

MARLENE M. BRUNS
LAPEER COUNTY CLERK

County Complex Building
255 Clay Street
Lapeer, Michigan 48446

Phone 810 area code
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A-G-E-N-D-A

LAPEER COUNTY BOARD OF COMMISSIONERS REGULAR BOARD MEETING

December 4, 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
- ◆ November 20, 2008 Regular Board Meeting

REVIEW OF COMMISSIONER MILEAGE/EXPENSE SHEETS

PUBLIC TIME - Citizens Comments, etc.

CONTINUED-

NEW/OLD BUSINESS:

- A. ROAD COMMISSION** -Personnel and Operations Policy -Benefits
(Referred from the November 20, 2008 Regular Board Meeting)
- B. PARKS DEPARTMENT** - Department of Natural Resources Grant
- C. EMERGENCY MANAGEMENT**
2008 Hazardous Materials Emergency Preparedness Planning Grant
- D. ADMINISTRATION** -Draft motions
 1. Proposed 2009 Pay Schedule for non-union groups
 2. Proposed rates for Health Benefits
 3. Proposed suspension of Travel and Training
 4. Proposed hiring freeze
- E. RESOLUTION** - Margaret (Peg) Wigton
- F. TREASURER** - Report on Bank Request for Proposals
(Referred from the November 20, 2008 Regular Board Meeting)

(Additional items)

G.

H.

DRAFT MOTIONS

- ♦ **Committee of the Whole** **Nothing at this time**

AUDIT MOTIONS

- ♦ **County Audit Motion**
For disbursements dated December 5, 2008
- ♦ **Road Commissioner's Audit Motion**
For disbursements dated December 4, 2008

PUBLIC TIME - Citizens Comments, etc.

COMMISSIONERS' REPORTS

CLOSED SESSION - If needed

RECESS/ADJOURN

**LAPEER COUNTY BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
November 20, 2008
8:30 A.M.**

Chairman Taylor called the meeting to order at 8:30 a.m. in the Commission Chambers on the lower level of the County Complex Building. 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 deletion of a closed session.

The draft minutes from the November 6, 2008 Regular Board Meeting were reviewed.

393-08

Motion by Schneider, supported by Kempf, to approve the draft minutes from the November 6, 2008 Regular Board Meeting. Motion carried.

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

PUBLIC TIME –No comments were received.

After lengthy discussion it was the consensus to refer the Draft Road Commissioners Benefits Policy to the December 4, 2008 Regular Board Meeting.

Lengthy discussion followed regarding the County Financial Planning. State Representative Elect, Kevin Daley and Sally W. Eilersen, County Treasurer, were present for the discussion.

*Commissioner Henning excused. 10:20 a.m.

Sally W. Eilersen, County Treasurer, reported that they were still working on the Bank Request for Proposals.

394-08

Motion by Clark, supported by Kempf, to approve the Round 5 Amendment to the 2007-2008 Valley Area Agency on Aging (VAAA) contract, as submitted by the Health Department, at no additional cost to the County General Fund. Motion carried.

395-08

Motion by Clark, supported by Kempf, to approve the contract between the Lapeer County Health Department and the St. Clair County Community Mental Health Authority, d/b/a Thumb Alliance Prepaid Inpatient Health Plan (PIHP), for the period of October 1, 2008 through September 30, 2009, at no additional cost to the County General Fund. Motion carried.

396-08

Motion by Clark, supported by Kempf, to authorize the Sheriff's Department to enter into an agreement with RDK Collection Services, Inc., to service the collection accounts for the Lapeer County Sheriff's Department unpaid inmate accounts, at no cost to the County General Fund, except for their portion of a contingency fee for any outstanding balance collected. Motion carried.

397-08

Motion by Clark, supported by Kempf, to authorize the Sheriff's Department to enter into an agreement with Identix Incorporated, for a one year maintenance agreement on the direct submission live scan unit and mug shot photo system, at the Lapeer County Sheriff's Department, for a cost of \$5,398.00; to be paid from line item 264-000-385.351. Motion carried.

398-08

Motion by Clark, supported by Kempf, to approve the one-year maintenance agreement with Identix Incorporated, for the direct submission live scan unit, located in the Community Corrections Department, for a cost not to exceed \$3,437.00, to be paid from line item 261-353-840.010; and further, to authorize the Chairman to sign said agreement. Motion carried.

399-08

Motion by Clark, supported by Kempf, to approve the three-year contract (October 2, 2008-September 30, 2011) between Lapeer County and the Lapeer County Department of Human Services (DHS), for coordination of the Strong Families/Safe Children initiative (CFDA#93.556). Motion carried.

