

WEDNESDAY, May 9, 2018

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

ABSENT: Comm. Lapham

Also Present: Jason Schnaidt, Bob Emery, Beth Hunt, Scott Merillat, Mike Slusarski, Stan Wilson, Marilyn Woods, Kim Murphy, Lindsey Garrison, Jenny Escott, Laura Parra, David Panian (The Telegram), Ian Wendt (WLEN), Burke Castleberry, Martin Marshall, and Roxann Holloway,

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

Comm. Driskill moved to approve the minutes from the April 11, 2018, meeting, Comm. Bolton seconded, Motion CARRIED.

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

Communications were read.

Road Commission Manager Scott Merillat presented the 2017 Annual Equalization Report.

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

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

Consent Agenda:

Police Officers' Week

PRO#2018-003

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, 2018 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 21,312 Officers who gave the ultimate sacrifice during the discharge of their duty from our community and nationwide, with 582 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 County and great nation despite nearly half a million violent crimes 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 13th through May 19th, 2018, 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.

Correctional Officers' Week

PRO#2018-004

WHEREAS, in 1984, President Ronald Reagan signed Proclamation 5187 creating "National Correctional Officers' Week." The first full week in May has since been recognized as National Correctional Officers' Week to honor the work of correctional officers and correctional personnel nationwide.

The duties of a correctional officer continue to become increasingly complex and demanding, as they are called to fill custodial, supervisory, and counseling roles.

Correctional officers are highly trained individuals that remain vigilant to meet any challenge and they are deserving of our respect, our gratitude, and our praises. The men and women working in corrections truly make a difference in our community.

NOW, THEREFORE BE IT RESOLVED that the Lenawee County Board of Commissioners does hereby recognize and proclaim the week of May 6th through May 12th, 2018, as

Correctional Officers' Week

BE IT FURTHER RESOLVED that the Lenawee County Board of Commissioners take this opportunity to let our local Correction Officers know how much we appreciate them and all that they do!

We understand the personal sacrifice and commitment that you make each and every day working as correction professionals.

APPROVAL OF COMMITTEE ACTIONS

Personnel/Ways & Means (05/08/18)

Drain Commission Reclassification Request: Drain Commission reclassification of an Assistant Account Clerk (NU7516-2yr) to an Account Clerk III (NU7520-2 Yr). APPROVED.

Circuit Court Personnel Request: Circuit Court reclassification of the Specialty Court Coordinator from NU75CT06-1yr to NU75CT08-7yr. APPROVED.

Drain Project Bonds: Pledging the County's full faith and credit for the Waltermire Tile Drain project by resolution. APPROVED.

Waltermire Tile Drain Bonds, Series 2018

RES#2018-015

Whereas, proceedings have been taken by the Lenawee County Drain Commissioner for the construction of improvements to the Waltermire Tile Drain (the "Project") under the provisions of Chapter 8 of the Drain Code of 1956, as amended, pursuant to a petition filed with the Drain Commissioner; and

Whereas, in order to defray the cost of the Project, the Drain Commissioner is expected to authorize and provide for the issuance by the Waltermire Tile Drain Drainage District (the "Drainage District") of bonds (the "Bonds") in the aggregate principal amount of not to exceed \$467,000, in anticipation of the collection of an equal amount of special assessments against property and public corporations (including the County of Lenawee) in the Drainage District, said special assessments to be duly confirmed by the Drain Commissioner; and

Whereas, the Bonds are to be designated "Waltermire Tile Drain Bonds, Series 2018," will bear interest at a rate of not to exceed 6% per annum and will mature not later than June 1, 2028; and

Whereas, the Drain Commissioner deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County on the Bonds; and

Whereas, the Project is necessary to protect and preserve the public health and therefore it is in the best interest of the County of Lenawee that the Bonds be sold.

Now, Therefore, Be It Resolved by the Board of Commissioners of the County of Lenawee:

1. Pursuant to the authorization provided in Section 276 of the Drain Code of 1956, as amended, provided that the Bonds are issued within the parameters set forth above, the Lenawee County Board of Commissioners does hereby irrevocably pledge the full faith and credit of the County of Lenawee for the prompt payment of the principal of and interest on the Bonds, and does agree that in the event that the property owners or public corporations in the Drainage District shall fail or neglect to account to the County Treasurer of the County of Lenawee for the amount of any special assessment installment and interest, when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.
2. In the event that, pursuant to said pledge of full faith and credit, the County of Lenawee advances out of County funds, all or any part of said installment and interest, it shall be the duty of the County Treasurer, for and on behalf of the County of Lenawee, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. All resolutions and parts of resolutions, insofar as the same may be in conflict with the provisions of this resolution, be and the same hereby are rescinded.

