

The Chippewa County Board of Commissioners met in regular session on Monday, December 12, 2006 at 7:10 p.m. immediately following the 2007 MSHDA Small Cities Public Hearing.

Present: Commissioners: Ted Postula, Don Cooper, Scott Shackleton, Richard Timmer, Bernard LaJoie, Jim Moore and Chairman Earl Kay

Also Present: Derek Myerscough, Jesse Knoll, Louise Willis, Marvin Willis, Tony Bosbous, Frank Blissett, Don and Chris McLean, John Willis, Chuck Moser, Jim German, Marilyn McDonald, County Treasurer, Lowell Ulrich, Probate Court Judge, Frank Sasso, Brian Peppler, County Prosecutor, John Willis, Kelly Beaune, Acting Controller, Diane Cork, County Clerk and others

It was moved by Commissioner LaJoie, supported by Commissioner Postula, to acknowledge the correspondence received in the Clerk's Office and if necessary, forward to the appropriate committee. On a voice vote, the motion carried unanimously.

It was moved by Commissioner Shackleton, supported by Commissioner Timmer, to accept the County Board minutes of November 13, 2006 as prepared by the Clerk and the Budget Workshop meeting held on December 5, 2006 as prepared by Kelly Beaune. On a voice vote, the motion carried unanimously.

PUBLIC COMMENTS:

John Willis, Sugar Island, thought that Ted Postula should step aside until investigation is over concerning mileage.

Louise Willis, Sugar Island resident, stated the petitions that were turned in at the last County Board meeting for Jesse Knoll were not all signed by residents of Sugar Island but by community members wanting a change.

Marvin Willis, Sugar Island Trustee, said Jesse Knoll has applied for various boards over the last 12 years and the County Board keeps appointing the same people.

Don McLean read a statement concerning HBH and their excessive spending.

Chuck Moser, Transportation Authority spoke in favor of re-appointing Frank Sasso to the Transportation Authority.

Derek Myerscough, Sugar Island Supervisor, spoke in favor of appointing Jesse Knoll to the Transportation Authority so that Sugar Island would be represented being the busiest of all ferries in the County.

CONTROLLER'S REPORT – Kelly Beaune, Acting Controller – Informational purposes only. No action items necessary.

OLD BUSINESS:

Appointments to various boards, agencies and committees:

BUILDING AUTHORITY – Three appointments with a term 1/1/07 – 12/31/07

Applicants: Paul Freedman, Marilyn McDonald, Ron Meister

It was moved by Commissioner Shackleton, supported by Commissioner Moore, to appoint, Paul Freedman, Marilyn McDonald and Ron Meister to the Building Authority Board for a term beginning 1/1/07 and ending 12/31/07. On a voice vote, the motion carried unanimously.

BOARD OF HEALTH – One appointment with a term 1/1/07 – 12/31/08

Applicants: Donald McLean and Gregory Zimmerman (Patrick Shannon withdrew his name as a nominee)

It was moved by Commissioner LaJoie, to revert back to three County Commissioners sitting on this board and appoint Commissioner Moore to fill the appointment.

On discussion, Commissioner Shackleton pointed out that Article IX, Procedure for Filling Vacancies on Board and Commissions, Section 9.6 of the Chippewa County Board By-Laws, Procedures and Board Policies manual states in part “The Board of Commissioners may suspend this section by a two-thirds (2/3rds) vote of the members present, however, a majority of the members elected and serving shall be required for final appointment to a County Board or Commission”.

Commissioner LaJoie’s motion failed for lack of support.

Commissioner Cooper outlined why the Health Board had only two Commission seats.

Commissioner Shackleton stated that he thought that the County Commission could do one of three things pertaining to the appointment to the Health Board:

1. Waive 9.6 of the Commission By-Laws
2. Waive and delay the vote
3. Vote on the nominees

It was moved by Commissioner Shackleton, supported by Commissioner LaJoie, to waive rule 9.6 of the Commissioners By-Laws. On a voice vote, the motion carried unanimously.

BUILDING CODE OF APPEALS – Three appointments with a term 1/1/07 – 12/31/08

Applicants: Samuel White

It was moved by Commissioner Moore, supported by Commissioner Timmer, to appoint Samuel White to the Building Code of Appeals Board with a term of 1/1/07 thru 12/31/08 and to advertise for additional nominees. On a voice vote, the motion carried unanimously.

