

WEDNESDAY, February 13, 2019

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

ABSENT: Comm. Collins

ALSO PRESENT: Marilyn Woods, Kim Murphy, Lindsay Garrison, Carson Garrison, Wesley Garrison, Jim Driskill, Martha Hall, Jen Ambrose, David Panian (The Telegram), Ian Wendt (WLEN), Troy Bevier, 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 January 9, 2019, meeting, Comm. Wittenbach seconded, Motion CARRIED.

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

Communications were read.

Comm. Tillotson acknowledged Carson and Wesley Garrison.

Comm. Bolton acknowledged retired Comm. Jim Driskill.

County Administrator, Martin Marshall, offered his state of the county presentation.

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

Consent Agenda:

**Rules and Appointments Committee (02/12/19)**

**Standing Committee appointments CONFIRMED**

- Terry Collins, Member of the Physical Resources Committee
- John Lapham to replace Terry Collins on the IT Committee

**Resignations ACCEPTED**

- Jim Van Doren from the Lenawee Community Mental Health Board
- Tim Guest and Scott Clites from the Lenawee Transportation Corporation Board

**Board appointment CONFIRMED**

- Nathan Burd, Adrian City Manager, Solid Waste Coordinating Committee

**PERSONNEL/WAYS & MEANS COMMITTEE (2/12/19)**

- A. **Budget Adjustments:** The recommended revised Health Fund budget of \$2,736,375 with the following adjustments are APPROVED.

## HEALTH FUND - Summary by Division

GL Division Code And Description	Current Budget	Change INC/(DEC)	Recommended Revised Budget
<b>Revenue</b>			
450 Administration 100	752,147	(30,338)	721,809
454 Bioterrorism 130	90,888	1,819	92,707
456 Environmental Health 200	694,611	35,071	729,682
459 Childhood Lead Poisoning Prevent	15,000	0	15,000
460 Immunizations 316	391,534	0	391,534
461 Hepatitis A	5,000	0	5,000
462 STD/Aids 321	15,013	11,397	26,410
463 HIV Prevention	20,000	0	20,000
464 Breast/Cervical Cancer-Coord 322	25,450	700	26,150
468 Breast/Cervical Cncr-Direct 324	10,955	0	10,955
472 WiseWoman-Coord 327	51,910	(10,400)	41,510
476 General Communicable Disease 330	26,286	0	26,286
478 TB Control	100	0	100
479 Alcohol Prevention	4,800	0	4,800
481 SYNAR/DYTUR	17,000	0	17,000
483 Len Community Foundation Imm 380	2,000	0	2,000
485 Branch Co Community Foundation	10,501	13,628	24,129
486 Family Planning 419	180,938	10,528	191,466
488 Outreach 422	43,683	0	43,683
489 Pub Hlth Func & Infrastr -MCH	26,088	0	26,088
492 Hearing 451	44,794	0	44,794
493 Direct Children Services	21,000	0	21,000
494 Vision 453	41,768	0	41,768
496 Childrens Special Hlth Care 455	74,094	1,320	75,414
497 Expanding Outreach for CSHCS	9,200	0	9,200
499 CSHCS Medicaid Elevated Blood Ld	25,399	0	25,399
504 Immunization Action Plan 802	51,636	0	51,636
507 Malph-Imms	0	15,000	15,000
508 Obesity Prevention	0	35,855	35,855
<b>Revenue Total</b>	<b>2,651,795</b>	<b>84,580</b>	<b>2,736,375</b>
<b>Expenses</b>			
450 Administration 100	299,095	0	299,095
452 Data Management 121	5,132	0	5,132
454 Bioterrorism 130	103,836	0	103,836
456 Environmental Health 200	673,944	0	673,944
459 Childhood Lead Poisoning Prevent	15,204	5,146	20,350
460 Immunizations 316	522,203	(9,343)	512,860
461 Hepatitis A	5,158	0	5,158
462 STD/Aids 321	77,598	30,084	107,682
463 HIV Prevention	27,403	(1,934)	25,469
464 Breast/Cervical Cancer-Coord 322	27,533	(5,804)	21,729
468 Breast/Cervical Cncr-Direct 324	26,009	(5,050)	20,959
472 WiseWoman-Coord 327	82,354	(10,956)	71,398

