

WEDNESDAY, November 13, 2019

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

ABSENT: Knoblauch

ALSO PRESENT: Tim Robinson, Jenny Escott, Clinton Brugger, Troy Bevier, Shelly DeLong, Burke Castleberry, Mary Kruse, Juliana Moore, Scott Holtz, Kim Murphy, Lindsay Garrison, Ryan Thompson, 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 October 9, 2019, meeting, Comm. Bales seconded, Motion CARRIED.

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

Communications were read.

Comm. Stimpson opened the Public Hearing for the 2020 County General Fund Budget at 1:35 p.m.

There were no public comments.

Comm. Stimpson closed the public hearing at 1:36 p.m.

Clint Brugger, Community Action Agency, presented information on the 2020 Census.

Shelly DeLong, Equalization Director, presented the 2019 Apportionment Report.

Comm. Bolton moved to APPROVE the 2019 Apportionment Report, Comm. Collins seconded, Motion CARRIED.

Comm. Wittenbach moved to approve the following consent agenda items, Comm. Lapham seconded,

Board Appointments: The following reappointments are CONFIRMED.

County Planning Commission:

Ralph Tillotson (Adrian Twp) 12/23

Becky Liedel (Adrian) 12/23

Department of Health & Human Services:

Korinne Marti (Manitou Beach) 01/20

Medical Benefits Waiver: The Medical Benefits Waiver to opt out of Public Act 152 of 2011 (MCL 15.568) is APPROVED.

Budget Adjustments: The following budget adjustments

DEPARTMENT/ACCT NO/DESC	CURRENT BUDGET	CHANGE INC/(DEC)	RECOMM. REVISED BUDGET
GENERAL FUND			
REVENUE			
<i>PROBATE JUVENILE</i>			
101.149-628.500 Child Care Services IHT	0	11,000	11,000
<i>TREASURER</i>			
101.253-404.001 Current Property - Summer Adrian Township	1,238,485	35,000	1,273,485
101.253-404.002 Current Property - Summer Blissfield Township	632,809	35,000	667,809
101.253-404.003 Current Property - Summer Cambridge Township	1,815,437	65,000	1,880,437
101.253-404.005 Current Property - Summer Deerfield Township	370,872	12,000	382,872
101.253-404.006 Current Property - Summer Dover Township	309,753	16,000	325,753
101.253-404.010 Current Property - Summer Macon Township	353,169	8,000	361,169
101.253-404.011 Current Property - Summer Madison Township	1,007,248	100,000	1,107,248
101.253-404.013 Current Property - Summer Ogden Township	298,121	120,000	418,121
101.253-404.014 Current Property - Summer Palmyra Township	448,494	55,000	503,494
101.253-404.015 Current Property - Summer Raisin Township	1,278,835	15,000	1,293,835
101.253-404.016 Current Property - Summer Ridgeway Township	327,176	100,000	427,176
101.253-404.017 Current Property - Summer Riga Township	362,731	55,000	417,731
101.253-404.020 Current Property - Summer Seneca Township	296,659	35,000	331,659
101.253-404.021 Current Property - Summer Tecumseh Township	422,926	6,000	428,926
101.253-441 Local Community Stabilization Share Tax	700,000	230,000	930,000
101.253-665.100 Interest Earned on Investment	280,000	120,000	400,000
101.253-690.200 Other Revenue CC Revenue Share	0	14,000	14,000
PROSECUTING ATTORNEY			
101.267-626 Services Rendered	0	70,000	70,000
REGISTER OF DEEDS			
101.268-607.180 Fees Real Estate Transfer Tax	350,000	15,000	365,000
PUBLIC DEFENDER			
101.271-611 Attorney Fee Reimb	73,000	10,000	83,000
101.271-611.100 Attorney Fee Reimb Other Services	0	25,000	25,000
TOTAL REVENUE INC/(DEC)	30,200,475	1,152,000	31,352,475
EXPENDITURES			
<i>CONTINGENCIES</i>			
101.890-956.100 Contingency - General	308,575	1,152,000	1,460,575
TOTAL EXPENDITURES INC/(DEC)	30,200,475	1,152,000	31,352,475

Are APPROVED.

Accounts Payable Committee YE Approval: The Accounts Payable Committee is AUTHORIZED to adjust sectors of the General Fund as necessary within the amended 2019 budget and to adjust non-general funds as necessary.

