

WEDNESDAY, November 14, 2018

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

ALSO PRESENT: Marilyn Woods, Kim Murphy, Troy Bevier, Martha Hall, Jen Ambrose, Shelly DeLong, Ryan Thompson, 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 October 10, 2018, meeting, Comm. Knoblauch seconded, Motion CARRIED.

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

Communications were read.

Ryan Thompson, a citizen from Morenci, addressed the board with his concerns regarding the dog license fee schedule.

Equalization Director Shelly DeLong presented the 2018 Apportionment Report. Discussion followed.

Comm. Bolton moved to accept the 2018 Apportionment Report and place on file, Comm. Knoblauch seconded, Motion CARRIED.

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

Consent Agenda:

Rules and Appointments Committee (11/13/18)

Homeland Security/Local Emergency Planning Committee: The appointment of Jack Creech, as the Chemical Facility Representative (01/20) is CONFIRMED.

Lenawee Transportation Corporation Board: The reappointments of Kathryn Szewczuk, Ralph Tillotson, and Fallon Bull (09/21) are CONFIRMED.

Personnel /Ways & Means Committee (11/13/18)

A. **General Funds:** The Ways & Means Draft #2 General Fund Budget totaling \$30,181,007 is ADOPTED.

B. **Non-General Funds:** The Ways & Means Draft #2 Non-General Fund Budget totaling \$80,884,968 is ADOPTED.

C. **2019 Lenawee County Appropriations Act:** ADOPTED by resolution **RES#2018-035**
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 2019 General Fund Budget, comprised of revenues and expenditures in the amount of **\$30,181,007** as specified in the attached 2019 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	39,850
211 AG Committee	12,250
214 Sobriety Court	147,889
215 Friend of the Court	196,500
216 Caseload Assistance	24,000
217 Enhanced Treatment Court	121,308
218 Adult Drug Treatment Court	249,812
221 Health Department	2,651,795
222 Mental Health	20,078,646
223 Lenawee Transportation	373,687
232 Solid Waste	59,600
234 Lenawee Local Emergency	10,000

236	Criminal Justice Comm Allocation	29,500
245	Public Improvement	10,000
251	Drain Commission	1,989,333
252	MCF Millage	647,000
253	Indigent Defense	917,358
254	Survey/Remonumentation	78,932
255	Land Bank	37,625
256	Register of Deeds Automation	100,000
257	Concealed Pistol Licensing	57,483
258	Disaster Contingency	100
260	Mobile Data Terminal	49,500
261	911 Service	3,094,040
262	Hard Labor	21,611
263	Marine Law Enforcement	23,350
264	Local Corrections Officer Training	18,095
265	Drug Law Enforcement	5,050
266	Law Enforcement	8,500
269	Law Library	33,500
273	Comm Oriented Police Serv	20,972
274	Homeland Security	111,000
280	Secondary Road Patrol	91,572
287	Housing Rehabilitation	35,000
290	Department of Human Services	22,000
292	Child Care - Maurice Spear Campus	4,382,783
293	Veterans Relief	341,696
296	Department on Aging	4,302,100
297	Child Care - Dept of Human Services	870,000
298	Lilley	15,500
299	Other Special Revenue	5,000

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 2019 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 budgets 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.

Resolution #2018-035 is ADOPTED.

D. Capital Improvement Plan

The 2019-2023 the Parks Division of the Capital Fund is APPROVED.
The 2019-2023 Capital Improvement Plan and related project budgets are APPROVED.

E. Recommendations/Referrals

The Sheriff's service contracts are APPROVED and the Chair is AUTHORIZED to sign on the County's behalf.

F. Airport / MDOT 2019-0056 Project#B-26-0001-4614

RES#2018-032

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. 2019-0056 referred to herein shall be attached

PROJECT DESCRIPTION: Acquire land for approaches or RPZ-RWY 23 (Parcel 73) Sponsor reimbursement. Includes acquisition costs, closing costs, demolition, relocation costs, and land consultant costs.

Federal Share \$518,616.00

Maximum MDOT Share \$28,812.00

SPONSOR Share \$28,812.00

Estimated PROJECT COST \$576,240.00

Resolution #2018-032 is ADOPTED.

