

WEDNESDAY, May 8, 2019

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

ALSO PRESENT: Marilyn Woods, Kim Murphy, Lindsay Garrison, Burke Castleberry, Troy Bevier, Jim Van Doren, Tim Robinson, Scott Holtz, Jen Ambrose, Dmitry Shapiro (The Telegram), Ian Wendt (WLEN), Martin Marshall, and Roxann Holloway

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

Comm. Bolton moved to approve the minutes from the April 10, 2019, meeting, Comm. Knoblauch seconded, Motion CARRIED.

Comm. Tillotson moved to accept the agenda as presented, Comm. Bolton seconded, Motion CARRIED.

Communications were read.

Administrator Marshall introduced Scott Holtz, the new County Finance Director.

Jim Van Doren and Tim Robinson presented the Lenawee Now annual report

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

Consent Agenda:

Budget Adjustments: The following budget adjustments are APPROVED.

<i>Non-General Fund</i>	<i>Current Budget</i>	<i>Change Inc or (Dec)</i>	<i>Revised Budget</i>
<i>Health Fund Revenue</i>	2,779,231	58,689	2,837,920
<i>Expense</i>	2,779,231	58,689	2,837,920

Revenue

450 Administration 100	712,980	(80,705)	632,275
460 Immunizations 316	391,534	49,394	440,928
462 STD/Aids 321	26,410	15,000	41,410
468 Breast/Cervical Cncr-Direct 324	10,955	5,000	15,955
492 Hearing 451	44,794	15,000	59,794
494 Vision 453	41,768	15,000	56,768
509 Opioid Response	0	40,000	40,000
Revenue Total	2,779,231	58,689	2,837,920

Expenses

460 Immunizations 316	512,860	8,400	521,260
462 STD/Aids 321	107,682	2,000	109,682
468 Breast/Cervical Cncr-Direct	20,959	950	21,909
486 Family Planning 419	222,452	4,300	226,752

492 Hearing 451	51,619	650	52,269
494 Vision 453	56,668	650	57,318
502 Nursing Administration 709	105,148	2,050	107,198
509 Opioid Response	0	39,689	39,689
Expenses Total	2,779,231	58,689	2,837,920

PA116 Application: The Caswell Place, LLC PA116 application for approximately 103 acres in Ogden Township is APPROVED.

AIRPORT/MDOT CONTRACT NO. 2019-0399

RES#2019-008

WHEREAS, the process of developing and upkeep of the Lenawee County Airport with federal and state financial assistance requires the execution of sponsor contracts for approved projects between the Lenawee County Board of Commissioners, Adrian, Michigan and the Michigan Department of Transportation, Lansing, Michigan, and

WHEREAS, the Lenawee County Board of Commissioners shall enter into sponsor contracts (full text on file) for specific development/upkeep projects at the Lenawee County Airport for the purposes of obtaining aid.

THEREFORE BE IT RESOLVED that the Chairperson of the Lenawee County Board of Commissioners, David Stimpson is hereby authorized and directed to execute said sponsor contracts on behalf of the County of Lenawee, Michigan, and the County Clerk is **Hereby** authorized to impress the official seal to attest said execution.

MDOT CONTRACT NO. 2019-0399 referred to herein shall be attached

PROJECT DESCRIPTION: Rehabilitate Runway 5/23 & Parallel Taxiway A – Paint Marking (under 2019 Statewide Program).

Federal Share \$19,800.00

Maximum MDOT Share \$1,100.00

SPONSOR Share, \$1,100.00

Estimated PROJECT COST, \$22,000.00

Resolution #2019-008 is ADOPTED.

LAKE ARROWHEAD ESTATES WATER SYSTEM

RES#2019- 009

Resolution Authorizing Rate Increases For Operation and Maintenance Costs

WHEREAS, the County of Lenawee (the “County”) is the owner of the Lake Arrowhead Estates Water System (the “System”) in the Township of Raisin (the “Township”) in the County; and

WHEREAS, by resolution adopted on April 14, 1982, the Township Board of the Township requested the Board of Commissioners of the County to accept and exercise jurisdiction over the System, to provide the necessary operation and maintenance services for the System and to charge and collect sufficient revenues from the users of the System to pay all costs of the System in perpetuity; and

WHEREAS, Lenawee County has developed the plan for the benefit of the entire community and to adopt the plan as a document to assist in meeting the recreation needs of the community; and

WHEREAS, as a result of said action by the Township Board, the Board of Commissioners authorized and directed the Drain Commissioner to operate and maintain the System on behalf of the users thereof; and

WHEREAS, the Board of Commissioners has determined, upon the recommendation of the Drain Commissioner, that it is necessary to increase the rates presently being charged by the County for operation and maintenance services to the users of the System.