476 General Communicable Disease 330	104,048	4,727	108,775
478 TB Control	100	0	100
479 Alcohol Prevention	5,700	0	5,700
481 SYNAR/DYTUR	19,313	(3,313)	16,000
485 Branch Co Community Foundation	10,501	12,940	23,441
486 Family Planning 419	180,072	42,380	222,452
488 Outreach 422	55,394	(4,731)	50,663
489 Pub Hlth Func & Infrastr -MCH	21,967	0	21,967
492 Hearing 451	51,619	0	51,619
493 Direct Children Services	19,059	0	19,059
494 Vision 453	56,668	0	56,668
496 Childrens Special Hlth Care 455	65,628	11,873	77,501
497 Expanding Outreach for CSHCS	9,087	0	9,087
498 Health Educator 505	30	0	30
502 Nursing Administration 709	125,265	(10,228)	115,037
504 Immunization Action Plan 802	61,875	(22,067)	39,808
507 Malph-Imms	0	15,000	15,000
508 Obesity Prevention	0	35,856	35,856
<b>Expenses Total</b>	<b>2,651,795</b>	<b>84,580</b>	<b>2,736,375</b>

**B. Northern Initiative Sub-recipient Agreement:** The sub-recipient agreement between Lenawee County and Northern Great Lakes Initiatives d/b/a Northern Initiatives for the Michigan CDBG Program for the period of November 1, 2018 – June 30, 2021 is APPROVED and Board Chair David Stimpson is AUTHORIZED to sign such agreement.

**C. AIRPORT/MDOT CONTRACT 2019-0223 Project # B-26-0001-4714 RES#2019-003**

**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. 2019-0223** referred to herein shall be attached

**PROJECT DESCRIPTION: Acquire land for approaches or RPZ – RWY 23 (Parcel 75) sponsor reimbursement. Includes Acquisition costs, closing costs, demolition, relocation costs, and land consultant costs**

Federal Share \$457,290.00

Maximum MDOT Share \$25,405.00

SPONSOR Share \$25,405.00

Estimated PROJECT COST \$508,100.00

Airport/MDOT Contract 2019-0223 authorization resolution #2019-003 is ADOPTED.

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. Lapham reported from the Criminal Justice Committee.

Comm. Knoblauch reported from the Physical Resources Committee.

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

Comm. Tillotson reported from the Accounts Payable Committee.

January 17, 2019-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$2,386,259.37 with the general fund's portion being \$516,687.91 Comm. Knoblauch seconded. Motion CARRIED.

January 31, 2019-

Comm. Tillotson moved to approve total vouchers for payment in the amount \$1,560,183.33 with the general fund's portion being \$115,863.06 Comm. Wittenbach seconded. Motion CARRIED.

Comm. Lapham reported from the Policies & Procedures Committee.

The Green Initiative Policy (**POL#2019-001**) has been withdrawn from consideration for further review by the Policies and Procedures Committee.

Comm. Lapham moved to approve the following policy, Comm. Knoblauch seconded

**NON-DISCRIMINATION ON BASIS OF HANDICAP**

**POLICY#2019-002**

This Unit of General Local government (UGLG) does not discriminate on the basis of disability in its hiring or employment practices. This UGLG will not ask a job applicant about the existence, nature, or severity of a disability. Applicants may be asked about their ability to perform specific job functions. Medical examinations or inquiries may be made, but only after a conditional offer of employment is made and only if required of all applicants for the position. This UGLG will make reasonable accommodations for the known physical or mental limitations of a qualified applicant or employee with a disability upon request unless the accommodation would cause an undue hardship on the operation of the UGLG's business. To the extent its selection criteria for employment decisions have the effect of disqualifying an individual because of disability, those criteria will be job-related and consistent with business necessity. Employees' medical information is protected and confidential.