Drug Court Appropriation: A supplemental general fund appropriation to the Drug Court fund in the amount of \$15,000 to continue the program through 2020 is APPROVED.

2020 Budget: Substitution of the Ways & Means Draft #2 General Fund Budget for the previously adopted Draft #1 is APPROVED.

Capital Improvement Plan: The 2020-2024 Capital Improvement Plan and related project budgets is APPROVED.

Siena Heights University: The 4th Amended Project Plan resolution submitted by Siena Heights University; which includes setting a public hearing for December 11th, is APPROVED.

SIENA HEIGHTS UNIVERSITY 2019 PROJECT

RES#2019-024

WHEREAS, there exists in the County of Lenawee, State of Michigan (the “County”), the need for certain programs to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises in order to strengthen and revitalize the County’s economy, and to encourage the location and expansion of industrial and commercial enterprises to provide needed services and facilities to the County and its residents; and

WHEREAS, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the County of Lenawee (the “Corporation”); and

WHEREAS, the Corporation, in conformity with the requirements of Act 338, Public Acts of Michigan, 1974, as amended (“Act 338”), has previously approved a Third Amended Project Plan, dated November 17, 2016 (the “Third Amended Project Plan”), pertaining to the acquisition, construction, equipping and financing of certain projects to be undertaken by Siena Heights University, a Michigan nonprofit corporation (the “University”); and

WHEREAS, the University has requested that the Corporation assist in the financing of certain additional projects that the University proposes to undertake on its campus in the City of Adrian, Michigan, or on land adjacent to its campus in the City of Adrian, Michigan, consisting generally of one or more of the following components: (i) purchase of the student housing facilities commonly known as Campus Village at Siena, located at 915 E. Siena Heights Drive, Adrian, Michigan; (ii) development and implementation of an enterprise software information system to be used for the administration of University services and functions; and (iii) acquisition and installation of new heating, ventilation and air conditioning systems to service the main area of the University’s Fieldhouse and the men’s and women’s locker rooms, together with related electrical service and control unit upgrades (the foregoing collectively referred to herein as the “Project”); and

WHEREAS, the Corporation, in conformity with Act 338, has submitted to the Board of Commissioners for approval certain amendments to the Third Amended Project Plan (as amended, the “Fourth Amended Project Plan”) pertaining to the Project and the proposed financing of the costs of the Project; and

WHEREAS, the Corporation, in conformity with Act 338, has designated to the Board of Commissioners for approval the hereinafter described land as the “project area” for the Project; and

WHEREAS, in conformity with Act 338, it is also necessary for the Board of Commissioners to establish the “project district area” boundaries; and

WHEREAS, the Board of Commissioners, by resolution adopted on October 9, 2019, approved the appointment of two additional Directors of the Corporation with respect to the Project pursuant to the provisions of Section 4(2) of Act 338; and

WHEREAS, the Corporation has stated its preliminary intention to issue its limited obligation revenue bonds (the “Revenue Bonds”) for the purpose of assisting the University in financing all or a portion of the costs of the Project and the costs incidental to the issuance of the Revenue Bonds; and

WHEREAS, pursuant to Act 338 and the Internal Revenue Code of 1986, as amended (the “Code”), it is necessary to hold a public hearing concerning the Fourth Amended Project Plan and the proposed issuance of the Revenue Bonds by the Corporation prior to taking legislative action related thereto.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Commissioners does hereby certify its approval of the Corporation’s designation of the “project area” described in Exhibit A attached hereto (the “Project Area”).
2. The Board of Commissioners does hereby establish as the “project district area” the property described in Exhibit B attached hereto, being all of the land area constituting the Project Area and the territory surrounding the Project Area, if any, which will be significantly affected by the Project (the “Project District Area”).
3. The Board of Commissioners does hereby ratify and confirm its prior approval of the individuals listed on Exhibit C attached hereto as additional Directors of the Corporation to serve with respect to the Project in conformity with the provisions of Section 4(2) of Act 338.
4. It is hereby determined that the requirements of Section 20 of Act 338 have been met and that the formation of a project citizens district council is not required.
5. Pursuant to Act 338 and the Code, the Board of Commissioners is required to conduct a public hearing on the Fourth Amended Project Plan submitted by the Corporation and on the proposed issuance by the Corporation of the Revenue Bonds. The Board of Commissioners hereby calls a public hearing on the Fourth Amended Project Plan and the proposed issuance by the Corporation of the Revenue Bonds for December 11, 2019, at 1:30 p.m. prevailing Eastern Time.
6. The County Clerk is hereby directed to give notice of such public hearing by: (1) publishing a notice thereof in The Daily Telegram, a newspaper of general circulation in the County, or such other newspaper of general circulation in the County as shall be determined by the County Clerk, at least ten (10) days prior to the date set for said hearing; (2) posting a notice thereof in at least ten (10) conspicuous and public places in the Project District Area not less than ten (10) days prior to the date set for said hearing; and (3) mailing a notice thereof to the last known owner of each parcel of real property in the Project District Area at the last known address of the owner as shown by the tax assessment records of the County not less than ten (10) days prior to the date set for said hearing. Said notice of public hearing shall be in substantially the form attached hereto as Exhibit D.
7. The County Clerk is hereby directed to deliver a certified copy of this Resolution to the Secretary of the Board of the Corporation.
8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