NOW, THEREFORE BE IT RESOLVED that:

1. Effective July 1, 2019, the monthly charges for operation and maintenance for the use of the System shall be as follows:

Number of Gallons Used Per Month	Basic Charge Per Month	Additional Charge Per Month
0-6,000	\$37.50	\$0
6,001-12,000	\$37.50	\$2.50/1,000 gallons for gallons over 6,000
Over 12,000	\$37.50	Charge for 6,001-12,000 gallons above plus \$2.00/1,000 gallons for gallons over 12,000

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

Resolution #2019-009 is ADOPTED.

DELINQUENT TAX REVOLVING LOAN FUND

RES#2019-010

WHEREAS, Lenawee County maintains a Delinquent Tax Revolving Fund that enables the County to obtain sufficient funds to pay local units of government the amount of delinquent property taxes returned to the County.

THEREFORE BE IT RESOLVED that an advance from the Lenawee County General Fund via a transfer to the Delinquent Tax Revolving Fund be authorized in an amount not to exceed \$500,000.00 as of June 7, 2019, and

BE IT FURTHER RESOLVED that pursuant to Act 206, upon continuation of the fund, the County Treasurer is to act as agent for the County to administer the fund for 2019, and in this capacity receive administrative expenses in connection with the Fund, such sums as are provided by law subject to the following conditions: (a) interest at the rate of 2% payable to the general fund from June 7, 2019 through date of pay-off, and (b) payments back to the general fund beginning July 1, 2019, until the advance is fully paid which is anticipated to be paid off on or before August 28, 2019.

Resolution #2019-010 is ADOPTED.

LTC/MDOT Agreement 2012-0116, Authorization No: P16/R2

RES#2019-011

Resolution to authorize the Chair of the Board of Commissioners and the County Clerk to execute a Revised Project Authorization from the Michigan Department of Transportation for the Lenawee Transportation program to extend the authorization term by one year to allow sufficient time to complete the project.

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 Revised Project Authorization from the Michigan Department of Transportation (MDOT) has been proposed to extend the authorization term by one year or March 25, 2020 for the purchase of radios, and be it

RESOLVED, that the Lenawee County Board of Commissioners does hereby approve Agreement 2012-0116, Authorization No: P16/R2 in the amount of \$14,000 from the FY 2015

Section 5311 Capital Formula Grant for Rural Areas Program and Surface Transportation Program, and be it

FURTHER RESOLVED, that the equipment and funds from the project authorization be granted to Lenawee Transportation in accordance with the terms of the project, and

HEREBY, authorize the Chairman and the County Clerk to sign the aforementioned Authorization.

Resolution #2019-011 is ADOPTED.

LTC/MDOT AGREEMENT 2017-0080, AUTHORIZATION NO: P12, FY2019

Section 5311 Operating Assistance

RES#2019-012

Resolution approving a project authorization for Federal Operating Assistance for Lenawee Transportation and to authorize the Chair of the Board of Commissioners and County Clerk to execute said project authorization.

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 2019 Section 5311 Operating assistance for such service, effective October 1, 2018 and expiring September 30, 2019, based on 18% of the estimated eligible costs, and,

WHEREAS, the maximum amount to be paid will not exceed 18% of the audited costs and if funds are insufficient to reimburse at 18% 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. P12 for FY 2019 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. P12, and,

HEREBY, authorize the Chairman and County Clerk to execute Authorization No. P12 for and on behalf of Lenawee County.

Resolution #2019-012 is ADOPTED.

Commissioner Collins moved to approve the following proclamation, Comm. Bolton seconded, Motion CARRIED by a Unanimous Roll Call Vote.

Public Safety Telecommunications Week April 14 -20, 2019

PRO#2019-003

WHEREAS, In 1962 President Kennedy proclaimed May 15th of each year to be “National Peace Officers Memorial Day” and has designated the week this date falls within as “National Police Week”,

AND WHEREAS, On May 15th, 2019 a Memorial Ceremony will be at 11:00 am, held at Oakwood Cemetery where the citizens of Lenawee County will remember and honor the ultimate sacrifice that the following 8 Lenawee County Officers have made:

Adrian City Police Officers Dennis Lyons and Bobby Williams, Clayton Village Constable Richard Teske, Lenawee County Sheriff Deputy Stanley Hoisington, MI State Troopers Calvin Jones, Dugald Pellot, Rodger Adams, and Byron Erickson

IN ADDITION, we honor all the 21,910 Officers who gave the ultimate sacrifice during the discharge of their duty from our community and nationwide, with 595 from the State of Michigan since 1791, the first recorded police death in the United States.