This UGLG will provide appropriate auxiliary aids and services, including qualified sign language interpreters, assistive listening devices, and alternate formats, whenever necessary to ensure effective communication with members of the public who have hearing, sight, or speech impairments, unless to do so would result in a fundamental alteration of its programs or an undue administrative or financial burden.

A person who requires an accommodation or an auxiliary aid or service should contact the following officials; interpreter requests should be made as far in advance as possible but no later than 48 hours before the scheduled event to the Administrator's Office by calling (517) 264-4508.

Complaints that an UGLG program, service, or activity is not accessible to persons with disabilities should be directed to the County Administrator. Complaints of disability-based discrimination against applicants for employment with this UGLG or by employees of this UGLG should be directed to the County Administrator.

This UGLG will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Motion CARRIED.

Comm. Lapham moved to approve the following policy, Comm. Knoblauch seconded,

## **CITIZEN PARTICIPATION PLAN**

**POLICY#2019-003**

### **Citizen Participation**

Lenawee County, as a Local Unit of Government recipient of Community Development Block Grant funding has developed and adopted this Citizen Participation Plan to be in compliance with Section 508 of the Housing and Community Development Act of 1974, as amended.

This Plan:

- Provides for and encourages citizen participation, with particular emphasis on participation by persons of Low and Moderate Income (LMI) who are residents of slum or blighted areas and of areas in which funds are proposed to be used.
- Provides citizens with reasonable and timely access to local meetings, information, and records relating to the Local Unit of Government's proposed method of distribution and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended.
- Provides for technical assistance to groups representative of persons of LMI that request such assistance in developing proposals with the level and type of assistance to be determined by the Local Unit of Government.
- Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including the development of needs, review of proposed activities, and review of program performance; which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for the handicapped. At a minimum, two hearings are required: one at the time of application, and one at the end of the grant.
- Provides for a formal written procedure that will accommodate a timely written response to written complaints and grievances, within 15 days where practicable.
- Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be expected to participate.

Lenawee County provides citizens with adequate opportunity to participate in the planning, implementation, and assessment of the Community Development Block Grant (CDBG) program. Lenawee County will provide adequate information to citizens, hold a public hearing at the initial stage of the planning process to obtain views and proposals of citizens, and provide opportunity to comment on Lenawee County's community development performance.

### **Scheduling and Providing Notices of Public Hearings**

To provide for adequate notice, a minimum of five calendar days' notice must be given of any public hearings. The initial public hearing must be scheduled early in the planning process to ensure adequate

public participation and still permit the County to complete and submit an application. In addition, Lenawee County must provide citizens with reasonable and timely access to the hearings. The location and times of these hearings must be scheduled in such a manner as to be convenient to potential or actual beneficiaries with accommodations for the handicapped and non-English speaking persons.

Citizens, with particular emphasis on persons of LMI who are residents of slum or blighted areas, must be encouraged to submit their views and proposals regarding community development and housing needs. Citizens must be made aware of where they may submit their views and proposals should they be unable to attend the public hearing. Where a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter must be present to accommodate the needs of the non-English speaking residents. Citizens must be provided with the following information at the public hearing prior to application submittal to the state. The following items must be included in the first public notice:

- The amount of funds available for proposed community development.
- The range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit LMI persons.
- The plans of the applicant for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by persons actually displaced as a result of such activities.
- Lenawee County will provide citizens with information regarding the applicant's performance in prior CDBG programs funded by the State.

In addition, the hearing should inform citizens of the proposed objectives, proposed activities, the location of the proposed activities, and the amounts to be used for each activity. Citizens must be given the opportunity to review the application and comment on the proposed application. The notice must state the proposed submittal date of the application and must provide the location at which, and hours when, the application is available for review. The application must be available for review when the notice is published in the newspaper.

Written minutes of hearings and an attendance roster must be submitted to the MEDC Program Specialist and be kept for review by State officials.