Pledging the County's full faith and credit for the Titus Tile Drain project by resolution. Motion carried. APPROVED.

Titus Tile Drain Bonds, Series 2018

RES#2018-016

Whereas, proceedings have been taken by the Lenawee County Drain Commissioner for the construction of improvements to the Titus Tile Drain (the "Project") under the provisions of Chapter 8 of the Drain Code of 1956, as amended, pursuant to a petition filed with the Drain Commissioner; and

Whereas, in order to defray the cost of the Project, the Drain Commissioner is expected to authorize and provide for the issuance by the Titus Tile Drain Drainage District (the "Drainage District") of bonds (the "Bonds") in the aggregate principal amount of not to exceed \$582,000, in anticipation of the collection of an equal amount of special assessments against property and public corporations (including the County of Lenawee) in the Drainage District, said special assessments to be duly confirmed by the Drain Commissioner; and

Whereas, the Bonds are to be designated "Titus Tile Drain Bonds, Series 2018," will bear interest at a rate of not to exceed 6% per annum and will mature not later than June 1, 2028; and

Whereas, the Drain Commissioner deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County on the Bonds; and

Whereas, the Project is necessary to protect and preserve the public health and therefore it is in the best interest of the County of Lenawee that the Bonds be sold.

Now, Therefore, Be It Resolved by the Board of Commissioners of the County of Lenawee:

1. Pursuant to the authorization provided in Section 276 of the Drain Code of 1956, as amended, provided that the Bonds are issued within the parameters set forth above, the Lenawee County Board of Commissioners does hereby irrevocably pledge the full faith and credit of the County of Lenawee for the prompt payment of the principal of and interest on the Bonds, and does agree that in the event that the property owners or public corporations in the Drainage District shall fail or neglect to account to the County Treasurer of the County of Lenawee for the amount of any special assessment installment and interest, when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.
2. In the event that, pursuant to said pledge of full faith and credit, the County of Lenawee advances out of County funds, all or any part of said installment and interest, it shall be the duty of the County Treasurer, for and on behalf of the County of Lenawee, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.
3. All resolutions and parts of resolutions, insofar as the same may be in conflict with the provisions of this resolution, be and the same hereby are rescinded.

Condensed File Storage Request (Physical Resources): Authorization of \$52,000 for improvements to the records room in the Judicial Building to be paid out of the Capital Fund with intent to be reimbursed by bond proceeds. APPROVED.

Medical Care Facility Millage proposal: Resolution including ballot language to place a millage reauthorization proposal on the August ballot. APPROVED.

Resolution Authorizing Lenawee Medical Care Facility Millage Proposal RES#2018-017

Whereas, the Board of County Commissioners has determined that it is in the best interest of the County to provide for the operation, maintenance, and capital costs of the Lenawee Medical Care Facility; and

Whereas, the Board of County Commissioners wishes to submit the question of levying a millage for these purposes to the voters at the election to be held on August 7, 2018.

Now, Therefore, Be It Resolved that:

1. The following proposition shall be submitted to the electors of the County at the August 7, 2018, Election:

LENAWEE MEDICAL CARE FACILITY MILLAGE PROPOSAL

This proposal is for the reauthorization of a millage, which expired with the 2017 tax levy.

Shall the limitation of the amount of property taxes which may be assessed each year against all taxable real and personal property in Lenawee County be increased by not more than 0.1896 of a mill (0.1896 cents per \$1000 of taxable value) for a period of six (6) years, December 1, 2018, to November 30, 2023, inclusive, to provide funds for the operation, maintenance and capital costs of the Lenawee Medical Care Facility and shall Lenawee County levy the millage for this purpose thereby raising an estimated \$634,526 in the first year of the levy?

