

WEDNESDAY, September 12, 2018

\*Corrected- clerk added the two additional resolutions that were added to the agenda and adopted by the board.

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

Also Present: Richard Tomei (Chapman and Cutler), Julie Yaroch, (ProMedica), Katrina Desmond (Miller and Canfield), Gary Miller (Tecumseh Church of the Nazarene), Burke Castleberry, Marilyn Woods, Kim Murphy, Lindsay Garrison, David Panian (The Telegram), Ian Wendt (WLEN), 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 August 8, 2018, meeting, Comm. Wittenbach seconded, Motion CARRIED.

Two resolutions have been added to the agenda; RES#2018-030 MichIndOh Glacial Aquifer and RES#2018-031 Opposition to SB1031.

Comm. Tillotson moved to accept the agenda, with the amendments, Comm. Wittenbach seconded, Motion CARRIED.

Communications were read.

Richard Tomei, from Chapman and Cutler, Katrina Desmond, from Miller and Canfield, and Julie Yaroch, from ProMedica, presented information on behalf of ProMedica on fulfilling the public approval requirements for the sale of bonds. Discussion followed.

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

Consent Agenda:

#### **Rules and Appointments Committee (9/11/18)**

##### **Board Appointments:**

- A. **Community Mental Health Authority Board:** Holly Terrill (3/21) and Nic Wilson (3/21)  
APPOINTMENTS CONFIRMED
- B. **Emergency 9-1-1 Telephone District Board (ETDB):** Dale Greenleaf, Police Chief (12/20)  
APPOINTMENT CONFIRMED

#### **Personnel /Ways & Means Committee (9/11/18)**

- A. **Circuit Court Request:** Elimination of a Research Attorney position and the creation of a Judicial Law Clerk position as presented. APPROVED

**B. Budget Adjustments:** Budget adjustments as presented. APPROVED

**C. Quarterly Allotment of Appropriation** **RES#2018-026**  
**Fourth Quarter: October 1, 2018 – December 31, 2018**

**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 December 31, 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. ADOPTED

**D. 2019 Budget:** The Administrator’s Draft as the Personnel/Ways and Means Draft #1 and refer the 2019 budget on to the Board of Commissioners and recommend a public hearing be set for the October 10<sup>th</sup> meeting. ADOPTED

**E. Drug Treatment Court Deficit Elimination Resolution** **RES#2018-027**

**WHEREAS,** Lenawee County’s Drug Treatment Court Fund has a \$8,732 deficit fund balance on December 31, 2017; and

**WHEREAS,** Public Act 140 of 1971, Section 21(2) requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury;

**THEREFORE BE IT RESOLVED** that Lenawee County’s legislative body adopts the following as the Drug Treatment Court’s Deficit Elimination Plan:

Account	Account Description	2018 Budget	2019 Budget
Fund 218 - Adult Drug Treatment Court			
<b>REVENUE</b>			
Department 131 - Circuit Court			
674	Contributions & Donations	6000	6000
699	Transfers In	4400	4400
Division 205 - OHSP			
529	Federal Grants - Other	48000	48000
Division 205 - OHSP Totals		48000	48000
Division 208 - Swift and Sure			
529	Federal Grants - Other	14000	14000
Division 208 - Swift and Sure Totals		14000	14000
Division 210 - BJA			
529	Federal Grants - Other	141245	141245
Division 210 - BJA Totals		141245	141245