AND WHEREAS, We also pray for the safety and protection of all 900,000 plus sworn Law Enforcement Officers being vigilant throughout our communities and this great nation despite nearly half a million violent crimes being committed each year.

AND WHEREAS, The citizens of Lenawee County desire to honor the valor, service and dedication of its own Law Enforcement Officers who are our guardians of life and property, defenders of the individual rights to be free people, warriors in the war against crime, and dedicated to the preservation of life, liberty and the pursuit of happiness.

AND WHEREAS, On May 15th we humbly request that flags throughout the County be flown at half-staff to commemorate “Law Enforcement Officer Memorial Day” and to honor those who are serving our County.

NOW, THEREFORE BE IT RESOLVED that the Lenawee County Board of Commissioners, does hereby proclaim the week of May 12th through May 18th, 2019, as

“LENAWEE COUNTY POLICE OFFICER WEEK”

and calls upon the citizens in the community to especially honor those and their families who have given the ultimate sacrifice and show our sincere appreciation and support for the police officers of Lenawee County by deed, remark, and attitude. We call upon all our citizens to make every effort to express their thanks to our men and women who make it possible for us to leave our homes and families in safety each day and to return to our homes knowing they are protected by men and women willing to sacrifice their lives, to guard our loved ones, property, and government against all those who violate the law, and,

LET US REMEMBER that public safety comes at a very steep price.

We must NEVER take the service and sacrifice of you, our policing professionals, for granted.

We will never forget the officers who gave the ultimate sacrifice and their families.

Motion CARRIED by a Unanimous Roll Call Vote.

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

Comm. Bolton reported from the Rules & Appointments Committee.

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. Stimpson announced that he has received two requests for Abstention from voting regarding the Business Revolving Loan- Hooligan’s loan settlement offer. One from Comm. Bales and one from Comm. Stimpson.

Comm. Knoblauch moved to approve the request for abstention that was received from Comm. Bales, Comm. Lapham seconded. Discussion followed. Motion CARRIED by a Unanimous Roll Call Vote, with Comm. Bales abstaining.

Comm. Knoblauch moved to approve the request for abstention that was received from Comm. Stimpson, Comm. Lapham seconded. Discussion followed. Roll Call Vote was called by Vice Chair, Comm. Collins. Motion CARRIED by a Unanimous Roll Call Vote, with Comm. Stimpson abstaining.

Comm. Tillotson moved to approve authorization the offer to settle the existing debt with Hooligan's in an amount of \$55,640, Comm. Lapham seconded. Discussion followed. Motion CARRIED, with Comm. Bales and Comm. Stimpson abstaining.

Comm. Tillotson reported from the Accounts Payable Committee.

April 11, 2019

Comm. Tillotson moved to approve total vouchers for payment in the amount \$3,919,819.78 with the general fund's portion being \$419,136.33, Comm. Wittenbach seconded. Motion CARRIED.

April 25, 2019

Comm. Tillotson moved to approve total vouchers for payment in the amount \$2,712,448.65 with the general fund's portion being \$474,201.70, Comm. Lapham seconded. Motion CARRIED.

Comm. Lapham reported from the Policies & Procedures Committee.

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 Board.

Comm. Wittenbach reported from the Health Board.

Comm. Wittenbach reported from MAC.

Unfinished Business:

Clean Air Ordinance: The amended Clean Air Ordinance was presented to the Board of Commissioners last month.

There were objections to including the County-owned parks in the ordinance.

Administrator Marshall explained the process of adopting a County Ordinance. He also explained that this is now a new commission legislative session and that is why the Lenawee County Clean Air Ordinance 2019 Amendment #1 is back before the commission today.

Prosecutor Castleberry went into further detail regarding the process of adopting a County Ordinance.

Comm. Bales made a motion to bring forward the Lenawee County Clean Air Ordinance 2019 Amendment #1, Comm. Bolton seconded. Discussion followed.

Comm. Bales made a motion to amend the proposed Lenawee County Clean Air Ordinance 2019 Amendment #1, Comm. Bolton seconded. Comm. Stimpson read the proposed amendments. Discussion followed. Motion CARRIED with the following Roll Call Vote: YEAS (7) Comm. Bales, Bolton, Jenkins-Arno, Knoblauch, Lapham, Stimpson, and Wittenbach. NAYS (2) Comm. Collins and Comm. Tillotson.

