

WEXFORD COUNTY BOARD OF COMMISSIONERS

Regular Meeting * Wednesday, February 21, 2018

Meeting called to order at 5:30 p.m. by Chairman Leslie Housler.

Roll call: Present – Commissioners Michael MacCready, Leslie Housler, Michael Bengelink, Julie Theobald, Gary Taylor, and Judy Nichols; Absent – Michael Bush, Robert Hilty, and Bill Goodwill;

Pledge of Allegiance.

Additions/Deletions to the Agenda

MOTION by Comm Nichols, seconded by Comm MacCready to discuss a change in the meeting time for March 21.

All in favor.

Approval of the Agenda

MOTION by Comm Taylor, seconded by Comm Theobald to approve the agenda, as amended.

All in favor.

Employee Recognition - None

Presentations and Reports - None

Public Comments

Jason Elmore, Wexford County Prosecutor, addressed the Board regarding the opioid litigation.

Consent Agenda

1. Approval of the February 7, 2018, Regular Meeting Minutes
MOTION by Comm Theobald, seconded by Comm Bengelink to approve the Consent Agenda, as presented.

All in favor.

Agenda Items

1. Applied Imaging – Purchase Agreement and Maintenance Plan
MOTION by Comm Nichols, seconded by Comm Theobald to approve the Purchase Agreement from Applied Imaging in the amount of \$49,586 for new county copiers utilizing PIC funding, the Maintenance Plan at a cost of .00550 per sheet and authorize the Board Chairman to sign the purchase agreement and maintenance plan, as presented.

Roll call: Motion approved unanimously.

2. Resolution 18-05 Law Enforcement Services

MOTION by Comm Taylor, seconded by Comm Theobald to approve Resolution 18-05 Authorizing the County of Wexford to Approve the Use of a Standard Agreement for Law Enforcement Services by the County of Wexford and the Wexford County Sheriff with those Entities Requesting Law Enforcement Services, as presented.

It was confirmed that County Counsel had drafted all the documents.

Roll call: Motion approved unanimously.

3. Agreement for Law Enforcement Services

MOTION by Comm Theobald, seconded by Comm Taylor to approve the Agreement for Law Enforcement Services, a Standard Agreement and authorize the Board Chairman and Sheriff to sign the agreement, as presented.

All in favor.

4. Resolution 18-06 To Approve Outside Counsel for Opioid Litigation

MOTION by Comm Theobald, seconded by Comm Taylor to approve Resolution 18-06 a Resolution To Approve Outside Counsel for Opioid Litigation, as presented.

Tim Smith appeared before the Board representing Weitz & Luxenburg to discuss representing Wexford County in an opioid litigation matter.

Roll call: Motion approved unanimously.

5. Retainer Agreement for Outside Counsel

MOTION by Comm Taylor, seconded by Comm Theobald to approve a Retainer Agreement with Weitz & Luxenbert, as lead counsel, for damages caused by the culpable conduct of any and all pharmaceutical manufacturers and distributions of opioid medications, and authorize the Board chairman to sign the retainer agreement, as presented.

Attorney Tim Smith, Johnson and Smith Law firm, appeared before the Board to explain the damages caused from opioid use over the past several years. He would like to represent the County in a law suit against the manufacturers and distributors of opioid. Mr. Smith would not be filing a class action suit, but a lawsuit as Wexford County as the plaintiff. This would allow Wexford County to have control of their case. Currently, this firm is representing 34 Counties.

The County will be asked to invest between 25 and 40 man hours during the months of July and August. Mr. Smith will be present during the research time.

Mr. Smith explained that if the lawsuit was not settled, the matter would go to trial in the county of origin. If there is a cash settlement it would be disbursed as followed: \$.10 of every dollars would go towards the cost relating to the suit, but not including attorney fees. The County would receive 70% of the remaining balance and the law firm would receive 30%.

Prosecutor Elmore felt doctor's need to provide care to their patients which may have many facets. Many are to blame for the opioid epidemic. This lawsuit will make us a better community if the opioids get under control. That is upon us.

Roll call: Motion approved unanimously.