		REVENUE TOTALS	213645	213645
<b>EXPENSE</b>				
Department <b>131 - Circuit Court</b>				
731	Operating Supplies		500	500
801	Professional & Contractual		4500	4500
900	Printing & Publishing		1000	1000
Division <b>205 - OHSP</b>				
704	Wages - Regular Employees		12049	12049
715	Matching Social Security		922	922
<b>716</b>	<b>Health Insurance</b>			
716	Health Insurance		5240	5240
716.100	Health Insurance HSA Deductible - Employer		491	491
		<b>716 - Health Insurance Totals</b>	5731	5731
717	Life Insurance		195	195
<b>718</b>	<b>Retirement</b>			
718.120	Retirement Defined Benefit Liability		843	843
718.200	Retirement Defined Contribution		602	602
		<b>718 - Retirement Totals</b>	1445	1445
720	Unemployment		36	36
721	Workers Compensation		48	48
724	Dental Insurance		153	153
725	Long Term Disability		39	39
851	Conferences & Seminars		900	900
853	Drug Testing		26482	26482
		Division <b>205 - OHSP Totals</b>	48000	48000
Division <b>208 - Swift and Sure</b>				
704	Wages - Regular Employees		4518	4518
715	Matching Social Security		345	345
<b>716</b>	<b>Health Insurance</b>			
716	Health Insurance		1967	1967
716.100	Health Insurance HSA Deductible - Employer		184	184
		<b>716 - Health Insurance Totals</b>	2151	2151
717	Life Insurance		73	73
<b>718</b>	<b>Retirement</b>			
718.120	Retirement Defined Benefit Liability		317	317
718.200	Retirement Defined Contribution		226	226
		<b>718 - Retirement Totals</b>	543	543
720	Unemployment		14	14
721	Workers Compensation		18	18
724	Dental Insurance		57	57
725	Long Term Disability		15	15
853	Drug Testing		6266	6266

	Division 208 - Swift and Sure Totals	14000	14000
Division 210 - BJA			
704	Wages - Regular Employees	28612	28612
715	Matching Social Security	2189	2189
<b>716</b>	<b>Health Insurance</b>		
716	Health Insurance	12445	12445
716.100	Health Insurance HSA Deductible - Employer	1167	1167
	<b>716 - Health Insurance Totals</b>	13612	13612
717	Life Insurance	464	464
<b>718</b>	<b>Retirement</b>		
718.120	Retirement Defined Benefit Liability	2003	2003
718.200	Retirement Defined Contribution	1431	1431
	<b>718 - Retirement Totals</b>	3434	3434
720	Unemployment	86	86
721	Workers Compensation	113	113
724	Dental Insurance	363	363
725	Long Term Disability	94	94
727	Office Supplies	600	600
731	Operating Supplies	4940	4940
801	Professional & Contractual	58960	58960
803	Attorney Fees	7200	7200
851	Conferences & Seminars	9418	9418
853	Drug Testing	10960	10960
900	Printing & Publishing	200	200
	Division 210 - BJA Totals	141245	141245
	<b>EXPENSE TOTALS</b>	209245	209245
	<b>Fund 218 - Adult Drug Treatment Court Totals</b>		
	<b>REVENUE TOTALS</b>	213645	213645
	<b>EXPENSE TOTALS</b>	209245	209245
	Excess Revenue over Expense	4400	4400

Sum of excess revenue  
8,800.00 over expense from '18-'19.

**BE IT FURTHER RESOLVED** that Lenawee County's Administrator submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

**ADOPTED**

- F. Plat Book Advertising:** Approve \$600 for the purchase of county advertising in the plat book. **APPROVED**
- G. Criminal Justice (MDOT Inmate Housing):** Transfer the MDOC Inmate Housing project balance of \$279,616.28 to the Capital Fund, Building & Site division. **APPROVED**

- H. Criminal Justice (Medina Twp contract):** Sheriff's police protection contract with the Medina Township. APPROVED
- I. Criminal Justice (Swift & Secure MOU):** Memorandum of Understanding for the Swift and Sure Sanctions Probation Program and designate the Chair as signatory. APPROVED
- J. IT/Equalization (Jail video upgrade):** The jail video system upgrade in an amount not to exceed \$270,905.60 with funding to come from both the IT Division and remaining funds from the 2013 bond sale. APPROVED
- K. Airport Commission (Property acquisition):** County purchase of the property identified as parcel number MDO-116-1350-00 from PDF Holdings, LLC in the amount of \$25,000. Discussion. APPROVED

#### APPROVAL OF RESOLUTIONS /PROCLAMATIONS

##### **Lenawee Transportation Resolution**

**RES#2018-028**

*to authorize the Chairperson 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 six months 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 six months or March 25, 2019 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/R1 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.