E 9-1-1 CENTRAL DISPATCH BOARD OF DIRECTORS – One appointment with a term of 1/1/07 – 12/31/08

Applicants: Jim German, Michael Langendorf, Don McLean, Derek Myerscough

On a roll call vote: Commissioner Cooper voted for Derek Myerscough, Commissioner Shackleton voted for Michael Langendorf and Commissioners Timmer, Moore, Postula, LaJoie and Chairman Kay voted for Jim German. 5-1-1

Jim German was appointed to the E 9-1-1 Central Dispatch Board of Directors for a term of 1/1/07 thru 12/31/08.

REGIONAL PLANNING & DEVELOPMENT COMMISSION – 2 private citizen appointments, 1 educational appointment

Applicants: Gregory Zimmerman (citizen); Peter Everson (education)

It was moved by Commissioner Shackleton, supported by Commissioner Postula, to appoint Gregory Zimmerman (citizen) and Peter Everson (education) to the Regional Planning & Development Commission with a term of 1/1/07 thru 12/31/07. On a voice vote the motion carried unanimously.

ROAD COMMISSION – One appointment with a term of 1/1/07 thru 12/31/12

Applicants: Martin Gaylor, Louis MacDonald, John McCormick, Robert Schallip Jr. Gerald Smith

On a roll call vote: Commissioner Cooper voted for John McCormick, Commissioner LaJoie voted for Robert Schallip Jr. and Commissioners Timmer, Moore, Postula, Shackleton and Chairman Kay voted for Louis MacDonald. 5-1-1

Louis MacDonald was appointed to the Road Commission Board with a term of 1/1/07 thru 12/31/12.

EUP TRANSPORTATION AUTHORITY – One appointment with a term of 1/1/07 – 12/31/09

Applicants: Jesse Knoll, Frank Sasso, Robert Schallip Jr. Gerald Smith, Allan Swanson

On a roll call vote: Commissioners Cooper, Shackleton and Chairman Kay voted for Jesse Knoll and Commissioners LaJoie, Postula, Moore and Timmer voted for Frank Sasso. 4-3

Frank Sasso was appointed to the EUP Transportation Authority Board with a term of 1/1/07 thru 12/31/09.

WAR MEMORIAL HOSPITAL BOARD – One appointment with a term of 1/1/07 – 12/31/10

Applicants: Rita Dale (Patrick Shannon withdrew his name)

It was moved by Commissioner Moore, supported by Commissioner Timmer, to appoint Rita Dale to the War Memorial Hospital Board with a term of 1/1/07 thru 12/31/10. On a voice vote, the motion carried unanimously.

STANDING COMMITTEE REPORTS:

Personnel – Bernard LaJoie – 11/30/06

The Committee received position recommendations from Central Dispatch Director Tim McKee. Four applicants were tested and interviewed for the position of Senior Dispatcher. This will fill the vacancy of Senior Dispatcher, Marianne Willett.

It was moved by Commissioner LaJoie, supported by Commissioner Moore, to accept the recommendation of Director McKee, to hire Betty Mayer to fill the Senior Dispatch position full-time effective December 11, 2006. On a voice vote, the motion carried unanimously.

The appointment of Betty Mayer to Senior Dispatch leaves a Dispatcher vacancy which Director McKee recommended Brenda Curtis to fill this position as Ms. Curtis has been a part-time dispatcher for the past two years.

It was moved by Commissioner LaJoie, supported by Commissioner Moore, to accept the recommendation of Director McKee, to hire Brenda Curtis to fill the Dispatch position full-time effective December 11, 2006. On a voice vote, the motion carried unanimously.

Commissioner LaJoie completed his report with no additional action items necessary.

It was moved by Commissioner LaJoie, supported by Commissioner Timmer, to accept the report of the Personnel Committee as presented. On a voice vote, the motion carried unanimously.

Equalization & Apportionment – Jim Moore – No meeting
Health & Social Services – Ted Postula – 12-1-06

The Committee discussed Policy 92-321 which defines a full-time employee with Chippewa County, full-time -vs- part-time status of the commissioners and what other non-union employees' benefits are in relation to the Union contracts. Discussion also included that contracts provide a \$1,500.00 payment in lieu of taking health care coverage.