400-08

Motion by Clark, supported by Kempf, to authorize the construction of the pole barn addition at the Lapeer County Sheriff's Department by Jac Faith Builders, at a cost of \$8,600.00, to be paid from line item 267-301-821.010 (Drug Forfeiture); and further, that the Buildings and Grounds Department will provide the appropriate facade, consistent with the current building requirements. Motion carried.

401-08

Motion by Clark, supported by Kempf, to authorize payment to Howard L. Shifman P.C., in the amount of \$14,685.50, for legal services rendered 10/01/08 – 10/31/08, to be paid from line item 101-210-801.020. Motion carried.

402-08

Motion by Clark, supported by Kempf, to authorize the Buildings and Grounds Department to accept the proposal from Muns Directional Boring, at a cost of \$17,600.00, for soil boring services, between the County Complex and the Historic Courthouse, to be paid from line item 470-740-976.000. Motion carried.

403-08

Motion by Clark, supported by Kempf, to authorize payment to the City of Lapeer for signs, milling, and painting costs, directly related to the proposed senior permitted parking area, with snow plowing service to continue to be provided by the City as consistent with past practice. Motion carried.

404-08

Motion by Clark, supported by Kempf, to approve the following Budget Amendment as submitted by the Department of Human Services (DHS):

Decrease	290-671-801.001 (Per Diems)	by	\$1,500.00
Increase	290-671-873.026 (Board Mileage)	by	\$1,000.00
Increase	290-671-956.026 (Board Training)	by	\$500.00

Motion carried.

405-08

Motion by Clark, supported by Kempf, to approve the following Budget Amendment as submitted by the Sheriff's Department:

Increase	266-314-742.000 (Supplies-other)	by	\$15,375.00
Increase	266-314-956.000 (Employee Training)	by	\$1,500.00
Increase	266-314-813.000 (Contracted Services)	by	\$10,532.00
Increase	266-314-977.000 (Machine & Equipment)	by	\$2,500.00

Motion carried.

406-08

Motion by Clark, supported by Kempf, to approve the County's Audit Motion for disbursements dated November 21, 2008, based upon the signature of the County Controller/Administrator, and further, to approve the Road Commission's Audit Motion for disbursements dated November 20, 2008, based upon the signatures of the Road Commission Chairman and Finance Director. Roll Call Vote: Clark, aye; Roy, aye; Schneider, aye; Henning, absent; Jarvis, aye; Kempf, aye; Taylor, aye. 6 ayes, 1 absent. Motion carried.

PUBLIC TIME – Greg Harper invited the Republicans to attend the Republican Convention tonight.

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

407-08

Motion by Kempf, supported by Jarvis, to cancel the November 26, 2008 Committee of the Whole Meeting. Motion carried.

Chairman Taylor declared the meeting adjourned. 11:05 a.m.

Chairman, David Taylor
Board of Commissioners


Marlene M. Bruns, County Clerk
Clerk of the Board

**COUNTY EXPENSES REIMBURSEMENT
REQUEST FORM**

COPY

B.O.C.
COUNTY DEPARTMENT

11-24-2008
DATE SUBMITTED

Gary Roy
NAME OF EMPLOYEE

FROM: 10-1-08 TO: 10-31-08
PERIOD COVERED

Dist 3 Commissioner
TITLE OR POSITION

ACCOUNT NUMBER

DAY OF MONTH	DESCRIPTION	PRIVATE AUTOMOBILE		COUNTY AUTOMOBILE		CAB, BUS OR PARKING	LODGING	MEALS	OTHER	DAILY TOTALS
		MILES	AMOUNT	GAS	OTHER					
03	West Coast Landfill	47								
04	W. B. Twp	38								
13	Geopline Twp	10								
13	Barlow Twp	44								
26	Baronside Twp	30								
SUMMARY TOTAL		169	76.26							

TOTAL AMOUNT OF VOUCHER 76.26

I hereby certify that all items of expenses included in the statement were incurred in the discharge of authorized official Lapeer County business: That amounts are correct; and that they represent proper charges against the county.

NATURE OF OFFICAL BUSINESS: _____

SIGNED BY: Gary Roy

APPROVED BY: _____
Department Head or authorized representative

	YES	NO
All receipts are attached:		
Extensions checked:		
Additions checked:		
Mileage checked:		
Expenses varified:		

COUNTY EXPENSES REIMBURSEMENT REQUEST FORM

Legislative B.O.C.