G. MDOT/LENAWEE TRANSPORTATION/LDA CONTRACT

RES#2018-033

Agreement 2017-0080, Authorization P11, Project 204445

WHEREAS, many older adults and persons with disabilities in Lenawee County are in need of transportation beyond what Dial-A-Ride and Lenawee Transportation Corporation are able to provide; and

WHEREAS, the "specialized services" grant to Lenawee County will provide \$15,449 to meet those transportation needs; and

WHEREAS, the funding from the grant will be used to reimburse mileage expenses for volunteers who drive older persons and persons with disabilities to medical appointments, and

WHEREAS, a small portion of this funding will also be used to pay the cost of recreational trips for older persons and persons with disabilities to locations within Lenawee and adjacent counties.

THEREFORE BE IT RESOLVED, that the Lenawee County Board of Commissioners supports entering into a contract with the Michigan Department of Transportation to provide additional transportation through the "specialized services" contract to be administered by the Lenawee County Department on Aging. The contracts will be considered executed when

they are signed by the Chair of the Lenawee County Board of Commissioners, the Lenawee County Clerk, and the Bureau Director, Multi-Modal Transportation Services Bureau, Michigan Department of Transportation.

Resolution #2018-033 is ADOPTED.

H. MDOT/LTC JOB ACCESS AND REVERSE COMMUTE PROGRAM (JARC) FY2019

2017-0080, Authorization P9

RES#2018-034

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 for FY 2019 Section 5311 Operating Formula Grants for Job Access and Reverse Commute Program, which provides enhanced public transportation services as requested for JARC clients; and

WHEREAS, this Project Authorization provides \$65,000 for service operations, ending September 30, 2019; and

THEREFORE BE IT RESOLVED, the Lenawee County Board of Commissioners approves Agreement No: 2017-0080, Authorization No: P9; and

BE IT FURTHER RESOLVED, that the monies from this grant be given to Lenawee Transportation in accordance with the terms of the Authorization, and authorizes the Chair and the County Clerk to sign the aforementioned Authorization.

Resolution #2018-034 is ADOPTED.

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

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. Collins moved to set the dog license fee schedule as follows; Comm. Bolton seconded.

Effective December 1, 2019

December 1st – February- \$10 per spayed/neutered dog and \$15 per intact dog, with all other items remaining the same. Discussion followed. Motion CARRIED by the following Roll Call Vote: YEAS (5) Comm. Bolton, Collins, Driskill, Lapham, and Tillotson. NAYS (4) Comm. Bales, Knoblauch, Stimpson, and Wittenbach.

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.

October 25, 2018-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$1,151,005.81 with general fund's portion being \$327,369.00, Comm. Bolton seconded. Motion CARRIED.

November 8, 2018-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$2,238,739.16 with general fund's portion being \$198,308.57, Comm. Wittenbach seconded. Motion CARRIED.

Comm. Lapham reported from the Policies & Procedures Committee.

Comm. Lapham moved to approve the amended Equal Employment Opportunity Policy, Comm. Knoblauch seconded.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

Policy#2018-012

Original date of adoption: September 22, 1976

It is the policy of Lenawee County to provide equal opportunity in employment to all applicants and employees. No person will be discriminated against in employment because of religion, race, color, national origin, age, sex, height, weight, marital status, military status, or a mental and physical disability, provided that such disability does not prevent an individual from performing the essential functions of the job, with or without reasonable accommodation.

The County's equal employment opportunity policy applies to all terms, conditions and privileges of employment with the County, including, but not limited to, hiring, training, employee development, promotion, demotion, transfer, compensation, fringe benefits, and termination. Discrimination on the basis of any of the characteristics listed above, or any other characteristics protected by federal or state law, is not practiced by the County and will not be tolerated.

The County of Lenawee will periodically conduct a survey and analysis of the work force to ascertain what measures, if any, may be needed to effectively maintain conformance with this equal opportunity policy.

It is the intent of the Board of Commissioners that this policy shall be enforced the same as any other County policy. Any deliberate attempt to thwart or to circumvent this policy shall be grounds for disciplinary action including discharge censure.

It is the intention of the Board of Commissioners of Lenawee County to implement procedures to promote this policy. To this end, the Human Resources Coordinator of Lenawee County is directed by the County Board of Commissioners to insure equal opportunity for employees or applicants for employment. Such action shall include, but not be limited to, employee recruitment, demotion or transfer, advertising, lay-off or termination, rates of pay or other forms of compensation or benefit and selection for training programs.