YES

NO

2. An election is called to be held on the August 7, 2018, election date, and the County Clerk is hereby further authorized and directed to cause all necessary notices to be posted and published in such a manner and at such times as required by law.
3. The County Clerk and all other County officials are authorized and directed to take any and all actions necessary to have the proposal placed on the ballot on August 7, 2018.
4. All existing or previous resolutions and parts of resolutions, insofar as they may conflict with the provisions of this resolution, are hereby rescinded to the extent necessary to avoid such conflict.

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

Administrator Marshall explained the recent tax tribunal settlement with Michigan International Speedway.

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 adopt the following resolution and Lenawee County Animal Control Ordinance, Comm. Driskill seconded,

Animal Control Ordinance

ORD#4-2018

Whereas, the County of Lenawee in the State of Michigan adopted Ordinance No. 4, Animal Control Ordinance on May 12, 1976, and,

Whereas, The Board of Commissioners of the County of Lenawee recognizes that Dog Law: Public Act 339 of 1919, (MCL 287.261 - 287.290, Public Health Code: Public Act 368 of 1978 (MCL 333.1101 – 333.25211) and Dangerous Animals: Public Act 426 of 1988 (MCL 287.321 – 287.323) and all amendments constitute state law for the regulation of dogs, and

Whereas, The Board finds that it is necessary to establish and implement a program for the licensing and regulation of dogs and other animals and facilities which house them, that animals require legal protection, and that property rights of owners and non-owners of animals should be protected, and

Whereas, An Ordinance relating to and expanding the provisions for animal control within the boundaries of Lenawee County is deemed advisable in the interest of protecting the public health, safety, convenience and welfare, and to regulate the control and conduct, keeping and care of dogs and certain other animals, livestock and poultry, and

Whereas, An Ordinance will support the position of Animal Control Officer and define their duties, authority and responsibilities, and to provide for the orderly and uniform administration of the dog licensing provisions of the State of Michigan,

NOW THEREFORE BE IT RESOLVED, That the said Ordinance adopted May 12, 1976 and October 12, 1976 to be rescinded, and,

BE IT RESOLVED, That Ordinance No. 4, third amendment, “Lenawee County Animal Control Ordinance” be adopted (full ordinance on file)

Motion CARRIED by the following Roll Call Vote: YEAS (6) Comm. Bales, Bolton, Collins, Driskill, Knoblauch, Stimpson. NAYS (2) Comm. Tillotson and Wittenbach.

Comm. Tillotson reported from the Accounts Payable Committee.

April 12, 2018-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$1,870,395.58 with general fund’s portion being \$335,848.62, Comm. Knoblauch seconded. Motion CARRIED.

April 26, 2018-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$2,908,469.34 with general fund’s portion being \$507,293.80, Comm. Knoblauch seconded. Motion CARRIED.

Comm. Bales reported from the Policies & Procedures Committee. The Committee has reviewed the Tuition Reimbursement Policy and the Insurance Settlement Policy and made proposed amendments.

Comm. Bales moved to approve the following amended Tuition Reimbursement Policy, Comm. Knoblauch seconded,

Tuition Reimbursement Policy

POL#2018-06

Introduction and Purpose

The Lenawee County Tuition Reimbursement Program is designed to encourage and assist employees in furthering their educational qualifications and professional development in subjects and fields which are directly related to the County's operations, activities and objectives, and which will improve their job performance by providing reimbursement for a portion of their educational expense.

Administration

The Tuition Reimbursement Program is administered by the Lenawee County Administrator in accordance with the parameters described herein. The Administrator shall establish guidelines and directives supplemental to this policy as may be necessary to ensure fair and equitable distribution of tuition reimbursements, to provide sufficient reserves to meet reimbursement commitments and to maintain the overall integrity of the Tuition Reimbursement Program.

Eligibility Requirements

Any employee who is eligible for benefits with the County may apply for tuition reimbursement. In order to be eligible, courses and/or degree programs must be related to an employee's current or probable future position with Lenawee County. In addition, courses must be taken at accredited educational institutions before or after work hours. In order to receive reimbursement, applicants must be employed both when the tuition reimbursement application is filed and when reimbursement is issued. Employees on leave of absence without pay and part-time non-eligible employees, for example, are not eligible for this benefit. Reimbursements cannot be paid to individuals after the date of separation from the County.

Employees shall not be reimbursed for course work fully reimbursed or paid by tuition payment support from other sources, such as, but not limited to, scholarships, fellowships, veteran's educational benefits, Federal, State, Local educational grants or any other form of tuition support.