Human Services Building Generator: Up to \$310,000 for the Human Services Building generator out of the Human Services Building Fund is APPROVED.

Adrian Public Schools: Administrator Marshall is AUTHORIZED to negotiate a transfer of property to Adrian Public Schools in lieu of storage fees.

Drain Commission Vehicles: The purchase of three vehicles by the Drain Commission at a cost not to exceed \$110,000 is APPROVED.

Hangar Roof Repairs: The Billy White Roofing bid in an amount not to exceed \$85,000 is ACCEPTED and roof repairs/replacement of the East and North Maintenance Buildings and

the gutter repair for the Corporate Hangar with funds from 581-895-975 Airport-Building Improvements is APPROVED.

2020-2024 Parks Plan: A PUBLIC HEARING is SET for December 11, 2019 on the 2020-2024 Parks and Recreation Plan.

Old Courthouse Phase II: The Administrator is AUTHORIZED to initiate development of construction drawings and engage bond counsel and agent to estimate construction and bonding costs for Old Courthouse renovations.

Motion CARRIED by a Unanimous Roll Call Vote.

Comm. Collins took a moment to honor the veterans and reminded everyone of what they have given, are giving, and will continue to give our country.

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

GENERAL APPROPRIATION ACT

RES#2019-025

WHEREAS Public Act 621 of 1978, titled "The Uniform Budgeting and Accounting Act" provides for a system of uniform procedures to guide the preparation and execution of budgets in all local units of government in Michigan; and

WHEREAS the Act requires the legislative body of each local unit to pass a general appropriations measure in compliance with provisions of the Uniform Budgeting and Accounting Act, as the method of adopting its budget; and

WHEREAS the County Board has deliberated upon the budget, presented it for public hearing and received and reviewed comments from the public and from County officials;

NOW THEREFORE the Lenawee County Board of Commissioners resolves:

SECTION 1. APPROPRIATION

The 2020 General Fund Budget, comprised of revenues and expenditures in the amount of **\$30,928,932** as specified in the attached 2020 General Fund Budget document, is hereby adopted and made part of this resolution. Authorization for expenditure of the various appropriations is hereby granted; provided that such expenditures are in compliance with this resolution, applicable County policies and State law.

"Appropriation" as used in this resolution shall mean the designation of funds to be used for a specific purpose including the operation of a County department, agency or office; and the allocation to an agency, board, commission, department or other entity whose expenditures and revenues are not accounted for through the General Fund.

Section 16(1) of the Uniform Budgeting and Accounting Act requires that the legislative body of each local unit pass a general appropriations act for certain designated funds.

These funds and their adopted budgets include:

NON-GENERAL FUND BUDGETS

	FUND	Total Exp Budget
208	Parks	40,484
211	AG Committee	12,000
214	Sobriety Court	132,032
215	Friend of the Court	191,187