ADOPTED

##### **Lenawee Transportation Resolution**

**RES#2018-029**

*Approving a revised project authorization for Federal Operating Assistance for Lenawee Transportation and to authorize the Chair of the Board 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 had been proposed which provided 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 included partial funding for the year, approximately 31% of the 18.5% of the estimated eligible costs which is \$28,175, and had been approved; 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

**WHEREAS**, a Revised Project Authorization has been proposed to increase the operating assistance funds by \$62,908; and

**BE IT RESOLVED**, that the Lenawee County Board of Commissioners does hereby approve the Revised Agreement No 2017-0080, Authorization No P8/R1 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/R1; and

**HEREBY**, authorize the Chair and the County Clerk to sign the aforementioned Authorization No P8/R1 for and on behalf of Lenawee County.

ADOPTED

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Comm. Driskill moved to adopt the following resolution, Comm. Lapham seconded,

**MICHINDOH GLACIAL AQUIFER**

**RES#2018-030**

*A Resolution Recognizing and Promoting the Importance of the Groundwater Aquifer and Opposition to Drilling For, or Private Distribution of, the Groundwater From the MichIndOh Glacial Aquifer to Location Outside of the Designated Aquifer*

**WHEREAS**, the MICHINDOH Glacial Aquifer supplies agricultural, commercial, and industrial water resources, as well as drinking water, for residents in Northwest Ohio, Southern Michigan, and Northeast Indiana; and,

**WHEREAS**, the MICHINDOH Glacial Aquifer supplies approximately 75 million gallons of water daily to nine counties located in Michigan, Indiana, and Ohio; and

**WHEREAS**, there are no economically feasible alternative water sources should the aquifer become depleted; and

**WHEREAS**, it has recently been brought to the attention of this public body that private enterprise seeks to gain by drilling and potential diversion and distribution of water resources from the MICHINDOH Glacial Aquifer to areas outside of the current aquifer service area; and

**WHEREAS**, the proposed diversion and distribution is to areas which already have alternate sources of water; and

**WHEREAS**, this public body is of the opinion that the proposed plans for withdrawal, transportation, development and consumptive use of water resources do not incorporate maximum feasible conservation practices, considering available technology and the nature and economics of the alternatives available; and

**WHEREAS**, the proposed withdrawal and consumptive use does not reasonably promote the protection of the public health, safety and welfare; and

**WHEREAS**, the proposed withdrawal will have a significant detrimental effect on the quantity

and potential quality, of water resources for those currently served by the MICHINDOH Glacial Aquifer; and,

**WHEREAS**, this public body hereby makes a formal request of the Ohio Department of Natural Resources and/or the Ohio EPA that, should an application for a permit to allow diversion of water from the MICHINDOH Glacial Aquifer be requested, public hearings would be held before any such permit be approved;

**THEREFORE, BE IT RESOLVED**, by the Lenawee County Board of Commissioners all of its members thereto unanimously concurring:

**SECTION 1:** That this Board does hereby declare its strong opposition to permitting the diversion of water resources from the MICHINDOH Glacial Aquifer, which would have an adverse impact on the aquifer and endanger the consumptive use, and public health, welfare and safety of those who are currently served by, and rely on, the aquifer, not only in Lenawee County, but our neighbors in Michigan, Indiana, and Ohio.

**SECTION 2:** That this Board does hereby encourage and promote cooperation with all public bodies served by the MICHINDOH Glacial Aquifer to join in a collaborative action to pass similar legislation and to protect our valuable water resources.

**SECTION 3:** That this Board does formally hereby request that this Resolution be submitted to the Ohio Department of Natural Resources and/or the Ohio EPA and, should any permit be requested to divert water from the MICHINDOH Glacial Aquifer, that a public hearing be held and notice and opportunity to be heard be given to this public body and the citizens within the aquifer region.

