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A-G-E-N-D-A

LAPEER COUNTY BOARD OF COMMISSIONERS REGULAR BOARD MEETING February 12, 2009 8:30 A.M.

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

CALL TO ORDER BY CHAIRMAN/VICE-CHAIR

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

CONSIDERATION FOR APPROVAL:

- ◆ Agenda
- ◆ January 29, 2009 Regular Board Minutes

REVIEW OF COMMISSIONER MILEAGE/EXPENSE SHEETS

PUBLIC TIME - Citizens Comments, etc.

CONTINUED-

NEW/OLD BUSINESS:

A. MEDICAL EXAMINER - Agreement for transporting services

B. RESOLUTION - Of Support for County Remonumentation Program

(Additional items)

C.

D.

E.

DRAFT MOTIONS

♦ **Committee of the Whole** (02/05/09) (attached)

FISCAL PLANNING/BUDGETING DISCUSSION - If needed

AUDIT MOTIONS

- ♦ **County Audit Motion**
For disbursements dated February 13, 2009
- ♦ **Road Commissioner's Audit Motion**
For disbursements dated February 12, 2009

PUBLIC TIME - Citizens Comments, etc.

COMMISSIONERS' REPORTS

CLOSED SESSION - If needed

RECESS/ADJOURN

**LAPEER COUNTY BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
January 29, 2009
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
	Lenny Schneider	District #4
	David Taylor	District #5
	Linda M. Jarvis	District #6
	C. Ian Kempf	District #7
Excused:	Gary Roy	District #3

AGENDA

It was the consensus of the Board to accept the agenda with the addition of a comment regarding the Saginaw Bay RC & D Area, Inc. dues, and the deletion of a closed session.

The draft minutes from the January 15, 2009 Regular Board Meeting were reviewed.

21-09

Motion by Schneider, supported by Kempf, to approve the draft minutes from the January 15, 2009 Regular Board Meeting. Motion carried.

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

PUBLIC TIME – Pat Joyce spoke concerning her job being cut at the Health Department.

22-09

Motion by Schneider, supported by Kempf, to refer the Medical Examiner's need for an agreement for transporting to the morgue, to the February 5, 2009 Committee of the Whole Meeting, with authority to act. Motion carried.

Commissioner Henning commented on the Saginaw Bay RC & D Area, Inc. dues.

23-09

Motion by Clark, supported by Kempf, to approve the renewal of Liability Insurance Coverage through Michigan Municipal Risk Management Authority, for the period of January 1, 2009 through January 1, 2010, and also, to authorize a payment in the amount of \$50,000.00 (Retention Fund) for the contribution period of 01/01/09-12/31/09, and \$199,344.00 (General Fund) for the period of 01/01/09-03/31/09, from line item 101-954-713.000. Motion carried.

24-09

Motion by Clark, supported by Kempf, to authorize payment of the 2009 Mobile Command Center dues for the County of Lapeer, in the amount of \$150.00, to be paid from line item 211-325-957.000 (Central Dispatch). Motion carried.

25-09

Motion by Clark, supported by Kempf, to authorize payment of dues to the Michigan Association of Counties (MAC), in the amount of \$14,286.59, for the period of July 1, 2008 through June 30, 2009, to be paid from line item 101-803-957.102. Motion carried.

26-09

Motion by Clark, supported by Kempf, to authorize payment to the National Association of Counties (NACo), in the amount of \$1,760.00, for membership dues, for the period of January 1, 2009 through December 31, 2009, to be paid from line item 101-803-957.101. Motion carried.

27-09

Motion by Clark, supported by Kempf, to authorize the E-911 Central Dispatch to purchase a certified router/firewall, at a cost of \$3,934.28, from line item 211-326-977.000 (E-911 Equipment), after a reply from the State as to our current certified firewall acceptance or rejection.

28-09

Motion by Schneider, supported by Kempf, to amend the previous motion to refer the purchase of a certified router/firewall to the February 5, 2009 Committee of the Whole Meeting, with authority to act. Motion carried.