216	Caseload Assistance	24,000
217	Enhanced Treatment Court	95,000
218	Adult Drug Treatment Court	123,554
221	Health Department	2,854,797
222	Mental Health	21,661,963
223	Lenawee Transportation	391,465
232	Solid Waste	64,600
234	Lenawee Local Emergency	10,000
236	Criminal Justice Comm Allocation	29,500
245	Public Improvement	10,000
251	Drain Commission	2,063,017
252	MCF Millage	647,000
253	Indigent Defense	1,323,197
254	Survey/Re monumentation	74,434
255	Land Bank	39,750
256	Register of Deeds Automation	100,000
257	Concealed Pistol Licensing	76,364
258	Disaster Contingency	100
260	Mobile Data Terminal	49,500
261	911 Service	3,155,000
262	Hard Labor	21,611
263	Marine Law Enforcement	23,350
264	Local Corrections Officer Training	20,000
265	Drug Law Enforcement	5,050
266	Law Enforcement	8,500
269	Law Library	27,451
273	Comm Oriented Police Serv	20,972
274	Homeland Security	113,065
280	Secondary Road Patrol	103,785
286	Veteran Service	42,370
287	Housing Rehabilitation	35,000
290	Social Welfare	36,000
292	Child Care - Maurice Spear Campus	4,700,268
293	Veterans Relief	318,585
296	Department on Aging	4,483,259
297	Child Care - Dept of Human Services	831,000
298	Lilley	15,500
299	Other Special Revenue	25,000

SECTION 2. APPROVED MILLAGE RATE

As provided in MCL 141.436 Section 16(2), the Truth in Budgeting Act; the Board of Commissioners approves the following 2020 millage rates: County Operating 5.4000; Lenawee Medical Care Facility Special .1896; Department on Aging Special .7320; and Veterans Relief .0000; or the maximum allowable millage after applicable millage reduction under MCL 211.34d.

SECTION 3. APPROPRIATION NOT A MANDATE TO SPEND

The various appropriations specified in the budget represent the maximum authorization to incur expenditures for the purposes specified. It is expected that all elected and appointed County officials shall exercise necessary judgment in the use of appropriated funds in order to achieve the objectives of their program with minimum expenditures.

SECTION 4. ALLOTMENT OF APPROPRIATION

When financial circumstances warrant, the Board may adopt a schedule for allotting the annual appropriation contained within the budget on a periodic basis of no less than one calendar quarter. Under this provision, the authorization to spend the annual appropriation provided in the budget shall be limited to the time limits and amounts established in such schedule. No elected or appointed official shall cause obligations to be incurred against, and no payment shall be made from, an appropriation in excess of the limits provided in the schedule.

SECTION 5. LIMIT ON OBLIGATION AND PAYMENTS

No elected or appointed County official shall cause an obligation to be incurred against, and no payment shall be made from, any appropriation unless there is sufficient unencumbered balance in the appropriation or allotment. Any obligation incurred or payment authorized in violation of this resolution shall be void and any payment so made illegal. Expenditures made in violation of this resolution shall be subject to the penalties specified in P.A. 621 of 1978, titled the Uniform Budgeting and Accounting Act.

The power to authorize agreements binding the County rest with the Board of Commissioners, unless some other statutory agreement exists or the Board of Commissioners specifically authorize elected officials to sign certain contracts within established guidelines, that are not otherwise prohibited by statute. Moreover, as part of the County's budgetary and appropriations policies the Board of Commissioners may require that the County be named as an additional insured on contractor's insurance policies along with a copy of the contractor's insurance policies and copy of the contractor's licenses be kept on file with the County Administrator.

Each claim against the County shall be approved and signed by the elected or appointed County official responsible for expenditure of the appropriation and shall specify the fund, appropriation account and the activity number assigned in the Budget in accordance with the State Accounting Classification System. Such claims shall be submitted on a timely basis as prescribed in the Accounts Payable Policies & Procedure. Claims against the County shall be approved by the Board. In no case shall money be drawn from the County treasury except as properly authorized in the pursuance of an appropriation provided for in the budget and no expenditures shall be charged directly to any contingent or general account.

SECTION 6. TRANSFER & PURCHASES

Transfers of any unencumbered balance, or any portion thereof, of any appropriation to any other appropriation may not be made without amendment of the General Fund Budget by regular action of the County Board of Commissioners. An elected or appointed County official responsible for an appropriation may, within the limits of the total appropriation, transfer funds between line items; except that funds may not be transferred between a salary line item and any non-salary line item, nor may such official create a staff position, alter salaries, or purchase equipment without prior authorization of the Board of Commissioners. Purchase of supplies, vehicles, service and equipment shall be in compliance with County purchasing policies adopted by the County Board of Commissioners. Establishment of salary levels and adjustments thereto shall be made as authorized in the adopted County personnel policies and negotiated labor contracts.