To satisfy all the requirements of citizen participation, additional information will be provided to citizens.

Lenawee County will retain as proof of the published public notices in the form of an affidavit or the actual newspaper page showing the published notice with the publication date of each public notice. Such proof will be submitted to the MEDC.

### **Technical Assistance**

Lenawee County must provide technical assistance to facilitate citizen participation when requested, particularly to groups' representative of persons of LMI. The level and type of technical assistance will be determined by Local Unit of Government based upon the specific needs of the community's residents.

### **Complaint Procedures**

Lenawee County has written citizen and administrative complaint procedures. All written citizen complaints that identify deficiencies relative to Lenawee County's community development program merit full, prompt consideration, and must be handled according to their written complaints procedure. Good faith attempts must be made to satisfactorily resolve the complaint at the local level.

This citizen and administrative complaint procedure is established to meet the requirements of Section 508:

- The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

- The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Martin D. Marshall, County Administrator, Lenawee County, 301 N. Main Street, Adrian, MI 49221  
(517) 264-4508 Fax: (517) 264-4512

- Within 15 calendar days after receipt of the complaint, Contact Person or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Contact Person or his designee will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Local Unit of Government and offer options for substantive resolution of the complaint.
- If the response by Contact Person or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of within 15 calendar days after receipt of the response to the Lenawee County Board of Commissioners.
- Within 15 calendar days after receipt of the appeal, the Board of Commissioners will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Board of Commissioners will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- All written complaints received by Martin Marshall or his designee, appeals to the Lenawee County Board of Commissioners, and responses from these two offices will be retained by Lenawee County for at least three years.

All citizen complaints relative to Fair Housing/Equal Opportunity violations involving discrimination must be forwarded to the Michigan Department of Civil Rights [Michigan Department of Civil Rights, Intake Team, 3054 West Grand Blvd., Suite 3-600, Detroit, MI 48202] for disposition. The complainant must be notified in writing within 10 days that, due to the nature of the complaint, it has been forwarded to the Michigan Department of Civil Rights. Citizens must be made aware that they can forward a complaint alleging discrimination directly to the Michigan Department of Civil Rights, Intake Team, 3054 West Grand Blvd., Suite 3-600, Detroit, MI 48202. Persons wishing to object to the Michigan Strategic Fund's (MSF) approval of an application may make such objection known to the Michigan Economic Development Corporation.

The MSF will consider objections made only on the following grounds:

- Lenawee County's description of needs and objectives is plainly inconsistent with available facts and data.
- The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by Lenawee County, the Local Unit of Government.
- The application does not comply with the requirements set forth in the final statement (consolidated plan) or other applicable laws. Such objections should include both identification of the requirements not met and, in the case of objections relative to the first bullet above, must include the data upon which the objection is based. Performance Hearings Prior to close-out of the CDBG, the recipient must have a public hearing to obtain citizen views and to respond to questions relative to the recipient's performance. This hearing must be conducted after any construction or other significant activity has been completed. It may be conducted during or after the lien period. A copy of the public notice and minutes of the hearing must be submitted with the close-out documents.

Documentation must be kept at the local level to support compliance with the aforementioned requirements.

**WHEREAS**, the Lenawee County Board of Commissioners recognizes the importance of adequate public participation in seeking Community Development Block Grant funds.

**NOW THEREFORE BE IT RESOLVED**, the Lenawee County Board of Commissioners adopts this Citizen Participation Plan to be in compliance with Section 508 of the Housing and Community Development Act of 1974, as amended.

Discussion followed. Motion CARRIED.

Comm. Lapham moved to approve the following policy, Comm. Bales seconded

**ECONOMIC OPPORTUNITIES POLICY FOR SECTION 3 COVERED CONTRACTS      POLICY #2019-004**

**Background**

Section 3 of the Housing and Urban Development Act of 1968, as amended, ("Section 3") requires that economic opportunities generated by certain U.S. Department of Housing and Urban Development financial assistance for housing and community development programs be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and business concerns which provide economic opportunities to low- and very low income persons<sup>1</sup>.