COUNTY DEPARTMENT

11/20/08

DATE SUBMITTED

COPY

Leony Schneider

NAME OF EMPLOYEE

FROM: 10-2-08 TO: 11/20/08

PERIOD COVERED

County Commissioner, Dist. 4

TITLE OR POSITION

ACCOUNT NUMBER

DAY OF MONTH	DESCRIPTION	PRIVATE AUTOMOBILE		COUNTY AUTOMOBILE		CAB, BUS OR PARKING	LODGING	MEALS	OTHER	DAILY TOTALS
		MILES	AMOUNT	GAS	OTHER					
2	BOC/COW	0								
6	City Lapeer Comm. ss.	5								
9	BOC - Fall Board	0								
9	Visioning LDC/LCCF	13								
10	ThreCAB Meeting 4 Judges	5								
13	Mayfield trip / Rescheduled	8								
14	Lapeer trip Bd. (PM)	6								
16	BOC/COW & Personnel	0								
20	City Lapeer Comm. ss.	5								
21	L.H. Clinic Board	0								
23	BOC - Fall Board	0								
30	BOC/COW	0								
30	Ec Club - Car Pool	5								
30	Angel Food Grant Meeting	8								
3	LDEA @ City (AM)	5								
3	City (PM) Commission	5								
6	BOC - Fall Bd	0								
6	Thumb Correct. Lia. Meet.	13								
10	Lapeer trip (AM) Meet	6								
10	Mayfield (PM) - Rescheduled	8								
11	LDC @ Ed Tech (from Vets)	20								
13	BOC/COW & Personnel	0								
17	City Commission	5								
19	Aracadia trip	20								
20	BOC/Fall Bd	0								
SUMMARY TOTAL		137								

TOTAL AMOUNT OF VOUCHER

6370

I hereby certify that all items of expenses included in the statement were incurred in the discharge of authorized official Lapeer County business; That amounts are correct; and that they represent proper charges against the county.

NATURE OF OFFICAL BUSINESS: various meetings, necessary to effectively perform duties of Dist 4 Co Commissioner

SIGNED BY: [Signature]

APPROVED BY: _____
Department Head or authorized representative

	YES	NO
All receipts are attached:		
Extensions checked:		
Additions checked:		
Mileage checked:		
Expenses varified:		

A

Policy Subject:	LAPEER COUNTY ROAD COMMISSIONER BENEFITS		
Authorized by Board of Commissioners		Date:	
Authorized by Board of Road Commissioners		Date:	
Amended		Date:	
Amended		Date:	

PURPOSE: To define the benefits available to Lapeer County Road Commissioners during their term of office, as established by the Lapeer County Board of Commissioners in the motions indicated below.

BENEFITS:

HEALTH INSURANCE – Same options afforded other Road Commission employees during their term, ending upon separation, with the exception of COBRA as required by law. (286-91)

HEALTH INSURANCE OPT OUT - \$92.31/pay with proof of coverage (508-95)

LIFE INSURANCE With AD&D- \$15,000.00 (terminated upon separation) (287-91)

RETIREMENT – Michigan Municipal Employees’ Retirement System, Benefit Program B-2 (288-91)

OPTICAL BENEFIT- Not to exceed \$200 per year. (289-91)

DENTAL BENEFIT- Not to exceed \$300 per year. (290-91)

SALARY:

Members salary, set by Lapeer County Board of Commissioners, presently \$7,404.80 effective 1/01/08 per motion (420-07).

PER DIEMS: (780-00)

- A. No Road Commissioner shall receive per diem payment for regular meetings of the full Board.
- B. Per diem of \$35.00 for attendance at a special or committee meeting or combination thereof, wherein the duration is less than three (3) hours.
- C. Per diem pay of \$70.00 for all special committee meetings or a combination thereof, the duration of which shall exceed three (3) hours.
- D. Per diem pay of \$70.00 for attendance singularly or severally at any approved seminar, regional function, association meeting or other properly constituted functions held outside the boundaries of the County of Lapeer.