Equal Employment Opportunity Procedures

A. Employee Recruitment shall include:

1. Placing employment advertisements in newspapers, newsletters and other communication media;
2. Utilizing recognized national organizations, publications and trade journals to advertise job openings when warranted;
3. Requesting referrals from government agencies and program directors such as:
 - a. State Employment Office
 - b. College placement offices

- c. Lenawee County Vocational Technical Center
- d. Community Action Agency
- 4. Insuring that all methods of recruiting clearly state that Lenawee County is an “Equal Opportunity Employer”;
- 5. Posting job opportunity notices on department bulletin boards when appropriate;
- 6. Submitting newsworthy press releases to all local media to publicize the County’s employment opportunities.

B. Selection procedures will be analyzed and any corrective action will be taken to insure that:

- 1. They are objectively tailored to test the skills, abilities and knowledge required to satisfactorily perform the duties of the position;
- 2. Training and education opportunities designed to develop skills needed to improve current performance, to qualify for higher level positions are provided to employees on a nondiscriminatory basis.

C. Demotion, Lay-off and Termination will in no way favor or discriminate against any employee on the basis of race, color, creed, national origin or ancestry, sex, age, height, weight, marital status, military status or disability.

Any employee who is passed over in the selection process or who is demoted, laid-off or terminated and feels that these actions were the result of discrimination may utilize the appropriate grievance procedure.

D. Delegation of Authority

- 1. The County Administrator shall:
 - a. be responsible for the implementation, administration, and review of the County’s policy as it relates to the employment, training, promotion, lay- off and termination of employees;
 - b. appoint the Human Resources Coordinator as the Equal Employment Opportunity Officer to assist in the administration of this policy;
 - c. review contracts, identify concerns and work with the unions and the Board of Commissioners to implement any necessary changes in contracts and rules which may be in conflict with this policy.
- 2. The Human Resources Coordinator shall:
 - a. study selection and testing procedures and insure that unlawful, artificial barriers do not exist in the hiring or promotion of any employees;
 - b. investigate any grievance or issue pertinent to the implementation of this policy to insure that the aggrieved has access to the grievance procedure;
 - c. assist in the coordination of the implementation of training and promotional programs to insure that unlawful discrimination has not occurred;
 - d. make periodic evaluative reports available for public inspection.
- 3. Department Heads shall:
 - a. implement this program and develop a positive attitude toward equal opportunity in their department;
 - b. make periodic evaluative reports on the results of this equal opportunity policy.

Motion CARRIED.

Comm. Lapham moved to retire the Affirmative Action Plan Policy of 1978 since pertinent information is included in the amended Equal Employment Opportunity Plan, seconded by Bales. 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. 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 MTA.

Comm. Knoblauch reported from the Veterans Affairs Board.

Comm. Wittenbach reported from the Health Board.

Comm. Wittenbach reported from MAC.

Unfinished Business:

Comm. Driskill addressed the board regarding the resolution in opposition of Senate Bill 1031 that the commissioners recently adopted and his concerns with the possibility of legislative action in their Lame Duck Session. Discussion followed.

Comm. Driskill also asked if any of the commissioners were aware of any updates regarding the MichIndOh Aquifer Project because his local townships are concerned. None of the commissioners have received any recent updates to this project.

New Business:

Clean Air Ordinance –

Comm. Lapham stated that the Clean Air Ordinance Committee has received requests from various county departments and other agencies to review the current Clean Air Ordinance with regard to new products and consideration of a campus-wide approach to the ordinance.

Administrator Marshall presented additional information regarding amendments for vaping and electronic cigarette products.

Comm. Collins moved to publish a notice of intent and set a public hearing for December 12, 2018, at 1:35 P.M. The Administrator's office will also have copies of the proposed amendments

to the Clean Air Ordinance available to the public for a period of time prior to approval; seconded by Driskill. Motion CARRIED.

Public Comments and Announcements:
None

Comm. Tillotson moved to adjourn at 2:30 P.M., Comm. Driskill seconded. Motion CARRIED.

Roxann Holloway, Clerk

David Stimpson, Chair

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