29-09

Motion by Clark, supported by Kempf, to approve the Memorandum of Understanding with the City of Lapeer regarding the Senior permitted parking area in parking lot #8, and further, to authorize the County Controller/Administrator to sign said Memorandum. Roll Call Vote: Clark, nay; Schneider, aye; Henning, aye; Jarvis, aye; Kempf, aye; Roy, absent; Taylor, nay. 4 ayes, 2 nay, 1 absent. Motion carried.

Commissioner Henning stated that he thinks it is fair to say that the people voting yes on this issue probably would like it to be recorded in the notes that they do have some disappointment in that the City has not felt that they could provide more support and services for the local Lapeer Senior Services Center.

30-09

Motion by Clark, supported by Kempf, to authorize payment to the Valley Area Agency on Aging (VAAA), in the amount of \$11,000.00, for the local match contribution for Fiscal Year 2009, to be paid from line item 276-102-957.000. Motion carried.

Senior Programs Advisory Board – 2 two-year terms

Commissioner Jarvis nominated Donna Pfeiffer to be re-appointed and Linda Histed to be appointed to serve a two year term on the Senior Programs Advisory Board.

31-09

Motion by Clark, supported by Kempf, that nominations be closed, the rules set aside, and a unanimous ballot be cast to re-appoint Donna Pfeiffer and to appoint Linda Histed to serve on the Senior Programs Advisory Board, for a two-year term ending December 31, 2010. Motion carried.

32-09

Motion by Clark, supported by Kempf, to approve the transfer of \$99,245.00, representing the first of three installments toward the annual allocation of \$297,735.00, from Community Mental Health line item 101-990-999.222 (Appropriations) to Community Mental Health line item 222-990-695.010 (Expenditures). Motion carried.

33-09

Motion by Clark, supported by Kempf, to approve the following transfer of the 1st & 2nd quarter appropriations for the Health Department:

\$240,684.00 from 101-990-999.221 to 221-990-695.010 (Health Department)

Motion carried.

34-09

Motion by Clark, supported by Kempf, to approve the following transfer of the 1st and 2nd quarter appropriations for the Health Department:

\$355,773.63 from 276-990-999.223 to 223-990-695.010 (VAAA)

Motion carried.

35-09

Motion by Clark, supported by Kempf, to approve the following transfer of the 1st quarter appropriation for the Health Department:

\$14,272.25 from 101-990-999.224 to 224-990-695.010 (Animal Control)

Motion carried.

36-09

Motion by Schneider, supported by Clark, to rescind the Emergency Management "Full Time Solution Area Planner" job description and replace it with the "Temporary Emergency Management Grant Position" job description. Motion carried.

37-09

Motion by Schneider, supported by Clark, to recognize all Lapeer County Community Mental Health regular part-time and full-time continuous service years for non-union employees, as it relates to the awarding of health benefits, step increases, and vacation accruals; and further, that the calculation procedures for said benefits will be consistent with those approved for Lapeer County Community Mental Health union employees. Motion carried.

38-09

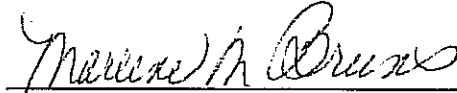
Motion by Clark, supported by Jarvis, to approve the County's Audit Motion for disbursements dated January 30, 2009, based upon the signature of the County Controller/Administrator, and further, to approve the Road Commission's Audit Motion for disbursements dated January 29, 2009, based upon the signatures of the Road Commission Chairman and Finance Director. Roll Call Vote: Clark, aye; Henning, aye; Jarvis, aye; Kempf, aye; Roy, absent; Schneider, aye; Taylor, aye. 6 ayes, 1 absent. Motion carried.

PUBLIC TIME – No comments were received.

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

Chairman Taylor declared the meeting adjourned. 9:50 a.m.

David Taylor, Chairman
Board of Commissioners



Marlene M. Bruns, County Clerk
Clerk of the Board

BODY TRANSPORT AGREEMENT

This Agreement is entered into as of the _____ day of _____ between LAPEER COUNTY EMERGENCY MEDICAL SERVICES AUTHORITY, with its principle place of business located at 3056 Davison Road Ste.1 Lapeer, MI 48446 hereinafter called "LCEMS", and Lapeer County Medical Examiner's Office with its principle place of business located at 1800 Imlay City Road Lapeer, Michigan 48446 hereinafter known as "LCMEO".