**LAPEER COUNTY
"GRANT" REQUEST FOR ACTION**

B

DATE: 11/20/2008

 REQUEST FOR ACTION -Grant Application

XXX REQUEST FOR ACTION -Grant Acceptance

TO: _____

FROM: PARKS

SUMMARY OF REQUEST/INFORMATION: _____ Request to accept Department of Natural Resources grant to purchase 7 acres of property adjacent to General Squier Park and the Polly Ann Trail

ADDITIONAL INFORMATION:	AMOUNT	YES	NO
CFDA # _____		_____	<u>XX</u>
Is there a Continuation Requirement?		_____	<u>XX</u>
% FEDERAL _____ % \$ _____		_____	<u>XX</u>
Is there an Interest Earned Requirement?		_____	<u>XX</u>
% STATE 59% \$58,600		_____	<u>XX</u>
Can Interest be charged to the Grant?		_____	<u>XX</u>
LOCAL MATCH		_____	<u>XX</u>
Cash: 41% \$40,000			
In-Kind: _____ % \$ _____			
Is Cost Allocation Allowable?		_____	<u>XX</u>
(If not Explain Why) Property acquisition			

IS THIS GRANT A RENEWAL _____ IF A RENEWAL, HOW MANY YEARS _____

Revenue Account Line #: 207-723-542.020 At the end of the Grant do you propose to continue this function? _____
(If so, explain how it will be financed)

EXPLANATIONS: _____ Local match is to be provided by the following - \$10,000 Lapeer County, \$10,000 Polly Ann Trail Friends Group, \$20,000 Department of Natural Resources Forest, Mineral, and Fire Management Division (FMFM)

CONTACT PERSON KEN ELWERT 

BACKGROUND INFORMATION: _____

SUPPORTING DOCUMENTATION: _____ Project Agreement TF07-038, FMFM Amendment fo Grant Agreement _____ (extension to next fiscal year), Polly Ann Trail Friends Group Motion for financail commitment, _____ Lapeer County Board Resolution supporting original grant application

DRAFT MOTION: __ Attached resolution

ATTACHMENTS Yes XXX No _____

Resolution:

Upon motion made by _____, seconded by _____, the following Resolution was adopted:

RESOLVED, that the Lapeer County Board of Commissioners, Michigan, does hereby accept the terms of the Land Acquisition Project Agreement TF07-038 as received from the Michigan Department of Natural Resources, and that the Lapeer County Board of Commissioners does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide forty thousand dollars (\$40,000) to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
4. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

The following aye votes were recorded: _____

The following nay votes were recorded: _____

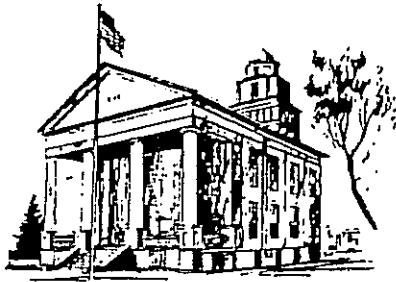
STATE OF MICHIGAN)
) SS
 COUNTY OF _____)

I, _____, Clerk of the _____, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which Resolution was adopted by the _____ at a meeting held _____.

Signature

Title

Dated



Lapeer County, Michigan

RESOLUTION

WHEREAS, the citizens of Lapeer County accepted in 1936 a valuable and generous gift of land, know as General Squier Memorial Park; and,

WHEREAS, this beautiful and diverse property has become recognized as a State and National Historic Site; and,

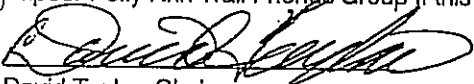
WHEREAS, the Lapeer County Board of Commissioners further expanded development of this park in 1999 through a CMI Recreation Bond Grant Application to respond to the increasing demands for recreational services and quality of life; and,

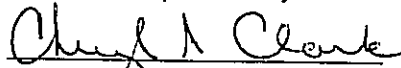
WHEREAS, the Lapeer County Board of Commissioners authorized Lapeer County Park's mission to protect the natural resources of Lapeer County and promote the attractiveness of the County; and,

WHEREAS, pursuit of a connection to the Polly Ann Trail from General Squier Memorial Park is contained in the approved 2007-2011 Lapeer County Parks Master Plan; and,

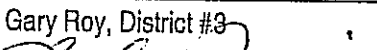
NOW, THEREFORE, BE IT RESOLVED, that this Board of Commissioners of Lapeer County, Michigan, enthusiastically supports the Michigan Natural Resources Trust Fund Grant Application for General Squier Memorial Park Addition and Polly Ann Trail Connection; and,

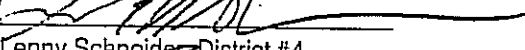
BE IT FURTHER RESOLVED, that this Board of Commissioners will provide \$10,000 towards this project, which will provide the needed minimum match (25%) when combined with donations committed from the Lapeer Polly Ann Trail Friends Group if this acquisition grant is awarded to Lapeer County.

