

WEDNESDAY, March 14, 2018

PRESENT: Comm. Stimpson, Bales, Bolton, Collins, Knoblauch, Lapham, Tillotson, and Wittenbach

ABSENT: Comm. Driskill

Also Present: Marilyn Woods, Kim Murphy, Lindsey Garrison, Jenny Escott, Kara Choate, David Panian (The Telegram), Steve Palmer, Jen Ambrose, Martin Marshall, and Roxann Holloway,

The meeting was opened with an invocation and the Pledge of Allegiance.

Comm. Knoblauch moved to approve the minutes from the February 14, 2018, meeting, Comm. Wittenbach seconded, Motion CARRIED.

Comm. Tillotson requested that the Business Revolving Loan closure request be removed from the consent agenda and placed under the Personnel/Ways & Means report.

Comm. Tillotson moved to accept the agenda with amendment, Comm. Knoblauch seconded, Motion CARRIED.

Communications were read.

Drain Commissioner Jenny Escott presented the 2018 Annual Drain Report.

Comm. Tillotson moved to accept the report and place on file, Comm. Wittenbach seconded, Motion CARRIED.

Comm. Bolton moved to approve the following consent agenda, as amended, Comm. Collins seconded, Motion CARRIED by a Unanimous Roll Call Vote.

Consent Agenda:

**APPROVAL OF COMMITTEE ACTIONS**

**Rules & Appointments (03/13/18)**

Accept the resignation of Margorie Keller from the Lenawee District Library Board and appoint Mallory Frailing to fill the vacancy with a term expiration of December, 2018.

Reappoint Bob Knoblauch and Bob Gilmore to the Region 2 Area Agency on Aging for another two year term expiring December, 2020.

**Personnel/Ways & Means (03/13/18)**

**Drain Commission Request:** The new Utility Operator position as presented is APPROVED.

**Second Quarter Allotment: Resolution #2018-005:** APPROVED.

**RES#2018-005**

**Whereas**, the 2018 General Appropriations Act provided for the allotment of appropriations on a periodic basis when financial circumstances warrant; and

**Whereas**, the Lenawee County Board of Commissioners deems that financial circumstances exist whereby the quarterly allotment of appropriations contained in the 2018 General Fund Budget is deemed desirable; and

**Whereas**, the financial circumstances also dictate that other steps also be taken to contain expenditures during the fiscal year.

**Therefore Be It Resolved** by the Lenawee County Board of Commissioners, that the expenditure of the 2018 appropriations as contained in the 2018 General Fund Budget be established for the period beginning January 1, 2018 and ending June 30, 2018, and that the elected and appointed officials responsible for appropriations be so notified, and;

**Be It Resolved** that said County officials shall not cause obligations to be incurred against, nor shall payment be made from appropriations in excess of the amount provided in the schedule.

**Judicial Building Security contract:** The ADA Security contract for security services for the entrance of the Judicial Building is APPROVED.

**Reimbursement Resolution:** APPROVED.

**RES#2018-006 Bond Reimbursement Resolution**

**Whereas**, the County of Lenawee (the County”) proposes to issue its tax-exempt or federally taxable bonds, notes or installment purchase contracts (collectively, the “Obligations”) to finance the cost of rebuilding the Sheriff Department building, Restoring the Old Courthouse, remodeling the Annex and Judicial Buildings, building a secondary Emergency Operations Center and building a County Morgue (collectively, the “Project”); and

**Whereas**, it is anticipated that the County will advance all or a portion of the costs of the Project prior to the issuance of the Obligations, such advance to be repaid from proceeds of the Obligations upon the issuance thereof; and

**Whereas**, Section 1.150-2 of the Treasury Regulations on Income Tax (the “Reimbursement Regulations”) specifies conditions under which a reimbursement allocation may be treated as an expenditure of proceeds of a borrowing, and the County intends by this resolution to qualify amounts advanced by the County to the Project for reimbursement from proceeds of the Obligations in accordance with the requirements of the Reimbursement Regulations.