WHEREAS, LCMEO wishes to retain LCEMS to transport bodies to the Lapeer Regional Medical Center Morgue located at 1375 North Main Street Lapeer, Michigan 48446.

AND WHEREAS, LCEMS operates an ambulance service, employing appropriately qualified and licensed Paramedics and Basic Emergency Medical Technicians.

THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. **LICENSURE, ACCREDITATION, AND EQUIPMENT:** During the term of this agreement or any extension LCEMS will, as an independent contractor, provide to LCMEO the services set forth in this agreement as a licensed advanced mobile emergency care service as defined in Act 179 of the Michigan Public Acts of 1990. LCEMS will maintain its licensure and will comply with the requirements of said statutory laws, and the regulations promulgated by the State of Michigan Department of Community Health – EMS Division. Compliance will extend to personnel as well as to equipment furnished by LCEMS.

LCEMS will secure appropriate ALS and/or BLS ambulance licensure for the ambulance. Said licensure shall be under LCEMS' existing advanced mobile emergency care service license.

LCEMS will provide and maintain all equipment necessary to comply with ALS and/or BLS ambulance licensure requirements.

2. **SERVICE:** Upon request from the Lapeer County Medical Examiner and/or his/her designee, LCEMS agrees to provide the appropriately licensed ambulance and personnel for the level of care required for a particular patient. LCEMS agrees to use it's best efforts to respond to all requests for transfers within a reasonable period of time dependent on status and availability of ambulances at given time.

3. PAYMENT FOR SERVICE: For the services and equipment supplied by LCEMS, LCMEO will pay as follows:

Transfers for the LCMEO to Lapeer Regional Medical Center will be billed at a flat rate of \$250.00. A 30% discount will be applied if payment is received within 60 days of initial billing. In the event LCEMS is requested to transport a body outside Lapeer County to any other facility, the rate of \$175.00 will be considered a loading fee, and in addition the LCMEO will be charged \$10.00 per loaded mile to the receiving facility.

In the event LCEMS can bill insurance plans and/or private payors, they will do so. In the event payment is not made to LCEMS by those means, LCMEO agrees to pay for the transport. (30 % discount will be applied as of the first day the LCMEO is billed)

The parties intend that this contract complies with all applicable federal, state, and local laws with respect to the furnishing of health care goods or services. Either party may terminate this contract upon 30 days advance notice to the other party if the party's legal counsel advises the party that the contract does not comply with a material change to a local, state, or federal law.

4. TERMS OF AGREEMENT AND TERMINATION: This agreement is for a term effective from _____ and extending through _____. It shall renew automatically for successive periods of one year, at rates to be agreed upon by each party, unless cancelled in writing at least 30 days in advance of renewal.

This agreement may be terminated by either party upon 30 days written notice. In the event of early termination, as described above, the termination shall be effective at the end of the given month. Payment for services shall be due only for those months in which services are actually provided.

5. INFORMATION SHARING: The essence of this agreement is mutual cooperation and coordination in rendition of service to the public, and accordingly the parties shall mutually share records, including Patient Run Reports, patient EOB's, data and other information arising from operations contemplated by this agreement, it being understood that all such information is confidential as between the parties and shall not be disclosed to others except as is required pursuant to licensure requirements, advanced life support protocols and similar public health supervision and control.

6. INSURANCE COVERAGES: Each party shall be responsible and liable for the acts of its own personnel and the condition of its equipment and supplies; and accordingly each party shall maintain such insurance coverage for its own liability, property damage, and malpractice as it deems appropriate.

Neither party shall have any claim against or responsibility to the other except for acts or omissions resulting from gross negligence or willful misconduct.

7. **NO PARTNERSHIP:** This agreement is neither a partnership nor a joint venture and is strictly an arrangement by which LCEMS as an independent contractor is rendering certain services to LCMEO. Neither party shall be deemed an agent of the other, nor shall either have the right to commit money, property, or credit of the other to any binding obligation without the written signature of an authorized representative of the opposite party.