Pursuant to Section 3 of the Housing and Urban Development Act of 1968, as amended and 24 CFR Part 135, The Unit of General Local Government (UGLG) adopts this Economic Opportunities Policy for Section 3 Covered Contracts. The policy will provide direction for implementing Section 3, when required.

**Policy Statement**

Lenawee County, the UGLG, shall provide opportunities to low- and very low-income persons residing in the State of Michigan (as defined in § 135.5 of 24 CFR Part 135) and to businesses meeting the definition of "Section 3 Business Concern" (as defined by 24 CFR Part 135). Accordingly, the UGLG shall implement policies and procedures to ensure that Section 3, when required, is followed and develop programs and procedures necessary to implement this policy covering all procurement contracts where labor and/or professional services are provided. This policy shall not apply to contractors who only furnish materials or supplies through Section 3 covered assistance. It will apply to contractors who install materials or equipment. (See the definition of "Section 3 Covered Contracts" below.) There is nothing in policy that should be construed to require the employment or contracting of a Section 3 resident or contractor who does not meet the qualifications of the position to be filled or who cannot fulfill the contract requirements.

Motion CARRIED.

Comm. Lapham moved to approve the following policy, Comm. Knoblauch seconded

**GRIEVANCE PROCEDURE      POLICY #2019-005**

**Under Section 504 of the Rehabilitation Act of 1973**

This Grievance Procedure is established to meet the requirements of Section 504. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County of Lenawee. The County's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Kimberly L. Murphy

Deputy County Administrator, Section 504 Coordinator  
County of Lenawee - 301 N. Main Street - Adrian, MI 49221

Within 15 calendar days after receipt of the complaint, Kimberly Murphy or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Kimberly Murphy or her designee will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County of Lenawee and offer options for substantive resolution of the complaint.



If the response by Kimberly Murphy or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of within 15 calendar days after receipt of the response to Martin Marshall, the County Administrator or his designee.

Within 15 calendar days after receipt of the appeal, Martin Marshall or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting Martin Marshall or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Kimberly Murphy or her designee, appeals to Martin Marshall or his designee, and responses from these two offices will be retained by the County of Lenawee for at least three years.

Discussion followed. Motion CARRIED.

Comm. Wittenbach reported from the Parks Commission.

Comm. Bolton reported from the Road Commission.

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

Comm. Lapham reported from the Department on Aging.

Comm. Bolton reported from Michigan Works.

Comm. Knoblauch reported from MTA.

Comm. Tillotson reported from Substance Abuse [CMHPSM]

Comm. Knoblauch reported from the Veterans Affairs Board.

Comm. Wittenbach reported from AG Committee.

Comm. Wittenbach reported from the Health Board.

Comm. Wittenbach reported from MAC.

Public Comments and Announcements:

Retired Comm. Driskill thanked the board for the recognition he received for his service on the board and his reappointment to Region 2 Planning Commission.

Retired Comm. Driskill shared his support in the restoration of the old courthouse project.

Retired Comm. Driskill shared his concerns regarding HB 4991.

Retired Comm. Driskill shared his concerns regarding legalized marijuana and increased violence.

Retired Comm. Driskill commended Comm. Wittenbach for the great job he did at the January Wrestling Tournament.

Retired Comm. Driskill encouraged all the commissioner to review the newest edition of the MTA magazine regarding the all the new laws that were passed last year.

Retired Comm. Driskill encouraged the commissioners to read the article in the Tecumseh Herald and take a look at the 50 year old page, regarding how the county supervisors ran local government.

Retired Comm. Driskill commended the Administrator, clerk, and the commissioners for their dedication to working hard for the county.

Comm. Tillotson moved to adjourn at 2:50 P.M., Comm. Knobluach seconded. Motion CARRIED.

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Roxann Holloway, Clerk

David Stimpson, Chair