Eligible applicants receiving a portion of the tuition costs requested from other sources, but less than the maximum amount of reimbursement allowable under this policy, are eligible for County reimbursement of the difference between the other sources' payment and the maximum reimbursement allowable under this policy, up to but not exceeding the total cost of tuition.

Caution: Application for and/or acceptance of Lenawee County Tuition Reimbursement by an employee not eligible for employee benefits or reimbursed or paid by other sources may be considered a misappropriation of County funds and cause for disciplinary action up to and including dismissal from County employment.

Course work Eligibility

Course work shall be limited to programs offered by universities, colleges, business schools, trade schools and school systems only approved by a State Board of Education and accredited by the primary, nationally recognized accrediting association for each type of institution. The applicant shall provide documented evidence that his or her school meets this requirement on request of the Lenawee County Administrator. Course work in non-

degree programs that leads to licensure or certification for use in employment with the County will also be accepted.

Any coursework, seminars, conferences or other educational programs for employees pursuing a degree, up to and including a Master's, PhD, or other equivalent advanced degree, are also eligible for tuition reimbursement.

No reimbursement will be allowed for course work taken on work time for which the employee is being compensated by the County. Course work taken while the employee is on annual leave (vacation) may be reimbursable if in accord with other provisions of this policy.

Work Relatedness: Course work should be directly related to the applicant's present job, approved by their respective standing committee and department head, and directed towards improving the applicant's knowledge and performance on the job, or related to probable future County employment. Probable future County employment shall be defined as a position or positions the employee is likely to be transferred to or promoted to, based on reasonable evidence in the applicant's employment history and/or County experience with employees. The applicant must identify the job he/she chooses to work toward and one likely to be achieved on the Tuition Reimbursement Application.

Course work not directly related to the employee's present or probable future County employment, but required for a degree which is related to present or probable future County employment shall qualify for reimbursement within the intent of this policy. The applicant may be required to provide reasonable evidence that the non-related coursework cannot be substituted by related coursework to achieve the same degree.

Reimbursement Procedure

Completion of the application form and meeting the application filing requirements, as well as receipt and grades filing deadlines, is the sole responsibility of the applicant. Applications requesting tuition reimbursement should be filed prior to the starting date of class to confirm reimbursement. Applications will be accepted up to thirty (30) days beyond the starting date of class but under such circumstances reimbursement cannot be guaranteed. All applications submitted will be approved on a first come, first serve basis to the extent funding is available. *The employee is urged to protect their investment by confirming reimbursement before the class starts and before they have committed their own funds.*

Grades and tuition receipts must be submitted to the Lenawee County Administrator no later than sixty (60) days after the last meeting of the class as noted on the application for reimbursement, except a grade of "I" or incomplete will not be considered for any reimbursement until after successful completion. It is still necessary, however, to submit the incomplete grade within the sixty (60) day period to keep your application active. Also, if for any reason you cannot submit your grades within the filing time frame, e.g., computer error, notify the Lenawee County Administrator in writing as soon as possible, stating the reason for the delay. Failure to meet this filing deadline may result in disqualification for reimbursement.

Applicants may be required to submit with each application a full description of the course(s) for which reimbursement is requested. The published catalogue description or other official description provided by the educational institution are required for this purpose.

Each application for tuition reimbursement must be approved by the employee's department head and respective standing committee as being relevant to the applicant's present or probable future County employment or as otherwise provided above. Applications not approved shall be returned to the employee by the department head prior to the starting date

of the course or no later than five (5) working days after receipt of the application with a written explanation of why approval was not granted.

Applications for reimbursement must be approved by the Lenawee County Administrator to assure that the application is complete and in accord with the provisions of this policy that an adequate course description has been provided and that sufficient funding is available to meet the reimbursement request. Applications approved by the Lenawee County Administrator will be acknowledged by forwarding to the employee a copy of the "Reimbursement Payment Authorization Form". Applications not approved shall be returned to the employee within ten (10) working days following the respective standing committee meeting date, with a written explanation of why the coursework was not approved.

Applicants changing classes after original approval must notify the Lenawee County Administrator in writing stating the reason for change and submitting a description of the course for which reimbursement is requested. Changes from coursework already approved may invalidate reimbursement approval if the substitute coursework cannot be related to the employee's present or probable future County employment or as otherwise provided in this policy.