IN WITNESS WHEREOF, this agreement has been executed as of the day and year above written.

FOR LAPEER COUNTY EMS AUTHORITY

Galland Burnham, Executive Director

FOR LAPEER COUNTY MEDICAL EXAMINER'S OFFICE

Dr. Charles Franckowiak, Lapeer County Medical Examiner

**RESOLUTION OF SUPPORT FOR
COUNTY REMONUMENTATION PROGRAM**

WHEREAS, the State of Michigan is considering the various uses of proposed economic stimulus monies from the Federal Government, and,

WHEREAS, in 2006, the State of Michigan Legislature removed \$15,000,000 from the State Survey and Remonumentation fund in an effort to balance the state budget for that year, and,

WHEREAS, in Section 54.271 of Act 345 of 1990, the Legislature cited specific funding levels for the program which have not been met, and,

WHEREAS, since the removal of these funds in 2006, statewide funding for the program has decreased from \$10,134,000 in 2006 to \$4,000,000 in 2009, and,

WHEREAS, the removal of these funds has seriously impaired the effectiveness and progress of this program, and,

WHEREAS, this program has been extremely beneficial to all residents of the State of Michigan, since original corner positions of the Public Land Survey control the boundaries of every parcel in Lapeer County and the State of Michigan, and,

WHEREAS, this program is designed to recover, monument, record and perpetuate these original corner positions, and,

WHEREAS, the information provided by this program is also designed to be the basis of all municipal GIS within the State, and,

WHEREAS, these additional funds will benefit the implementation of each County wide GIS, which is intended to assist in 911 emergency responses,

THEREFORE BE IT RESOLVED, that the Lapeer County Board of Commissioners are in support of the use of \$15,000,000 of the economic stimulus monies for the State of Michigan Survey and Remonumentation Program for 2009 and an additional \$15,000,000 to supplement the program through fiscal year 2010.

ADOPTED on this _____ day of February, 2009 by the Lapeer County Board of Commissioners.

David Taylor, Chairman

**DRAFT MOTIONS FROM THE
February 5, 2009
COMMITTEE OF THE WHOLE MEETING**

1. Motion by Kempf, supported by Jarvis, to recommend to the Full Board, to approve the Healthy Baby Program Contracted Services Agreement between the Lapeer County Health Department and Lapeer County Intermediate School District, at no additional cost to the County General Fund. Motion carried.

2. Motion by Kempf, supported by Henning, to recommend to the Full Board, to approve the following Sheriff's Department 2009 Budget for the Marine Division:

Increase	264-301-676.020 (Boater Safety Fees)	by	\$2,200.00
Increase	264-301-977.000 (Machinery & Equipment)	by	\$2,200.00

Motion carried.

3. Motion by , supported by , pursuant to action taken at the January 29, 2009 Regular Board Meeting, giving the Committee of the Whole the authority to act, to enter into the official record the following action taken at the February 5, 2009 meeting of the committee of the Whole:

"Motion by Kempf, supported by Jarvis, to authorize the E-911 Central Dispatch to purchase a certified router/firewall, at a cost of \$3,934.28, from line item 211-326-977.000 (E-911 Equipment). Motion carried."

Motion carried.

4. Motion by Kempf, supported by Jarvis, to recommend to the Full Board, to approve the following budget amendment for E-911 Central Dispatch:

Increase	211-100-400.326 (Beginning Fund Balance)	by	\$50,000.00
Increase	211-326-977.000 (Machinery & Equipment)	by	\$50,000.00

Motion carried.

5. Motion by Henning, supported by Kempf, to recommend to the Full Board, to authorize payment to Johnson, Rosati, LaBarge, Aseltyne & Field, P.C., in reference to invoice #1053811, in the amount of \$216.00, for services rendered through 12/31/08, to be paid from line item 101-210-801.020. Motion carried.

6. Motion by Kempf, supported by Henning, to recommend to the Full Board, to have a discussion regarding Animal Control on the February 19, 2009 Committee of the Whole agenda. Motion carried.