**Be It Resolved** by the Board of Commissioners of the County of Lenawee, Michigan, as follows:

1. The County hereby declares its official intent to issue the Obligations in the aggregate principal amount not to exceed \$848,254 to finance the swing space portion of the Project and the secondary Emergency Operations Center portion of the Project. The County hereby declares that it reasonably expects to seek reimbursement for its advances to the Project as anticipated by this resolution.
2. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

**Annex Building Swing Space:** Construction to prepare the Annex building swing space with construction costs of \$642,118 to be reimbursed by bond proceeds is APPROVED.

**Physical Resources Committee Referral (Airport Training Room):** Construction of the Airport training room with construction costs of \$206,136 to be reimbursed from bond proceeds is APPROVED.

**Solid Waste Coordinating Committee Referral (Recycling Material Service Contract):** The Modern Waste contract for supplying and hauling recycling containers is APPROVED.

**Lenawee Transportation Corp / Michigan Department of Transportation:** APPROVED.

**RES#2018-007 Resolution of Intent**

**Whereas,** pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for the Lenawee County (hereby known as THE APPLICANT) established under Act 94 to provide a local transportation program for the state fiscal year of 2018 and, therefore, apply for state financial assistance under provisions of Act 51; and

**Whereas,** it is necessary for the governing body, to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

**Whereas,** it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and

**Whereas,** the performance indicators have been reviewed and approved by the governing body.

**Whereas,** THE APPLICATION, has reviewed and approved the proposed balance (surplus) budget, and funding sources of estimated federal funds \$92,330, estimated state funds \$195,630, estimated local funds \$211,120, with total estimated expenses of \$499,080. (Note: Local funds include fare box and any other local revenue)

**Now Therefore,** be it resolved that THE APPLICANT hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

**Hereby,** appoints Marcia M Bohannon as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51 for 2018.

**Lenawee Transportation Corp / Michigan Department of Transportation:** APPROVED.

**RES#2018-008 Master Agreement #2017-0080/A1**

**Whereas,** the Lenawee County Board of Commissioners has the authority to contract with the Michigan Department of Transportation for State and/or Federal funds for passenger transportation related services; and

**Whereas,** the Lenawee County Board of Commissioners did approve Master Agreement No 2017-0080, on October 12, 2016; and

**Whereas,** the Michigan Department of Transportation has proposed an amended Master Agreement, 2017-0080/A1, to revise the dollar thresholds in the competitive procurement requirements and to add a retainage requirement to the prompt payment language.

**Now, Therefore Be It Resolved** that the Chair of the Lenawee County Board of Commissioners be authorized and directed to execute said agreement for and on behalf of the County of Lenawee.

**Lenawee Transportation Corp / Michigan Department of Transportation:** APPROVED.

**RES#2018-009 Operating Assistance Section 5311 FY2018**

**Whereas**, the Lenawee County Board of Commissioners has made known its intent to provide public transportation service, and

**Whereas**, the Lenawee County Board of Commissioners has contracted with the Lenawee Transportation Corporation to provide that transportation service, and,

**Whereas**, a Project Authorization has been proposed which provides FY 2018 Section 5311 Operating assistance for such service, effective October 1, 2017 and expiring September 30, 2018, based on 18.5% of the estimated eligible costs, and,

**Whereas**, this project authorization includes partial funding for the year, approximately 31% of the 18.5% of the estimated eligible costs which is \$28,175, and

**Whereas**, the maximum amount to be paid will not exceed 18.5% of the audited costs and if funds are insufficient to reimburse at 18.5% of the audited costs, a new reimbursement percentage will be calculated for all agencies, and, be it,

**Resolved**, that the Lenawee County Board of Commissioners does hereby approve the proposed Agreement no. 2017-0080, Authorization No. P8 for FY 2018 Section 5311 Operating Assistance, and be it,

**Further Resolved**, that the monies from the grant be given to Lenawee Transportation in accordance with the terms of the Authorization No. P8, and,

**Hereby**, authorize the Chair and County Clerk to execute Authorization No. P8 for and on behalf of Lenawee County.

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Comm. Wittenbach reported from the Information Technology/Equalization Committee.

Comm. Wittenbach reminded the commissioners that donations to the scholarship fund are due.

Comm. Collins reported from the Criminal Justice Committee.

Comm. Knoblauch reported from the Physical Resources Committee.

Comm. Tillotson reported from the Personnel/Ways & Means Committee.

Comm. Collins moved to close the BioDri revolving loan and write off the balance, Comm. Bolton seconded, discussion followed regarding the unpaid balance of nearly \$269,000 and that all the attempts to collect on the debt have been exhausted.

