authorize the Sheriff's Department to purchase four replacement batteries for the LifePak 500 Automated External Defibrillators (AED); for an amount of \$972,00 plus shipping and handling; to be paid from line item 101-301-977.000 (Machinery and Equipment). Motion carried.

236-08

Motion by Roy, supported by Clark, to authorize the Sheriff's Department to submit and accept a 2008 Commercial Equipment Direct Assistance Program (CEDAP) Grant through the Department of Homeland Security, for a thermal imaging device, at no cost to the County General Fund. Motion carried.

237-08

Motion by Roy, supported by Clark, to authorize the Sheriff's Department to submit and accept a one year Grant for the Electronic Crash Capture and Submission (ECCS) project for 2009, from the Michigan State Police, at no cost to the County General Fund. Motion carried.

238-08

Motion by Roy, supported by Clark, to authorize payment to Howard L. Shifman P.C., in the amount of \$9,384.00, for legal services rendered 06/01/08 – 06/30/08, to be paid from line item 101-210-801.020. Motion carried.

239-08

Motion by Roy, supported by Clark, to appoint Craig Horton as the Officer Delegate and John Biscoe as the Officer alternate, to attend the Municipal Employees' Retirement System (MERS) Annual Conference being held September 30, 2008 to October 2, 2008. Motion carried.

**THUMB AREA WORKFORCE DEVELOPMENT BOARD – two re-appointments**

At the July 10, 2008 Committee of the Whole Meeting, Commissioner Clark nominated Dennis Collison and Peter Whitman to be re-appointed to serve on the Thumb Area Workforce Development Board.

240-08

Motion by Roy, supported by Clark, that nominations be closed, the rules set aside, and a unanimous ballot be cast for Dennis Collison & Peter Whitman to be re-appointed to serve on the Thumb Area Workforce Development Board. Motion carried.

241-08

Motion by Clark, supported by Kempf, to approve the County's Audit Motion for disbursements dated July 18, 2008, based upon the signature of the County Controller/Administrator; and further, to approve the Road Commission's Audit Motion for disbursements dated July 17, 2008, based upon the signatures of the Road Commission Chairman and Finance Director. Roll Call Vote: Clark, aye; Kempf, aye; Roy, aye; Schneider, aye; Henning, aye; Jarvis, aye; Taylor, aye. 7 ayes. Motion carried unanimously.

**PUBLIC TIME** – Stu Davis spoke regarding the Imlay City Commercial Rehabilitation District. Betty Burton asked a question about the Energy Resolution. Ron Cischke thanked everyone for coming and invited them to attend the Goodland Township Country Fair.

The Commissioners gave brief reports on meetings and conferences that they have recently attended, as well as upcoming meetings and events.

Commissioner Henning noted that the August 28, 2008 Regular Board meeting will be at the Deerfield Township Hall at 5:00 p.m.

Commissioner Kempf wanted the following statement written into the record:

“I would like to remind this board that Imlay City Township is still on record as being opposed to the development of the Polly Ann Trail.”

242-08

Motion by Clark, supported by Kempf, to adjourn the meeting. 9:55 p.m.

David Taylor, Chairman  
Board of Commissioners



Marlene M. Bruns, County Clerk  
Clerk of the Board



**DRAFT MOTIONS FROM THE  
July 24, 2008  
COMMITTEE OF THE WHOLE MEETING**

1. Motion by Kempf, supported by Roy, to recommend to the Full Board, to adopt the following resolution regarding the Greater Lapeer County Utilities Authority (GLCUA) regarding the feasibility of a new Lake Huron water supply system:

**RESOLUTION**

*WHEREAS*, it is recognized that an additional major water supply line is required to provide safe and reliable water service to the region; and,

*WHEREAS*, studies completed by the City of Detroit, Genesee County and Oakland County's Master Plan all confirm the need for an additional water supply; and,

*WHEREAS*, the Governor of this State has cited the importance of an encouraged regional cooperation as a cost-effective means of supplying water to the citizens of this State while allowing our region to be more competitive in the global market; and,

*WHEREAS*, pursuant to County Public Improvement Act, Act 342 of the Public Acts of 1939, as amended ("Act 342"), the governing body of a county, by resolution may authorize and direct the establishment of a system or systems of water improvements and services within or between cities, villages, townships or any duly authorized and established combinations thereof within or outside the county; and,

*WHEREAS*, pursuant to Section 17 of Act 342 (MCL 46.187) two or more adjoining counties may contract for the joint establishment of a system or systems of water improvements and services; and,

*WHEREAS*, the Counties of Genesee and Oakland have formed an authority to study the planning, engineering and financial feasibility of a new water supply system that would create the opportunity to provide the region with Lake Huron water ("Project"); and

*WHEREAS*, Counties of Genesee and Oakland have offered to the county of Lapeer to participate and share in the cost of the Project; and,

*NOW THEREFORE, BE IT RESOLVED* by the Board of Commissioners of Lapeer County, Michigan, as follows:

1. **APPROVAL OF PROJECT AND DESIGNATION OF COUNTY AGENCY** This Board of Commissioners by majority vote of its members-elect does hereby approve, under and pursuant to Act 342 or as otherwise provided by law, the establishment of the Project which shall consist of a study to determine the feasibility of a regional water supply system (the "Project"); and the Lapeer County Drain Commissioner is hereby designated and appointed as the "County Agency" for the Project; and as County Agency shall have all the powers and duties with respect to the Project as are provided by law and especially by Act 342; and that all obligations incurred by the County Agency with respect to the Project are not to exceed \$5,000.00, unless otherwise authorized by this Board of Commissioners.