Attorney Smith commended the Board for taking their time in making the decision for the best interest of the community.

6. Budget Amendment(s)

MOTION by Comm Theobald, seconded by Comm Taylor to approve the budget amendment dated 2/21/2018, as presented.

Wexford County Board of Commissioners				
Amendments to the 2018 Budget				
Adj #	Acct	Acct Description	Revenue	Expense
20180201	101.351.677.08	Prisoner Reimbursement	\$ 2,500	
	101.351.825.00	Inmate Housing		\$ 2,500
	The line item was excluded in the 2018 budget.			
20180202	463.000.698.00	Bond Proceeds	\$ 370,200	
	463.000.982.00	Capital Buildings		\$ 370,200
	Jail Project continues to incur expenses in 2018 and the balance from 2017 is being utilized.			

Roll call: Motion approved unanimously.

7. Committee of the Whole – Jail Project

MOTION by Comm Taylor, seconded by Comm Theobald to resolve into a committee of the whole for the purposes of discussing the jail project.

All in favor.

County Treasurer / Interim Administrator Stanton appeared before the Board to update them on the outstanding invoices for Hooker DeJong. When closing out the financials of the Jail Building project it was discovered that there were three changes orders, one in 2014 and another two in 2015. None of the change orders were included in the budget for the jail project. Wexford County has an outstanding balance due to Hooker DeJong in the amount of \$21,997 which includes a credit due the county from Hooker DeJong in the amount of \$2,938. If the Board approves this payment to Hooker DeJong we will have approximately \$50,000 remaining in the Jail budget in contingencies.

MOTION by Comm Taylor, seconded by Comm Taylor to rise and report the findings for the Committee of the Whole.

All in favor.

MOTION by Comm Taylor, seconded by Comm Bengelink to approve the payment to Hooker DeJong in the amount of \$21,997, as presented.

Roll call: Motion approved unanimously.

8. Discussion on Time Change for March 21st Meeting – *Added*
Commissioners learned that there will be a hearing on the possibility of injection wells being placed at the landfill by American Waste. The meeting is scheduled for March 21, 2018, 6:00 p.m., the same day as the Commissioners' Board meeting. Board members all agreed to change the time of the March 21st meeting from 5:30 p.m. to 4:00 p.m.

Administrator's Report

Board members were advised that the light needs to be replaced on the dispatch tower. Clerk / Interim Administrator Richardson has been in contact with the group that will soon be purchasing the tower and they have agreed to pay for the light replacement. Also, there will be a meeting at the Road Commission Office on 2/26 put on by the Wexford Joint Planning Commission. Many municipalities in Wexford County have been invited to attend.

Correspondence - None

Public Comments - None

Liaison Reports

Comm Nichols attend a Northwest Community Action Agency meeting..

Comm MacCready attended a Northern lakes Community Mental Health meeting and brought back a copy of their organizational book. He is going to an airport meeting. Networks Northwest is having a 3-D printer car competition.

Comm Taylor announced the Conservation District will be starting their tree sale soon. Also, Theresa Williams from the Conservation District will be stepping down after the tree sale is complete.

Board Comment

Comm Nichols recently learned that the Animal Shelter received two generous donations.

Comm MacCready touched on extreme violence and gun protection. He believes the opioid litigation is important. He would also like to see the recent gift given to the Animal Shelter be used to enlarge the building.

Comm Theobald thanked CWTA for working with their Neighborhood Watch program. CWTA provided transportation through her neighborhood looking at lighting problems. It was a huge success. Salvation Army would like a Commissioner to attend their meetings.


Chairman's Comments

Comm Housler thanked all for attending tonight's meeting.

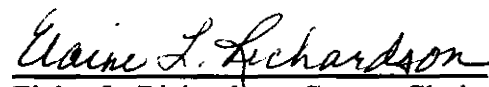
Adjourn

**MOTION by Comm Taylor, seconded by Comm Bengelink to
adjourn at 6:30 p.m.**

All in favor.



Leslie D. Housler, Chairperson



Elaine L. Richardson, County Clerk