**SECTION 4:** That this Resolution be submitted to the Michigan Department of Natural Resources and request that the department coordinate with the Ohio Department of Natural Resources to address this threat to the MICHINDOH Glacial Aquifer.

Motion CARRIED by a Unanimous Roll Call Vote.

Comm. Collins moved to adopt the following resolution, Comm. Knoblauch seconded,

**RESOLUTION IN OPPOSITION TO SENATE BILL 1031**

**RES#2018-031**

**WHEREAS**, Senate Bill 1031 (SB 1031) would amend the General Property Tax Act to exempt “qualified personal property” from the collection of taxes under the Act; and

**WHEREAS**, said qualified personal property would include electric transmission and distribution systems, substation equipment, spare parts, gas distribution systems, water transmission and distribution systems, gas storage equipment, and transmission lines of gas and oil transporting companies installed after December 31, 2017; and

**WHEREAS**, SB 1031 will reduce funding to the State of Michigan, Lenawee County and local municipalities within Lenawee County thereby reducing the quality of life for county residents, and

**WHEREAS**, SB 1031 will impose a financial burden on the taxpayers of Lenawee County as they pay higher taxes to maintain the same level of services at all levels of government, and

**WHEREAS**, as taxpayers of the State of Michigan, tax dollars of Lenawee County residents will be diverted to meet the obligations of the School Aid Fund thereby reducing funding for other state funded programs and services they currently enjoy, and

**WHEREAS**, there is no provision in SB 1031 to replace this lost revenue at either the state or local level forcing Lenawee County taxpayers to choose between higher taxes or reduced services or both.

**NOW, THEREFORE BE IT RESOLVED** that the Lenawee County Board of Commissioners

opposes this transfer of tax obligation proposed under SB 1031, and

**BE IT FURTHER RESOLVED** that this resolution be forwarded to all Michigan counties, Representatives Bronna Kahle and Brett Roberts, Senator Dale Zorn, Governor Rick Snyder and the Michigan Association of Counties.

Motion CARRIED by a Unanimous Roll Call Vote.

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

Comm. Wittenbach commended the I.T. Dept. for all their hard work during the construction project.

Comm. Driskill reported from the Human Services 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. Collins reported from the Personnel/Ways & Means Committee.

Comm. Tillotson reported from the Accounts Payable Committee.

August 16, 2018-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$1,704,297.01 with general fund's portion being \$216,292.46, Comm. Knoblauch seconded. Motion CARRIED.

August 30, 2018-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$2,236,989.26 with general fund's portion being \$214,971.23, Comm. Wittenbach seconded. Motion CARRIED.

Comm. Lapham reported from the Policies & Procedures Committee.

The Freedom of Information Act Policy has been amended to reflect the current title of the Deputy County Administrator and the County Environmental Health Administrator in Section 1. General Policies.

Comm. Lapham moved to approve the amended Freedom of Information Act Policy, Comm. Bolton seconded. Motion CARRIED. (Amended policy on file, as well as, available online under [County Policies & Guidelines](#) of the County website)

Comm. Wittenbach reported from the Parks Commission.

Comm. Driskill reported from the Road 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. Driskill reported from the Airport Commission.

Comm. Bolton reported from Michigan Works.

Comm. Knoblauch reported from the Veterans Affairs Board.

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

Comm. Wittenbach reported from the Health Board.

Public Comments and Announcements:

Administrator Marshall shared information he received from Hillsdale County Commissioner, Mark Wiley, regarding the MSU Extension Financial Training. He asked commissioners to let Rebecca Borton know by next Friday, Sept. 21<sup>st</sup>, if they were interested in attending the class.

Comm. Knoblauch announced that he had been in contact with Molly, from DTE, and she was aware of the road damage and minor problems regarding the Nexus pipeline, and they are working them out with the Road Commission.

Comm. Driskill and Comm. Stimpson commended Clerk Holloway and her Recount Teams for their hard work and transparency during the recount.

Comm. Tillotson moved to adjourn at 2:39 P.M., Comm. Knoblauch seconded. Motion CARRIED.

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Roxann Holloway, Clerk

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David Stimpson, Chair