SECTION 7. ADMINISTRATOR CONTINGENCY

The Administrator is authorized to approve expenditures using the Administrator Contingency in single amounts not to exceed \$10,000 and make necessary budget adjustments to reflect those expenditures. Such expenditures will be tabulated and reported to the Board of Commissioners prior to year end.

SECTION 8. REVIEW OF FINANCIAL ACCOUNTS

On at least a monthly basis, the County Administrator shall review the status of expenditures and revenues as compared to the adopted budget, and shall report the findings to the Board, noting areas in which there are significant variations with the budget and providing recommendations where appropriate. A monthly status report of revenues and expenses shall be provided as appropriate to elected and appointed County officials by the Administrator.

SECTION 9. BALANCES REDUCED TO ZERO

As soon as practical after the start of the County fiscal year, the County Administrator shall examine each appropriation account for the following funds to determine whether a balance of County funds remains from the preceding fiscal year in excess of the budgeted balance and shall report the findings to the Board: Parks Commission, Agriculture Committee, Health Department, Drain Commission, Marine Law Enforcement, Central Dispatcher, Law Library, County Library, Department of Human Services, Child Care Maurice Spear Campus, Child Care Department of Human Services and County Airport. If an excess cash balance of County funds is found in any such account, the County Board may reduce the appropriation to that account by the amount of the cash balance in excess of the budgeted anticipated balance, or any portion thereof, and transfer that amount to the General Fund Contingency Account.

Elected and appointed officials are responsible for maintaining expenditures within the limits of an appropriation as provided in this resolution. Should it become apparent to the official that the rate of expenditures of the appropriation shall exhaust that appropriation before the end of the budget period or allotment period, the official shall immediately take steps to reduce the rate of expenditures. The official may request a supplemental appropriation from the County Board of Commissioners, who may in its discretion approve or deny the request.

Whenever it is reported to the County Board of Commissioners that actual and probable revenues in any fund may be less than the estimated revenues upon which appropriations from such fund were based, the Board of Commissioners shall take such actions which in its sole discretion are deemed necessary to prevent expenditures from exceeding available revenues for the current fiscal year. Such actions may include reductions or adjustments in periodic allotments and appropriations for any or all appropriations, implementation of hiring freezes, layoff of personnel, renegotiation of labor contracts, and elimination of capital outlays and equipment purchases; provided, however, that all elected and appointed officials shall be given the opportunity for review and comment on any proposed action prior to its adoption.

Motion CARRIED by a Unanimous Roll Call Vote.

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

Comm. Bales reported from the Human Services Committee.

Comm. Bolton reported from the Rules & Appointments Committee.

Comm. Collins reported from the Criminal Justice Committee.

Comm. Tillotson reported from the Physical Resources Committee.

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

Comm. Tillotson reported from the Accounts Payable Committee.

October 24, 2019

Comm. Tillotson moved to approve total vouchers for payment in the amount \$1,532,255.95 with the general fund's portion being \$234,352.48, Comm. Wittenbach seconded. Motion CARRIED.

November 07, 2019

Comm. Tillotson moved to approve total vouchers for payment in the amount \$1,401,932.46 with the general fund's portion being \$114,671.13, Comm. Collins seconded. Motion CARRIED.

Comm. Wittenbach reported from the Parks Commission.

Comm. Bales reported from the Road Commission.

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

Admn. Marshall reported from the Solid Waste Committee.

Comm. Bales reported from the Airport Commission.

Comm. Lapham reported from CMHPSM.

Comm. Collins reported from the Veterans Affairs Board.

Comm. Wittenbach reported from the Health Board.

New Business:

Airport Contract: A requirement of MDOT, Aviation Division, to qualify for state and federal funding, is a contract with a state approved engineering firm. The contract is in addition to the sponsor (County) agreement with MDOT to perform the work, however, the sponsor share of the engineering contract is similar to the overall sponsor agreement.

Comm. Collins moved to approve the contract with Mead & Hunt for the design of Runway 5-23 Rehabilitation project, Comm. Lapham seconded. Motion CARRIED.

Board of Canvassers: The County Clerk reported that she has appointed LouAnn Bluntschly-Brazeo to the Board of Canvassers to fill a vacant seat.

Public Comments and Announcements: There were no public comments.

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

Roxann Holloway, Clerk

David Stimpson, Chair