It was moved by Commissioner Postula, supported by Commissioner Moore, to have the Legislative and Natural Resources Committee look into establishing and defining a Commissioner's Compensation and Benefits Policy. On a voice vote, the motion carried with Commissioner Cooper voting no.

Having completed the report, it was moved by Commissioner Postula, supported by Commissioner Timmer, to accept the report as given. On a voice vote, the motion carried unanimously.

Building, Grounds & Jail – Earl Kay – No meeting
Transportation – Ted Postula – No meeting
Legislative & Natural Resources – Richard Timmer – 12-4-06

Director Tim McKee addressed the Committee regarding the previously discussed draft Wrecker Service Policy. Director McKee provided a copy of the meeting minutes from November 21, 2006 which three wrecker services attended to discuss the proposed wrecker policy and the requirement for the wrecker companies. Discussion included the section regarding the wrecker services ability to place a lien against personal property, which will be left up to the discretion of the business owner. Discussion also included the possibility of sending one wrecker company to the scene for all vehicles involved in the accident. This will not be in the proposed policy as it could favor the larger company. Reports will be provided quarterly to the wrecker companies. The Committee commented on the policy being a huge step for guaranteeing citizens in our County appropriate services.

It was moved by Commissioner Timmer, supported by Commissioner Shackleton, to recommend approval of the Wrecker Services Policy and Procedure to the full Board of Commissioners and to approve the policy at the December 2006 meeting. On a voice vote, the motion carried unanimously.

The Committee was provided with information from other Counties, as well as from the "Guide to Michigan Government" and the Chippewa County By-Laws, Procedures and Policies, including a copy of the Health and Social Services minutes which includes a motion "to have the Legislative and Natural Resources Committee look into establishing and defining a Commissioner's Compensation and Benefits Policy." The Committee discussed per diems, with respect to the time needed to attend meetings. Commissioner Shackleton voiced his opinion that the current per diem is more than fair, and it is the individual's choice to serve on the Commission. Mileage was discussed at length; including holding a full Board meeting, seeking an opinion from the Michigan Association of Counties regarding the potential seriousness of the current mileage issue and the possibility of an independent counsel investigation. The Committee also discussed the health benefits provided to Commissioners which should also provide payment in-lieu of health insurance for Commissioners who do not take the health insurance benefit. And that Commissioners status with the County should be considered "part-time with full-time benefits".

It was moved by Commissioner Timmer, supported by Commissioner Shackleton, to present a summary of the current mileage situation to Michigan Association of Counties to seek their legal

view and recommendations and to also seek independent counsel to investigate the mileage matter in an expedient manner.

Commissioner Cooper stated he found the mileage situation troubling. The State Police did an investigation and it should go there. Discussion followed.

On a voice vote, the motion carried with Commissioner Cooper voting no.

It was moved by Commissioner Timmer, supported by Commissioner Moore, to work on and develop a Commissioner's Compensation Benefits and Ethics Policy. On a voice vote, the motion carried with Commissioner Cooper voting no.

Previously, a letter was sent to the Michigan Association of Counties' seeking guidance and direction to maintain the County's ORV Ordinance, due to the potential issue with an Attorney General's opinion. MAC provided Michigan Legislation under Section 324.81126 which excludes the Upper Peninsula from that AG's Opinion.

It was moved by Commissioner Timmer, supported by Commissioner Cooper, to send a letter to the Townships to review the current Ordinance, and to identify any issues with the ORV Ordinance and to specifically identify roads to be excluded from the Ordinance. On a voice vote, the motion carried unanimously.

It was moved by Commissioner Timmer, supported by Commissioner Moore, to accept the report of the Legislative and Natural Resources Committee as presented. On a voice vote, the motion carried unanimously.

Computer Committee – Don Cooper – No meeting
Finance, Claims and Accounts – Richard Timmer – 12-7-06

Director Tim McKee addressed the Committee regarding the recent audit performed by the Michigan State Police Emergency Management and Homeland Security Division of the County's past years grants. Three discrepancies were found, one being an invoice of \$3,278 which had not been paid; supplies in the amount of \$224.65 was charged to Fund 212 and \$959.88 in pay from the 2003 State Homeland Security Assessment Survey should either be reimbursed to the State or the County can pay Director McKee for those 26 hours of work which grant monies were received for.