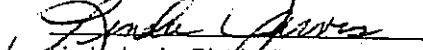

David Taylor, Chairman



Cheryl Clark, Vice-Chairman


Dyle Henning, District #2

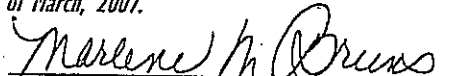

Gary Roy, District #3


Lenny Schneider, District #4


Linda Jarvis, District #6


Ian Kempf, District #7

I hereby certify that the foregoing Resolution was unanimously adopted by a vote at the regular meeting of the Board of Commissioners of the County of Lapeer, State of Michigan, on this 29th day of March, 2007.


Marlene M. Bruns, County Clerk
Clerk of the Board

Friends of the Polly Ann Trail Of Lapeer County

September 27, 2007

Mr. Ken Elwert, Director
Lapeer County Parks
235 W. Nepeessing St.
Lapeer, MI 48446

Dear Ken,

I took a poll by email and telephone of the Board of Directors of the Friends of the Polly Ann Trail regarding a resolution of support for the General Squier expansion grant. The resolution passed by a vote of 10-0. Those voting for the resolution were Harry Gould, Joyce Gould, David Howell, Robert Resh, Marilyn Rhearne, Jerry Rivet, Bonnie Rumley, Larry Rumley, Michael Sproul, and Russell Underwood. I was unable to contact Art Crawford.

The resolution we approved on September 27 was the following:

Whereas, the Lapeer County Parks Department is seeking to acquire seven acres of land to connect the Polly Ann Trail to General Squier Park, and such acquisition supports our mission to develop and promote the trail, and the Parks Department is asking for our support; be it RESOLVED, the Friends of the Polly Ann Trail of Lapeer County will commit \$10,000 to the local match for a grant to purchase the property, and will attempt to raise additional funds, up to \$10,000, for the grant match.

Sincerely,



David J. Howell, Chairman



Michigan Department of Natural Resources
 Forest, Mineral and Fire Management
 FMFM Recreation and Trails Program
 Michigan Recreation Improvement Fund

AMENDMENT TO GRANT AGREEMENT

This information is required by authority of Part 401 of Act 452 of 1994, as amended to qualify for reimbursement.

SUBJECT OF AMENDMENT

Grantee: County of Lapeer	Trailhead Acquisition Assistance, Polly Ann Trail	Grant Number: RIF2008-25-01
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This amendment to the Grant Agreement, entered above, is hereby made between that participating County of Lapeer and the State Trails Coordinator as Administrator of the Michigan Recreation Improvement Fund.

The State Trails Coordinator and the County of Lapeer in mutual consideration of the promises made herein and in the agreement of which this is an amendment to promise as follows:

That the above mentioned agreement is amended by adding the following terms or conditions:

Extension of Grant Period to September 30, 2009.

State Trails Coordinator

By: James Radabaugh
 James Radabaugh, State Trails
 Coordinator

Date 9/11/2008

County of Lapeer

By: Ken Elwert
 Ken Elwert Lapeer County Parks Director

Date 9-10-08

In all other respects the Agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness whereof, the parties hereto have executed this amendment as of the date entered above.

**LAPEER COUNTY
"GRANT" REQUEST FOR ACTION**

②

DATE: 11/24/2008

REQUEST FOR ACTION -Grant Application

XXX REQUEST FOR ACTION -Grant Acceptance

TO: Lapeer County Board of Commissioners

FROM Emergency Management

SUMMARY OF REQUEST/INFORMATION: Request to approve the 2008 Hazardous Materials Emergency Preparedness Planning Grant

ADDITIONAL INFORMATION:	AMOUNT		<u>YES</u>	<u>NO</u>
CFDA # <u>20.703</u>	\$ <u>3,525</u>	Is there a Continuation Requirement?	_____	<u>X</u>
% FEDERAL	\$ _____	Is there an Interest Earned Requirement?	_____	<u>X</u>
% STATE	\$ _____	Can Interest be charged to the Grant?	_____	<u>X</u>
LOCAL MATCH		Is Cost Allocation Allowable?	<u>X</u>	<u>X</u>
Cash: _____%	\$ <u>0</u>	(If not Explain Why)	(as in-kind)	
In-Kind: <u>20%</u>	\$ <u>705</u>			
IS THIS GRANT A RENEWAL	<u>No</u>	IF A RENEWAL, HOW MANY YEARS		
Revenue Account Line #: <u>260 - 421 - 506.000</u>		At the end of the Grant do you propose to continue this function?	_____	<u>X</u>
		(If so, explain how it will be financed)	Volunteer	

EXPLANATIONS: This is an annual grant that pays us to complete 302 Hazardous Material site plans for those facilities listed on the DEQ list. Currently we have 20 facilities. In closer review, not all 20 are still operating facilities. (\$160 for each NEW plan and \$25 for updates, plus \$1000 support grant)

CONTACT PERSON(S): Mary Stikeleather

BACKGROUND INFORMATION: As of DEQ list dated 8/11/2008, we have 4 Completed Plans (1 facility has since been removed). Time and/or manpower has not allowed for the completion of the remainder. In most cases these are farms, where the chemical is brought in and then immediately dispersed.