Motion to adopt the following ordinance, as amended,
LENAWEE COUNTY CLEAN AIR ORDINANCE 2019 AMENDMENT #1

To protect and contribute to the health and well-being of all Lenawee County employees and the general public, the County of Lenawee hereby enacts this Clean Air Ordinance effective November 10, 1999 and hereby provides for the dissemination to all County departments of the provisions and policies herein set forth. This Ordinance is inclusive of all of the following provisions:

This Ordinance, except as otherwise herein provided, absolutely and unconditionally bans and prohibits the smoking, chewing, inhalation or other use of tobacco products, tobacco substitute products, or vaping products, including but not limited to cigars, pipe tobacco, cigarettes, electronic smoking or vaping devices, snuff and chewing tobacco, and all tobacco substitute products, regardless of how labeled, packaged or consumed, with this provision to apply to all office buildings owned or operated by Lenawee County and the property and parking lots surrounding those buildings.

Exempt Areas

Employees and customers or visitors to County owned property may use products and devices prohibited by this ordinance inside their personal vehicle while parked on County property. County employees and visitors may use prohibited products and devices in Lenawee County

parks and open spaces not associated with office buildings except in and around structures and organized athletic events.

Ordinance Review Committee

The Lenawee County Board of Commissioners shall appoint a Clean Air Ordinance Review Committee, and membership shall consist of the following:

1. A duly elected and serving Lenawee County Commissioner.
2. The Lenawee County Health Officer.
3. The Lenawee County Maintenance Supervisor.
4. The Lenawee County Sheriff or his designee.
5. The Lenawee County Administrator.
6. The Lenawee County Prosecutor

Enforcement of Policy

Consistent with the provisions of this Ordinance, the Ordinance Review Committee shall deal with signage matters, promulgate enforcement rules and procedures, set and review enforcement policy, designate enforcement officials and make studies and recommendations to the County Commissioners as to how County employees may be encouraged and assisted with all problems associated with nicotine addiction.

All complaints setting forth alleged violations of this Ordinance shall be reported in writing to such persons as shall be designated by action of the Ordinance Review Committee as the designated county official or officials having responsibility for the enforcement officers, and shall make such investigations as shall be appropriate in respect to any particular complaint, and shall then proceed to deal with said complaint according to such enforcement and prosecution standards as shall be set by the Ordinance Review Committee, based upon the provisions of this Ordinance.

Investigation of Complaints

All complaints relating to an alleged violation of this Ordinance shall be investigated within fifteen (15) working days of the date that the complaint is initially filed with an agent or employee of the County of Lenawee and forwarded to the enforcement officer. The results of each investigation, in addition to the issuance of such violation citations and/or prosecutions as may occur, shall also be filed with the Ordinance Review Committee for their review, but their review shall not be a prerequisite to enforcement and prosecution of any particular alleged violation.

Violations

If an investigation of an alleged violation confirms that a violation has apparently occurred, the enforcement officer may issue a written warning to a first-time offender. The enforcement officer may, however, prosecute a first-time offender if such prosecution is deemed by the enforcement officer to be appropriate. A prosecuted violation shall be initiated by a citation which shall be issued and served upon the offender, citing the offender into Second District

Court for violation of this Ordinance. A first-time violation shall be subject to a fine of \$50.00, together with such costs as the Court may impose. Conviction of a first or subsequent offense, if committed by an employee of the County of Lenawee, may also subject that employee to such other and further disciplinary actions as shall be consistent with county employment policy and union contracts. Repeat violations of this ordinance shall subject the offender with fines at the discretion of the court, not to exceed \$500.

Repeal or Amendment of Inconsistent Acts

Any existing resolutions or ordinances, or other policy declarations set forth by the Lenawee County Board of Commissioners, such as they may conflict with the terms and provisions of this Ordinance, are hereby rescinded or amended in whole or part to the extent necessary to conform to the provisions hereof.

Interpretation and Severability

This Ordinance shall be interpreted in a manner consistent with all applicable Michigan and federal statutes, laws, rules and regulations. However, it is recognized and intended that the provisions of this Ordinance shall be more strict than the minimum provisions contained in any such Michigan and/or federal statutes, laws, rules or regulations. Further, should any section, paragraph, provisions or sentence of this Ordinance be held to be invalid, by any judicial action in any proceeding, for any reason, such judicial holding shall not be construed as adversely affecting the validity of any and all remaining portions hereof.

Motion CARRIED by the following Roll Call Vote: YEAS (7) Comm. Bales, Bolton, Jenkins-Arno, Knoblauch, Lapham, Stimpson, and Wittenbach. NAYS (2) Collins and Tillotson.

Comm. Stimpson directed the clerk to publish the adopted ordinance in the paper.

The ordinance will become effective ten days after notice of the amendment is published in the paper.

Public Comments and Announcements:

Comm. Bolton announced the upcoming Lenawee County Planning Commission Dinner and encouraged the commissioners to get their reservations in.

Comm. Tillotson moved to adjourn at 2:40 P.M., Comm. Wittenbach seconded. Motion CARRIED.

Roxann Holloway, Clerk

David Stimpson, Chair