It was moved by Commissioner Timmer, supported by Commissioner Moore, to recommend payment of \$959.88 to Director McKee from grant monies received from the 2003 State Homeland Security Assessment Survey. On a voice vote, the motion carried unanimously.

Treasurer Marilyn McDonald addressed the Committee seeking their opinion on establishing a fee schedule for assisting other governmental entities with Bond issues where the County pledges full faith and credit. Discussion ensued including one-time charges based on the Bond amount, charging a percentage or charging on time and materials basis.

It was moved by Commissioner Timmer, supported by Commissioner Postula, to have Treasurer McDonald pursue a bond fee schedule and to check the legality of such a schedule. On a voice vote, the motion carried unanimously.

The Committee reviewed an amendment to the MSC-2006-0731-HO which changed both the budget and program description.

It was moved by Commissioner Timmer, supported by Commissioner Moore, to recommend approval of the budget and program description changes as presented and to authorize signature of the Board Chair. On a voice vote, the motion carried unanimously.

The Committee reviewed a three-year agreement beginning on January 1, 2007 and terminating on December 31, 2009 to lock in the annual cost for support of the Law Enforcement Management Systems (LEMS) at \$7,073.28 per year. Commissioner Cooper requested copies of the previous support payments made for the Monday night regular Board meeting.

It was moved by Commissioner Timmer, supported by Commissioner Moore, to approve the FSG Software Support/Maintenance Agreement for Law Enforcement Management System (LEMS), based on the documents requested for previous billings. On a voice vote, the motion carried unanimously.

The Committee reviewed letters from the Michigan Municipal Risk Management Authority (MMRMA) regarding the check for \$19,718.00 which represents the County's share of the distributed excess net assets. This distribution is based on the most recent analysis of net asset sufficiency and is not a guarantee of future distributions. As previously discussed, the County's loss fund is currently at approximately \$43,000 with three potential open claims, the loss fund is recommended to have \$75,000 and it was suggested to fund the loss fund with the excess net assets check.

It was moved by Commissioner Timmer, supported by Commissioner Moore, to approve the pass thru of the excess net assets check of \$19,718 to the County's Loss Fund. On a voice vote, the motion carried unanimously.

The Committee reviewed the annual County Child Care Budget Summary.

It was moved by Commissioner Timmer, supported by Commissioner LaJoie, to approve the County Child Care Budget Summary as presented and to authorize Board Chair signature. On a voice vote, the motion carried unanimously.

The Committee reviewed the Office of Drug Control Policy, Byrne Memorial Formula Grant Program subcontract, project title S.A.N.E, for its approval and authorization.

It was moved by Commissioner Timmer, supported by Commissioner Moore, to approve the Office of Drug Control Policy Subcontract a presented and to authorize Board Chair signature. On a voice vote the motion carried unanimously.

The Committee was updated on budget adjustments presented from Chuck Leonhardt, and received a current Fund analysis. The Committee was also requested to approve the following budget adjustments.

Budget Adjustments

The Committee was updated on budget adjustments presented from Chuck Leonhardt, and received a current Fund analysis. The Committee was also requested to approve the following budget adjustments:

Revenue	Original	Amendment	Amended	
152-000-506.000	150,000.00	80,000.00	230,000.00	MSDHA
221-000-401.000	4,850,000.00	250,000.00	5,100,000.00	Health Dept
263-000-543.000	3,000.00	1,600.00	4,600.00	Sheriff Trng
364-000-584.000	31,920.00	2,028.75	33,948.75	Superior
366-000-402.000	317,620.00	182,380.00	500,000.00	Jail Bond
372-000-699.101	200,170.00	350.00	200,520.00	Annex Debt
Expenditure	Original	Amendment	Amended	
101-149-704.000	29,802.00	2,198.00	32,000.00	Bailiff
101-215-727.000	5,900.00	2,960.00	8,860.00	Contingency
101-229-801.000	0	4,500.00	4,500.00	Contingency
101-245-801.000	138,000.00	26,324.00	164,324.00	Remonumentation
101-257-727.000	2422.68	634.74	3,057.42	Contingency
101-265-937.000	10,000.00	1,700.00	11,700.00	Contingency
101-265-939.000	25,000.00	1,900.00	26,900.00	Contingency
101-301-956.000	1000.00	(1,000.00)	0.00	Sheriff
101-351-813.000	125,000.00	1,000.00	126,000.00	Sheriff
101-648-701.000	25,000.00	5,000.00	30,000.00	ME
101-879-701.000	29900.00	8,856.00	38,756.00	Audit (prepay)
101-890-701.000	20,000.00	(20,000.00)	0.00	Contingency
101-995-998.225	0	403,630.00	406,630.00	Jail Bond
101-989-998.372	200,170.00	350.00	200,520.00	Annex Bond
147-000-727.000	1,100.00	445.00	1,545.00	Contingency
152-000-960.000	150,000.00	80,000.00	230,000.00	MSHDA
221-000-950.000	4,900,000.00	250,000.00	5,150,000.00	Health Dept
225-000-935.000	13,791.00	11,209.00	25,000.00	Corr. Facility
263-000-957.000	3,000.00	1,600.00	4,600.00	Sheriff Trng.
364-000-991.000	6,000.00	1,500.00	7,500.00	Superior
364-000-995.000	25,920.00	528.75	26,448.75	Superior
366-000-991.000	115,000.00	50,000.00	165,000.00	Corr. Facility
366-000-995.000	97,747.00	59,873.00	157,620.00	Corr. Facility
372-000-803.000	0	350.00	350.00	Annex Debt

*The contingency balance of \$20,000 was inadvertently over budget by \$536.04, the total amount (rounded up) was charged to the various departments as expenditures.

**The budget amendments for Fund 211 (Office of Emergency Services) will not be completed until next week and be available for approval on the 12/28/2006. Two meetings have been held and the adjustments have not been posted.

It was moved by Commissioner Timmer, supported by Commissioner Moore, to approve the budget amendments as presented with clarification on the Contingency Fund and the OES Funds. On a voice vote, the motion CARRIED.

The monthly claims and accounts reports were presented. The Committee also received both the revenue and expenditure budget summary reports.

It was moved by Commissioner Timmer, supported by Commissioner Moore, to recommend the approval of general fund claims totaling \$122,639.49, other fund claims of \$155,442.57, payroll of \$361,357.73 and health department claims of \$510,538.24, total claims of \$1,149,978.03, vouchers 42111 through 42354 and K-1 through K-81. On a voice vote, the motion carried unanimously.

The Committee was presented with Resolution 06-14 FY2007 Budget, a budget amendment for Probate Court (Dept. 148) in the amount of \$7,810.00, and copies of the suggested changes from the previous workshop for review and approval. The FY2007 Budget Resolution and the Budget Fund Analysis show a projected ending year fund balance of \$102,602.05. Discussion followed including the North Huron Pathway request of \$10,000, the County's total fund balance suggested amount of 15%.

It was moved by Commissioner Timmer, supported by Commissioner LaJoie, to approve Resolution 06-14 Fiscal Year 2007 Budget Resolution and General Appropriations Act. as follows:

**FISCAL YEAR 2007 BUDGET RESOLUTION
AND GENERAL APPROPRIATIONS ACT**

WHEREAS, the Chippewa County Board of Commissioners ("Board") has examined the fiscal requests for 2007 of the various departments, agencies, courts, offices, and activities ("Activity Centers") that is must legally finance or assist financing; and

WHEREAS, the Board has taken into consideration the fact that there are required functions of county government or operations which must be budgeted at a serviceable level in order to provide statutory and constitutionally required services and programs; and

WHEREAS, the County Controller Office, on behalf of the Board, has interviewed officials responsible for providing such mandated services to determined to determine serviceable levels and the funds to sustain such levels; and

WHEREAS, the Board has determined the amount of money to be raised by taxation necessary for expenditures and liabilities for the 2007 fiscal year and has ordered that money to be raised by taxation within statutory and constitutional limitations; and