Administrator Marshall shared information regarding the business revolving loan process in general and how prior to the MEDC's recommendations to the county to change their standards, the county was very cautious about granting these loans and that the county had a very high success rate. The county's objective to granting the loans was to create employment. The county adopted the MEDC's recommendations shortly prior to this loan.

Motion CARRIED. Comm. Tillotson voted no.

Comm. Tillotson reported from the Accounts Payable Committee.

February 15 , 2018-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$1,401,511.60 with general fund's portion being \$109,098.95, Comm. Bolton seconded. Motion CARRIED.

March 1, 2018-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$1,466,137.84 with general fund's portion being \$197,538.30, Comm. Knoblauch seconded. Motion CARRIED.

Comm. Lapham reported from the Policies & Procedures Committee.

The Depository & Investment Policy is adopted by resolution on an annual basis. There were no changes made to the policy and it is on file.

Comm. Lapham moved to approve the following resolution, Comm. Tillotson seconded.

**Depository and Investment Resolution For Lenawee County**

**RES#2018-004**

**Whereas**, under the law of the state of Michigan, Act No. 20 of 1943, as amended by PA 196 OF 1997, This Board is required to provide, by resolution, an investment policy governing the prudent management of all public monies, including general fund, tax monies, special revenue funds, debt service funds, capital project funds, enterprise funds, internal service funds, trust & agency and any new funds established by and belonging to, or held for, the State, county or other political units coming into the hands of the County Treasurer.

**Therefore Be It Resolved** as follows:

- (1) the Lenawee County Board of Commissioners hereby directs the Lenawee County Treasurer to direct and oversee the management of all public monies, including monies and funds held for the State Board of Escheats or missing heirs, coming into his/her hands as treasurer in the manner outlined in the accompanying investment policy.
- (2) the Treasurer is authorized to invest funds with any financial institution legally permitted by State statute Act #20 of the Michigan Public Acts of 1943, as amended, or Federal law or regulation within the limits set therein, and
- (3) The Treasurer is authorized to enter into and execute on behalf of the County any contracts with any bank or trust company for the safekeeping or third party custodianship of any of the County securities as well as any contracts or repurchase agreements with any corporation for the purchase of any such securities which will be the subject of such safekeeping or third party custodianship arrangements, on such terms and conditions as the County Treasurer shall require, and
- (4) The Treasurer is authorized to engage a professional management firm to manage the assets, as long as that firm:
  - a. Acknowledges receipt of the investment policy and
  - b. Agrees to comply within the terms of the investment policy regarding the buying or selling of securities and
- (5) The County Treasurer is authorized to rely on the continuing effect of these resolutions until amended or repealed by the subsequent Resolution of this or a successor Board of Commissioners.

Motion Carried by a Unanimous Roll Call Vote.

Comm. Wittenbach reported from the Parks Commission.

Comm. Wittenbach reported from the Dept. of Human Service.

Comm. Lapham reported from the Department on Aging.

Comm. Knoblauch reported from the Solid Waste Committee.

Comm. Bales reported from the Airport Commission.

Comm. Bolton reported from Michigan Works.

Comm. Knoblauch reported from MTA.

Comm. Tillotson reported from the Substance Abuse Committee.

Comm. Knoblauch reported from the Veterans Affairs Committee.

Comm. Wittenbach reported from the AG Committee.

Comm. Collins reported from the Emergency 9-1-1 District Board.

Comm. Wittenbach reported from the Health Board.

Comm. Wittenbach reported from MAC- General Government.

Comm. Bolton announced that, due to Lenawee Now and their effort to inform local businesses of the Michigan Skilled Trade Training Fund, Lenawee County will be receiving grants for training in the amount of \$152,817.00.

Comm. Collins announced that he received information from the Kiwanis Flag Program and asked that commissioners let him know if they are still interested in sponsoring a flag.

The following announcements were made:

- A photographer will be here before the April Board of Commissioners meeting to take updated Commission photos.
- A request for donations was made for the coffee/flower fund.

Comm. Tillotson moved to adjourn at 2:20 P.M., Comm. Bolton seconded. Motion CARRIED.

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Roxann Holloway, Clerk

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David Stimpson, Chair