SUPPORTING DOCUMENTATION: _____

DRAFT MOTION: I move to accept the 2008 Hazardous Materials Emergency Preparedness Planning Grant Agreement in the amount of \$3,525.00. In addition, I authorize the Chairman to sign said agreement.

ATTACHMENTS Yes X No _____

Revised: 7/12/06 ch

**STATE OF MICHIGAN
HAZARDOUS MATERIALS EMERGENCY PLANNING
2008-2009 GRANT AGREEMENT**

October 1, 2008 to September 30, 2009

<u>CFDA Number:</u> 20.703

This agreement is hereby entered into between the Michigan Department of State Police, Emergency Management and Homeland Security Division (hereinafter called the sub-grantor) and the **Lapeer County** Local Emergency Planning Committee (hereinafter called the sub-grantee).

I. Purpose

The purpose of this grant is to provide federal Hazardous Materials Emergency Preparedness (hereinafter called HMEP) funds to the sub-grantee for the review of new 302 hazardous materials emergency response plans, as well as the updating of previously submitted plans.

II. Statutory Authority

Funding for the 2008 Hazardous Materials Emergency Preparedness (HMEP) is authorized by Federal Hazardous Materials Transportation Law (49 U.S.C. Section 5101 et. seq.)

NEW

III. Grant Allocation

The total grant allocation for the **Lapeer County** LEPC is **\$3,525**, which will be awarded as described in Attachment A, "Hazardous Material Emergency Preparedness Planning Grant Instructions." This allocation is dependent upon the level of federal funding for the HMEP program and may be reduced, if federal funding is reduced.

IV. Grant Terms

A. Responsibilities of the Sub-grantee.

The sub-grantee agrees to comply with the following requirements:

1. Meet the LEPC eligibility requirements, as stated in Attachment A, Planning Grant Instructions, Section II.
2. Submit new 302 hazardous materials emergency response plans, and identify which facility plans were reviewed on the enclosed "Plan Review List" sheet, as stated in the 08-09 application (attached) to the Emergency Management and Homeland Security Division, no later than July 1, 2008. No extensions will be granted. If a "Continuation" grant was requested, the LEPC must meet the requirements stated in Attachment A, Planning Grant Instructions, Section IV.
3. Expend the planning grant for expenses incurred in developing the off-site response procedures including, but not limited to, per diem for LEPC members, printing, general office administrative expenses and equipment, and LEPC planning staff costs.
4. Forfeit a prorated share of the allocation for the number of reviews that were not submitted by the sub-grantee.

5. Account for all grant receipts and expenditures in accordance with generally accepted accounting procedures. In doing so, the sub-grantee agrees to comply with all financial and administrative requirements in accordance with the Federal Office of Management and Budget Circulars A-87, A-102, and A-133, as revised, located at <http://www.whitehouse.gov/omb/circulars/index.html> and the U.S. General Accounting Office Government Auditing Standards, located at: <http://www.gao.gov/govaud/ybk01.html>. NEW
6. Retain all financial records, supporting documents, and statistical records, and all other records pertinent to the 2008 HMEP grant, for at least three years after the financial close-out date of this grant program for purposes of federal and/or state examination and audit.
7. Ensure that the required financial and compliance audits are performed in accordance with the Single Audit Act of 1984, as amended, and OMB Circular, A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
8. Ensure that 20 percent local matching for HMEP funds occurs, as described in Attachment B. This match must equal 20 percent of all funds received through this grant, even if the amount is different than what is stated in this agreement. NEW
9. Ensure that federal funds will be used to supplement existing funds and will not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be carefully reviewed in the application review, in subsequent monitoring, and in the audit. The sub-grantee may be required to supply documentation certifying that they did not reduce non-federal funds because of receiving federal funds. Federal funds cannot be used to replace a reduction in non-federal funds or solve budget shortfalls in general fund programs. NEW
10. Assure compliance with Title VI of the Civil Rights Act of 1964, as described within Appendix B of Attachment C.
11. Assure compliance with Federal Certifications, including Debarment and Suspension, Drug-Free Workplace, and Anti-Lobbying. (Attachment D)

B. Responsibilities of the Sub-grantor.

The sub-grantor agrees to do the following:

1. Provide the sub-grantee with the required report forms.
2. Provide copies of standards and other information it uses in determining acceptable work products.
3. Review work products against established standards.
4. Provide payment of the planning grant to the sub-grantee, when it has submitted the list of reviews in accordance with Attachment A, Planning Grant Instructions.
5. May prorate the reimbursement, if fewer numbers of reviews have been completed than the number required.