WHEREAS, the Uniform Budgeting Accounting Act (Act 2, P.A. 1968, as amended, being MCL 141.421 through MCL 141.440a) requires that the Board enact a general appropriations act designed to meet county-funded expenditures.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the 2007 Chippewa County Budget for the General Fund which is hereby adopted on a basis consistent with the Chippewa Annual Budget Development Policy, subject to all County policies regarding the expenditure of funds as well as the conditions set forth in this resolution.
2. That the County Treasurer is hereby directed to collect millage for the County's operations as follows:

a. Allocated Operating Millage	5.9314 mills
b. Voted Operating Millage for Roads	0.9607 mills
c. Voted Operating Millage for Fire and Ambulance	0.4293 mills
d. Voted Operating Millage for Recycling	0.5000 mills
e. Voted Operating Millage for Jail Renovation and Maintenance	0.6000 mills
3. That this budget reflects a reasonable allocation of available resources to the various County department, boards, and agencies, and allows for all mandated services, programs, and activities, including the courts and the constitutional and statutory offices, to be performed at reasonable, necessary, and serviceable levels or at even more than adequate levels of performance.
4. That the amounts indicated in the following "Budgetary Detail" are hereby appropriated from the General Fund and other funds of Chippewa County according to the Activity Centers (Department) contained in that detail which is incorporated herein by reference, and that such appropriation shall be restricted to the functioning of those Activity Centers (Department) and by the provisions of this Act.

On a roll call vote, Commissioners Timmer, Postula, Moore, LaJoie, Shackleton and Kay voted yes. Commissioner Cooper voted no. The motion carried 6-1.

NEW BUSINESS:

It was moved by Commissioner Moore, supported by Commissioner Timmer to recommend adoption of Resolution number 06-13 as follows:

**RESOLUTION TO AUTHORIZE SUBMISION OF A COMMUNITY
DEVELOPMENT BLOCK GRANT COMMUNITY HOM IMPROVEMENT
PROGRAM APPICATION**

WHEREAS, Chippewa County is an eligible applicant under the State of Michigan Small Cities Program; and

WHEREAS, the Chippewa County Small Cities Committee has reviewed the State Guidelines for the Small Cities Program and has recommended that the Chippewa County Controller develop a housing rehabilitation application; and

WHEREAS, the Chippewa County, in cooperation with the Chippewa-Luce-Mackinac Community Action Human Resource Authority, Inc. has developed an application in conformance with State guidelines.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Chippewa Board of Commissioners authorize the County Controller's Office to forward said Housing Rehabilitation application requesting \$200,000 in Small Cities funds for a total project cost of \$300,000 to the Michigan State Housing Development Authority by January 1, 2007.
2. That the Chairman of the Chippewa County Board of Commissioners is hereby authorized to sign the necessary documents associated with said application.

On a roll call vote, Commissioners Cooper, Shackleton, LaJoie, Moore, Postula, Timmer and Kay voted yes. The motion carried 7-0.

Discussion was held on independent counsel re: Mileage reimbursement

It was moved by Commissioner Shackleton, supported by Commissioner Moore, to recommend that the Chippewa County Commission to retain Mr. Pat Shannon to act as an Independent Counsel to:

-acquire the facts of recent allegations of a county commissioner charging two public entities for the same miles traveled to attend meetings

-if wrong doing occurred to access the level of impropriety and potential illegality

-to report back to the Commission as soon as feasible with an assessment of the situation and to recommend appropriate actions

-if in the course of this service Mr. Shannon discovers any other irregularity, he is asked to record and report on those as well

Further, the Commission directs all county employees to cooperate fully with Mr. Shannon and requests the same of non-county employees.

Mr. Shannon will be paid the sum of \$1 for this service as well as reasonable expenses not to exceed \$500.

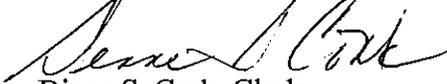
Discussion followed:

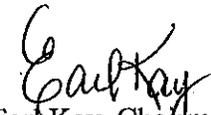
Brian Pepler, County Prosecutor, addressed the Board stating that when he received the complaint, he contacted the Attorney Generals Office and asked that a special prosecutor be assigned. This was offered as information.

On the motion, all Commissioners voted in the affirmative. The motion carried unanimously.

Having no further business, it was moved by Commissioner LaJoie, supported by Commissioner Timmer, to adjourn. On a voice vote, the motion carried and the Board did adjourn at 8:20 p.m.

Respectfully submitted,


Diane S. Cork, Clerk


Earl Kay, Chairman