

## WEXFORD COUNTY BOARD OF COMMISSIONERS

Regular Meeting \* Wednesday, April 01, 2015

Meeting called to order at 5:30 p.m. by Vice Chairman Fuscone.

Roll call: Present – Commissioner Michael MacCready, Leslie Housler, Robert Hilty, Mark Howie, Julie Theobald, Gary Taylor, John Fuscone, and Bill Goodwill; Absent: Commissioner Gideon Mitchell.

Pledge of Allegiance.

### **Additions/Deletions to the Agenda**

*Added* – 10. Increase Road Commission Members from 3 to 5; 11. Reduce Board members on the BPW members from 7 to 5;

### **Approval of the Agenda**

**MOTION by Comm Housler, seconded by Comm Howie to approve the agenda, as amended.**

**All in favor.**

### **Employee Recognition**

1. 15-year Service Award, Sandra King, Probate Court Administrator  
Ms. King was not present to receive the award, but it will be presented to her later.

### **Presentations and Reports**

1. Update of Lake Levels – Mike Solomon  
Board members were updated on the lake levels for Lake Cadillac and Lake Mitchell by Mike Solomon, Drain Commissioner. Board members received a summary sheet outlining what has been done in the drains for the past two years. He explained that no maintenance has been done on the dam since 1967 and the testing that will be done over the next year or so. He has started an inventory on the Ball drain to make certain all was up to proper standards and to identify any maintenance matters.

Mr. Solomon explained a lot has changed with the lakes since the court order setting the levels back in 1967. During his presentation to the Board he touching on water shed, lake levels, rain fall, storm water and other matters related to the Clam River. He explained the amount of rain water we have received over the past 10 to 15 years with the last four years being 38.3 inches. He touched on the new parking lots and new building that have been constructed in and around the area of the lakes and the increase water impact.

Per Court Order, the maximum level on the lakes is supposed to be 1289.7 which is a spring level and the winter level is to be 1288.9. He touched on the homes around the lakes that have been built in areas that would have tremendous impact on the lake levels.

The dam was opened on October 10, 2014 and stayed open until now. At the end of December the lakes were still at a level that exceeds the 90% of the other December 31 levels on record.

He will be working with the City to make some minor modifications this spring. He spoke on the amount of water that the lakes receive from ground water cleanup, Waste Water Treatment Plant and AAR which has made an impact on the lake levels.

His recommended action for the lake level control could be a more strident storm water ordinance for the County and the City around the lake area. He touched on other possible options that could be implemented to reduce the lake levels.

The City has received a grant for \$500,000 and MDEQ has approved the hydraulic study of the Clam River with the grant.

Mr. Solomon did not believe the Haring Township emptying their system into the Clam River would have much effect. It was also mentioned again that people have caused their own problems when they have built homes and filled in drains.

**Public Comments**- None

**Consent Agenda**

1. Approval of the March 18, 2015, Regular Meeting Minutes  
**MOTION by Comm Taylor, seconded by Comm Howie to approve the Consent Agenda, as presented.**

**All in favor.**

**Agenda Items**

1. Resolution 15-09 Michigan Severe Weather Awareness Week  
**MOTION by Comm Taylor, seconded by Comm Theobald to approve Resolution 15-09 Proclaiming April 12-18, 2015 as “Michigan Severe Weather Awareness Week”, as presented.**

**All in favor.**

2. Hazardous Materials Emergency Preparedness Grant  
**MOTION by Comm Taylor, seconded by Comm Theobald to approve the Hazardous Material Emergency Preparedness Grant for FY 2015, as presented.**

**All in favor.**

3. Cooperative Law Enforcement Agreement between the Wexford County sheriff, USDA, Forest Service Huron-Manistee National Forest  
**MOTION by Comm Taylor, seconded by Comm Howie to approve the Cooperative Law Enforcement Agreement between the Wexford County Sheriff's Department and USDA Forest Service Huron-Manistee National Forests for the period May 1, 2015 to May 1, 2016, as presented.**

**All in favor.**

4. Prosecutor Request to Opt out of DHS  
**MOTION by Comm Theobald, seconded by Comm Howie to authorize the Prosecuting Attorney's office to opt out of the DHS contract, as presented.**

Prosecutor Badovinac appeared before the board to explain the reasons behind his request to opt out. Several years ago the County agreed to handle DHS cases for a fee of \$38,000. Mr. Badovinac explained the immense amount of work that goes into each case and how they can go on for years through several generations. The main cases it will effect are abuse and neglect. He wanted to be perfectly clear that they will not be saying NO to all abuse and neglect cases, but just the ones they deem unfavorable to pursue. They will still do most of those that come before them through DHS which will be about 96% in the year. Last year, out of the agreed dollar amount of \$38,000, the County received \$2,000. Mr. Badovinac also touched on the amount of record keeping these cases demand by DHS.