V. **Limitation of Liability**

The sub-grantor and sub-grantee to this Grant Agreement agree that each must seek its own legal representative and bear its own costs, including judgments, in any litigation that may arise from performance of this contract. It is specifically understood and agreed that neither party will indemnify the other party in such litigation. NEW

This is not to be construed as a waiver of governmental immunity.

VI. Third Parties

This Grant Agreement is not intended to make any person or entity, not a party to this Grant Agreement, a third party beneficiary hereof, or to confer on a third party any rights or obligations enforceable in their favor.

NEW

VII. Grant Agreement Period

This Grant Agreement is in full force and effect from **October 1, 2008 through September 30, 2009**. No costs eligible under this Grant Agreement shall be incurred before the starting date of this Grant Agreement, except with prior written approval. This Grant Agreement consists of two identical sets simultaneously executed; each is considered an original having identical legal effect. Either party may terminate this Grant Agreement by giving thirty (30) days written notice to the other party, stating reasons for termination and the effective date, or upon the failure of either party to carry out the terms of the Grant Agreement. Upon any such termination, the sub-grantee agrees to return to the sub-grantor any funds not authorized for use, and the sub-grantee shall have no further obligation to make payments.

NEW

VIII. Entire Grant Agreement

This Grant Agreement is governed by the laws of the state of Michigan and supersedes all prior agreements, documents, and representations between sub-grantor and sub-grantee, whether expressed, implied, or oral. This Grant Agreement constitutes the entire agreement between the parties and may not be amended, except by written instrument executed by both parties prior to the termination date set forth in Paragraph XI above. No party to this Grant Agreement may assign this Grant Agreement or any of his/her/its rights, interests, or obligations hereunder without the prior consent of the other party. The sub-grantee agrees to inform sub-grantor immediately, in writing, of any proposed changes of dates, budget, or services indicated in this Grant Agreement, as well as changes of address or personnel affecting this Grant Agreement. Changes in dates, budget, or services are subject to prior written approval of sub-grantor. If any provision of this Grant Agreement shall be deemed void or unenforceable, the remainder of the Grant Agreement shall remain valid.

NEW

IX. Business Integrity Clause

The sub-grantor may immediately cancel the Grant Agreement without further liability to the sub-grantor or its employees, if the sub-grantee, an officer of the sub-grantee, or an owner of a 25 percent or greater share of the sub-grantee, is convicted of a criminal offense incident to the application for, or performance of, a state, public, or private grant or subcontract; or convicted of a criminal offense, including but not limited to, any of the following: Embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, attempting to influence a public employee to breach the ethical conduct standards for state of Michigan employees; convicted under State or Federal antitrust statutes; or convicted of any other criminal offense which, in the sole discretion of the sub-grantor, reflects on the sub-grantee's business integrity.

X. Certifications

Each individual signing this agreement certifies, by his or her signature, that he or she is authorized to sign this agreement on behalf of the responsible governing board, official, or agency.

[Handwritten Signature]

Signature of LEPC Chairperson

11-13-08

Date

Signature of Administrator of Agency Receiving Funds

[Handwritten Signature]

Capt. W. Thomas Sands
Deputy State Director of Emergency Management
and Homeland Security

11/7/08

Date

11/2

DATE: November 26, 2008

XX **REQUEST FOR ACTION**

_____ **FOR YOUR INFORMATION**

_____ **REQUEST FOR INFORMATION**

TO: BOARD OF COMMISSIONERS

FROM: JOHN BISCOE/CRAIG HORTON

SUMMARY OF REQUEST / INFORMATION: Request to adopt the 2009 pay schedules for the various non-union groups as specified below, as well as the rates for Health Benefits as stated in the Lapeer County Annual Benefits Open Enrollment Forms.