Course Work Documentation

Only original reimbursement documents can be accepted by the County Administrator. Original applications, tuition payment receipts and grades or other original proof of successful class completion must be submitted to the Administrator's office to complete a tuition reimbursement transaction. Employees who wish original documents returned should forward the original documents along with a duplicate copy. Original documents will be returned only if they are accompanied by a legible duplicate copy. Coursework documentation shall be maintained with the employee's reimbursement records.

Applicants will be reimbursed for the tuition, books, and fees up to 50% of the cost of the class. Applicants are required to submit proof of tuition payment. Institutional tuition payment receipts serve this purpose best, although cancelled tuition payment checks are an acceptable substitute.

Applicants are required to submit proof of successful completion of coursework before reimbursement payment can be authorized. Successful completion is defined as attaining a minimum grade of C (equivalent to 2.00 grade on a scale of 4.00). Course withdrawals or failures are not reimbursable. Institutional grade reports serve this purpose best. A letter from the applicant's course teacher or instructor, on institutional letterhead, verifying successful completion, is an acceptable substitute.

Reimbursement Limitations

Reimbursement request approvals are contingent upon the availability of funds. Should funding become insufficient to meet reimbursement requests due to increased demand, budget cutbacks or for any other reason, reimbursements will be processed on a first come first served basis. Public Act 621 of 1978, the Uniform Budgeting Act, prohibits spending in excess of budgeted amounts.

Employees who apply for and who receive tuition reimbursement shall receive same in the form of a loan to be excused by the County as follows:

1. The obligation to repay the loan shall be excused at the rate of twenty (20%) percent per year for each year of employment with the County by the employee following the date of reimbursement by the County.

2. If the employee terminates employment with the County before working five (5) years from the date of the loan, the amount outstanding will become immediately due and payable. Such amount outstanding will be deducted from the employee's final paycheck. Outstanding amounts in excess of the employee's final paycheck are due within 30 days of termination.

Reimbursement rates shall be determined by the County Board of Commissioners in conjunction with the annual budget process as authorized in the adopted General Appropriations Act.

Reimbursement Not Allowed

There shall be no tuition reimbursement for seminars, conferences or other programs normally covered by a department's budget provision for travel and conference.

Only costs directly related to the course taken are eligible for reimbursement. Costs may include books, lab fees, and other fees directly related to, and required of, the course taken.

The cost of such items included under tuition payment shall be deducted from tuition reimbursement, if not already excluded by the applicant in their reimbursement request.

For further information, contact the Lenawee County Administrator.

Motion CARRIED.

Comm. Bales moved to approve the following amended Insurance Settlement Policy, Comm. Driskill seconded,

Insurance Settlement Policy

POL#2018-007

When a lawsuit is being handled by an insurance company, and the exposure of the county is limited to the deductible under the insurance policy, the commission authorizes the County Administrator, or designee, and the appropriate legal counsel to approve negotiations or a settlement if they are unanimous in their decision.

In the event that the County Administrator's Office is involved in the lawsuit, then the Chair of the Board of Commissioners, or designee, and the appropriate legal counsel shall have the authority to negotiate and/or approve settlement.

Motion CARRIED.

Comm. Wittenbach reported from the Parks Commission.

Comm. Driskill reported from the Road Commission.

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

Comm. Bolton reported from the Department on Aging.

Comm. Knoblauch reported from the Solid Waste Committee.

Comm. Bolton reported from Michigan Works.

Comm. Knoblauch reported from MTA.

Comm. Wittenbach reported from the AG Committee.

Comm. Wittenbach reported from the Health Board.

Comm. Wittenbach reported from MAC- General Government.

Comm. Driskill reported that he and Comm. Bolton attended the River Raisin Watershed Council Meeting. He shared information from the meeting regarding algae blooms and phosphorus levels. Discussion followed.

Comm. Bolton announced that over 435 scholarships were awarded at the Lenawee County Foundation Scholarship program last Sunday. Bree Romanowski was the recipient of the Lenawee County Board of Commissioner's Scholarship. Comm. Bolton shared a thank you note from her, for the scholarship.

Comm. Tillotson moved to adjourn at 2:31 P.M., Comm. Bolton seconded. Motion CARRIED.

Roxann Holloway, Clerk

David Stimpson, Chair