**Roll call: Motion approved unanimously.**

5. Consideration of Administrator Contract  
**MOTION by Comm Housler, seconded by Comm Taylor to approve the Administrator contract for the period May 3, 2015 to May 2, 2018 and authorize the Chairman of the Board to sign on behalf of the County, as presented.**

A question came up with a typo on page two. Also, a Board member questioned Sick Pay and Personal Leave being part of the salaried contract.

**Roll call: Motion passed seven to one with Comm Howie voting against the motion.**

6. Request to Waive Privilege on Legal Opinion  
**MOTION by Comm Housler, seconded by Comm Goodwill to waive Attorney/Client privilege on Legal opinion dated 3/26/2015 regarding**

**jail siting for purposes of sharing with lead official from USDA Rural Development and bond counsel, as presented.**

**Roll call: Motion approved unanimously.**

7. Housing Council Appointments

**MOTION by Comm Taylor, seconded by Comm Howie to reappoint Corey Christenson, Alan Devereaux, Rosanne Denny, Mike Green, John Saari, Eleanor Sosenko, Jayne Stanton, and Sharon Zakrajsek to the Wexford County Housing Council with a term ending April 30, 2019, as presented.**

**Roll call: Motion approved seven to one with Comm MacCready voting against the motion.**

8. Discussion on Annual Board Goals

Board members were requested to provide Chair Mitchell with a list of what each of them felt were important goals for 2015. Some of the goals included: work towards completion of the new jail; address County Zoning; DPW/BPW transition; MSUE if the millage does not pass; update webpage; look into consolidation of dispatch with Mescola; reduce retirement deficit; update policy manual; look into a change in security; long term solution of the Wex; and eliminate the District Health building loan. A consolidated list shall be put together to show overlaps.

9. Budget Amendments

3/25/2015

**Wexford County Board of Commissioners  
 Amendments to the 2015 Budget**

Adj #	Acct	Acct Description	Revenue	Expense
20150304	101-172-702.03	Salaries		\$(3,000)
	101-172-800.00	Contracted Services	\$3000.00	
	To reallocate wages for temporary help in Administrator's Office			

**MOTION by Comm Taylor, seconded by Comm Theobald to approve the budget amendment dated 03/25/2015, as presented.**

**Roll call: Motion approved unanimously.**

10. Discussion of Changing Road Commission Members from Three to Five – *Added*  
Board members discussed the necessity of going to a five member board at the Road Commission. A commissioner felt a three member board allows two members to control the board. Other commissioners questioned why fix a problem that the Road Commission doesn't have. Also, with additional Board members it may cost the Road Commission more money. Alan Cooper, Director of the Road Commission, came forward and questioned what problems have Board members heard due to a three member board. He explained that they have great Board members that have great background and represent the county well. He expressed that they have no favoritism or priority with pavement repairs.

11. Board of Public Works Elimination – *Added*

**MOTION by Comm Fuscone, seconded by Comm Taylor to reduce BPW Board from seven to five members, comprised of two Board of Commissioner liaison members, the Drain Commissioner, and two Board of Commissioner appointed members. Also, to instruct the County Administrator to proceed with legal counsel to incorporate these changes in the BPW by-laws.**

There was a question between Board members as to how they would reduce the members of the BPW and one way was through attrition. Some Board members would like some clarity on this through a legal opinion. Commissioners also discussed the elimination of the Department of Public Works. It was pointed out that the DPW could be put under the Road Commission or the Drain Commissioner. Some commissioners were not comfortable acting on the motion at tonight's meeting. The process should be used by sending the matter to a committee and send it back to the Board with their recommendation. A commissioner discussed what things needed to be done to get the DPW going in the right direction. There is a need to finalize what is going to be done with the three systems: Cherry Grove, Selma, and Clam Lake. There is also a need to take care of the Cedar Creek water system. After further discussion, it was decided to withdraw the motion.

Comm Fuscone withdraw his motion with a unanimous consent of the full board.

**Administrator's Report** – None/on vacation

**Correspondence** - None

**Public Comments** - None

**Liaison Reports**

Comm Fuscone explained that the District Health Department was looking at a change in their By-Laws, but are not sure it is necessary.

Comm MacCready attended a Road Commission meeting and learned that several culverts in the County are in need of some attention. He attended a MDOT meeting and they will be working on M-55 in 2015 and an overpass on US 131 in 2017.

Comm Housler attended a North Flight meeting in Traverse City. They feel that over the past seven years, last year was their best year. Munson only had to give North Flight about \$600,000.

Comm Theobald learned that the Airport Authority approved a \$5,000 salary increase for the manager.

Comm Howie attended a CWTA meeting and Carrie Thompson has been appointed Director. They are working on trying to get evening transportation in place.

**Board Comment**

Comm MacCready thanked the Board for their consideration on the Road Commission discussed tonight.

Comm Howie would like to see this Board accomplish some goals, including the jail.

**Chairman's Comments**

Comm Fuscone will be working with Comm Mitchell to formulate a goal list for 2015.

**Adjourn**

**MOTION by Comm Taylor, seconded by Comm Howie to adjourn at  
p.m.  
All in favor.**

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John Fuscone, Vice Chairperson

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Elaine L. Richardson, County Clerk