ADDITIONAL INFORMATION:

CONTACT PERSON(S): John Biscoe/Craig Horton

BACKGROUND INFORMATION:

SUPPORTING DOCUMENTS:

DRAFT MOTIONS:

Draft Motion #1:

Motion by _____, supported by _____, to adopt the attached pay schedules for the following groups: Elected Officials for the period of January 1, 2009 through December 30, 2009; Appointed Department Heads, General Non-Union, Court Non-Union, Health Non-Union, Health "No" Union, General "No" Union, "No" Union "Other" and CMH Non-Union for the period December 27, 2008 through December 31, 2009.

Draft Motion #2:

Motion by _____, supported by _____, to adopt the Health Benefits Monthly Base Rates, with the cost of the insured's premium increases shared 75% by the employer and 25% by the employee as reflected in the 2009 Lapeer County Annual Benefits Open Enrollment Forms and consistent with prior years.

ATTACHMENTS YES XXX NO _____

DATE: November 26, 2008

① 3

XX REQUEST FOR ACTION

___ FOR YOUR INFORMATION

___ REQUEST FOR INFORMATION

TO: BOARD OF COMMISSIONERS

FROM: JOHN BISCOE/CRAIG HORTON

SUMMARY OF REQUEST / INFORMATION: Request to approve a Countywide Travel/Training freeze, where NO travel or Training shall be expended or reimbursed without PRIOR written approval of the County Administrator/Controller.

ADDITIONAL INFORMATION:

CONTACT PERSON(S): John Biscoe/Craig Horton

BACKGROUND INFORMATION:

SUPPORTING DOCUMENTS: (See attached)

DRAFT MOTIONS:

Draft Motion #1:

Motion by _____, supported by _____, that all County Travel and Training shall be suspended until further notice and that any department requesting an exemption (including those required for job certification) shall submit a request for action to the County Administration for review, and approval with no exceptions.

ATTACHMENTS YES___ NO___

D4

DATE: November 26, 2008

XX REQUEST FOR ACTION

___ FOR YOUR INFORMATION

___ REQUEST FOR INFORMATION

TO: BOARD OF COMMISSIONERS

FROM: JOHN BISCOE/CRAIG HORTON

SUMMARY OF REQUEST / INFORMATION: Request to approve a Countywide hiring freeze and that NO vacant or new positions be filled without specific board approval.

ADDITIONAL INFORMATION:

CONTACT PERSON(S): John Biscoe/Craig Horton

BACKGROUND INFORMATION:

SUPPORTING DOCUMENTS: (See attached)

DRAFT MOTIONS:

Draft Motion #1:

Motion by _____, supported by _____, prior to filling any vacant or new position, all County Departments shall submit a request for action to Administration for review by the Personnel Committee, and approval by the Full Board with no exceptions.

ATTACHMENTS YES ___ NO ___



Lapeer County, Michigan

RESOLUTION

WHEREAS, Margaret J. (Peg) Wigton, RN, MSN began her employment as a Home Health Nurse with the Lapeer County Health Department on September 20, 1991; and,

WHEREAS, Peg Wigton has provided leadership for the Home Health Program as both a Home Health Nursing Supervisor and Home Health Nurse Administrator; and,

WHEREAS, Peg Wigton completed her Master's Degree in Nursing in 2004, which further expanded her professional leadership skills and further improved the quality of the Home Health Program; and,

WHEREAS, Under Peg Wigton's leadership, the Lapeer County Health Department's Home Health Program has been recognized as a Top 500 Home Health Agency in the United States for improvement in quality and management of care for the years 2006, 2007 and 2008; and,

WHEREAS, Peg Wigton has consistently advocated for Home Health Services that address the specific needs of the residents of Lapeer County; and,

WHEREAS, Under Peg Wigton's leadership, the Home Health Program has consistently received high marks from the JCAHO and CHAP accrediting agencies; and,

WHEREAS, Peg Wigton's ability to influence the development and ongoing direction of the Home Health Program and Lapeer County Health Department as a whole has contributed significantly to the success of this Agency and the ability to meet its mission.

NOW, THEREFORE BE IT RESOLVED, that this Board of Commissioners of the County of Lapeer, wishes to honor and express deep appreciation to Peg Wigton for over 17 years of dedicated service to the residents of Lapeer County and extends their best wishes in her well deserved retirement and future endeavors.

David Taylor, Chairman

Cheryl Clark, Vice-Chairman

Dyle Henning, District #2

Gary Roy, District #3

Lenny Schneider, District #4

Linda Jarvis, District #6

C. Ian Kempf, District #7

I hereby certify that the foregoing Resolution was unanimously adopted by a vote at the meeting of the Board of Commissioners of the County of Lapeer, State of Michigan, on this 5th day of December, 2008.

Marlene M. Bruns, County Clerk
Clerk of the Board