2. Pursuant to Act 342 or as otherwise provided by law, the Drain Commissioner, on behalf of the County of Lapeer, is hereby authorized to enter into a joint agreement with the Counties of Genesee, Oakland and any other adjoining counties that may hereafter desire to participate in the Project.

3. **CONFLICTING RESOLUTIONS** All resolutions and parts of resolutions insofar as they may be in conflict herewith are rescinded.

Roll Call Vote:

**Draft Motions from the Committee of the Whole Continued**

2. Motion by Clark, supported by Kempf, to recommend to the Full Board, to approve the Comprehensive Planning, Budgeting and Contracting Agreement (CPBC), for the period of October 1, 2008 through September 30, 2009, at no cost to the County General Fund. Motion carried.

3. Motion by Clark, supported by Kempf, to recommend to the Full Board, to approve Amendment No. 3 of the 07-08 Comprehensive Planning, Budgeting and Contracting Agreement (CPBC) (Contract 20080783-03), for the period of October 1, 2007 through September 30, 2008, at no cost to the County General Fund. Motion carried.

4. Motion by Clark, supported by Kempf, to recommend to the Full Board, to approve the following transfer of the 3<sup>rd</sup> quarter appropriation for the Health Department:

\$13,747.25 from 101-990-999.224 to 224-990-695.010 (Animal Control)

Motion carried.

5. Motion by Clark, supported by Kempf, to recommend to the Full Board, to approve the following transfer of the 4<sup>th</sup> quarter appropriation for the Health Department:

\$232,716.31 from 276-990-999.223 to 223-990-695.010 (VAAA)

Motion carried.

6. Motion by Clark, supported by Kempf, to recommend to the Full Board, to approve the following budget amendment as submitted by the Health Department, for the Senior Programs:

Increase	223-601-705.000 (Salaries)	by	\$6,000.00
Increase	223-601-714.000 (Medicare)	by	\$87.00
Increase	223-601-715.000 (FICA)	by	\$372.00
Increase	223-601-719.000 (Unemployment)	by	\$60.00
Increase	223-601-722.000 (Workmans Comp)	by	\$120.00
Increase	223-601-730.010 (Supplies-other)	by	\$1,619.00
Increase	223-990-695.010 (Appropriations)	by	\$8,258.00

Motion carried.

## Draft Motions from the Committee of the Whole Continued

7. Motion by Clark, supported by Kempf, to recommend to the Full Board, to approve the following budget amendment as submitted by the Health Department from the Senior Millage:

Decrease 276-700-100.000 (Contingencies)	by	\$8,258.00
Increase 276-990-999.223 (Appropriations)	by	\$8,258.00

Motion carried.

8. Motion by Clark, supported by Kempf, to recommend to the Full Board, to authorize payment to Johnson, Rosati, LaBarge, Aseltyn & Field, P.C., in reference to invoice #10524649, in the amount of \$13,225.00, for services rendered 06/01/08 – 06/30/08, to be paid from line item 101-210-801.020. Motion carried.

9. Motion by Clark, supported by Kempf, to recommend to the Full Board, to certify the Municipal Employees' Retirement System (MERS) election results from July 22, 2008, and to appoint Sheryl Sims as the employee delegate, and Kathy Goin as the employee alternate to attend the Municipal Employees' Retirement System Annual Conference being held September 30 – October 2, 2008, at the Grand Travers Resort. Motion carried.

10. Motion by Clark, supported by Kempf, to recommend to the Full Board, to approve the following budget amendment for the General Unit:

Decrease 101-215-704.000 (Wages)	by	\$7,446.40
Decrease 101-225-704.000 (Wages)	by	\$1,476.80
Decrease 101-229-704.000 (Wages)	by	\$17,326.40
Decrease 101-236-704.000 (Wages)	by	\$4,950.40
Decrease 101-253-704.000 (Wages)	by	\$5,491.20
Decrease 101-258-704.000 (Wages)	by	\$1,476.80
Decrease 101-259-704.000 (Wages)	by	\$2,745.60
Decrease 101-265-704.000 (Wages)	by	\$5,387.20
Decrease 101-275-704.000 (Wages)	by	\$5,408.00
Decrease 101-682.704.000 (Wages)	by	\$1,185.60
Decrease 101-731-704.000 (Wages)	by	\$3,744.00
Decrease 208-691-704.000 (Wages)	by	\$1,268.80
Decrease 224-602-704.000 (Wages)	by	\$5,491.20
Decrease 274-461-704.000 (Wages)	by	\$2,558.40
Increase 101-210-801.020 (Consultant Legal)	by	\$65,956.80

Motion carried.

## Draft Motions from the Committee of the Whole Continued

11. Motion by Clark, supported by Kempf, to recommend to the Full Board, to approve the following budget amendment for the Multi-Purpose Collaborative Body:

Decrease	299-750-704.000 (Salary, Employee)	by	\$1,133.00
Decrease	299-750-705.000 (Salary, Part Time)	by	\$1,098.00
Increase	299-750-709.000 (Other Pay)	by	\$240.00
Decrease	299-750-718.000 (Retirement)	by	\$1,640.00
Increase	299-750-860.050 (Mileage)	by	\$3,631.00
Increase	299-749-709.000 (Other Pay)	by	\$264.00
Decrease	299-749-850.000 (Telephone)	by	\$264.00
Increase	299-730-709.000 (Other Pay)	by	\$168.00
Decrease	299-730-850.000 (Telephone)	by	\$221.33
Increase	299-730-860.050 (Mileage)	by	\$53.33

Motion carried.