



Wexford County

BOARD OF COMMISSIONERS

Gary Taylor, Chair

NOTICE OF MEETING

The Wexford County Board of Commissioners will hold a regular meeting on Wednesday, August 17, 2022, beginning at 4:00 p.m. in the Commissioners Room, third floor of the Historic Courthouse, located at 437 E. Division St., Cadillac, Michigan.

PUBLIC PARTICIPATION

The meeting can be attended in person or by any one of the following three ways:

- **By Telephone:** Dial toll free 1-646-876-9923, enter Webinar ID 749 610 4141#
- **By Computer:** At the Zoom website (zoom.us) click on "Join a Meeting" using ID 749 610 4141
- **By Smartphone:** Install the Zoom application prior to the call. Launch the Zoom app at the time of the call and join using Meeting ID 749 610 4141

TENTATIVE AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLIEGIANCE
- D. ADDITIONS/DELETIONS TO THE AGENDA
- E. APPROVAL OF THE AGENDA
- F. EMPLOYEE RECOGNITION
- G. PRESENTATION AND REPORTS
 - 1. Area Agency on Aging of Northwest Michigan Fiscal Year 2021 Report – Heidi Gustine1
- H. PUBLIC COMMENTS
 - The Board welcomes all public input.*
- I. CONSENT AGENDA
 - The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission may ask that any item on the consent agenda be removed therefrom and placed elsewhere for full discussion. Such requests will be automatically respected. If any item is not removed from the consent agenda, the action noted on the agenda is approved by motion of the Commission to adopt the consent agenda.*
 - 1. Approval of the August 3, 2022 Regular Meeting Minutes.....25
- J. AGENDA ITEMS
 - 1. Sale of Transition Houses (Executive 08/09/2022)28
 - 2. Figura Law Agreement (Executive 08/09/2022)29
 - 3. Board of Commissioners Meetings Attendance via Zoom (Executive 08/09/2022)38
 - 4. Sheriff's Secondary Road Patrol Application (Finance 08/11/2022)39
 - 5. Budget Amendment(s) (Finance 08/11/2022).....50
- K. ADMINISTRATOR'S REPORT
- L. CORRESPONDENCE
- M. PUBLIC COMMENT
- N. LIAISON REPORT
- O. BOARD COMMENTS
- P. CHAIR COMMENTS
- Q. ADJOURN



Area Agency on Aging
of Northwest Michigan

Dignity. Independence. Choice.

G.1.

Wexford County Board of Commissioners

August 2022

Objectives

1

Provide an overview
of aging population
in Wexford County

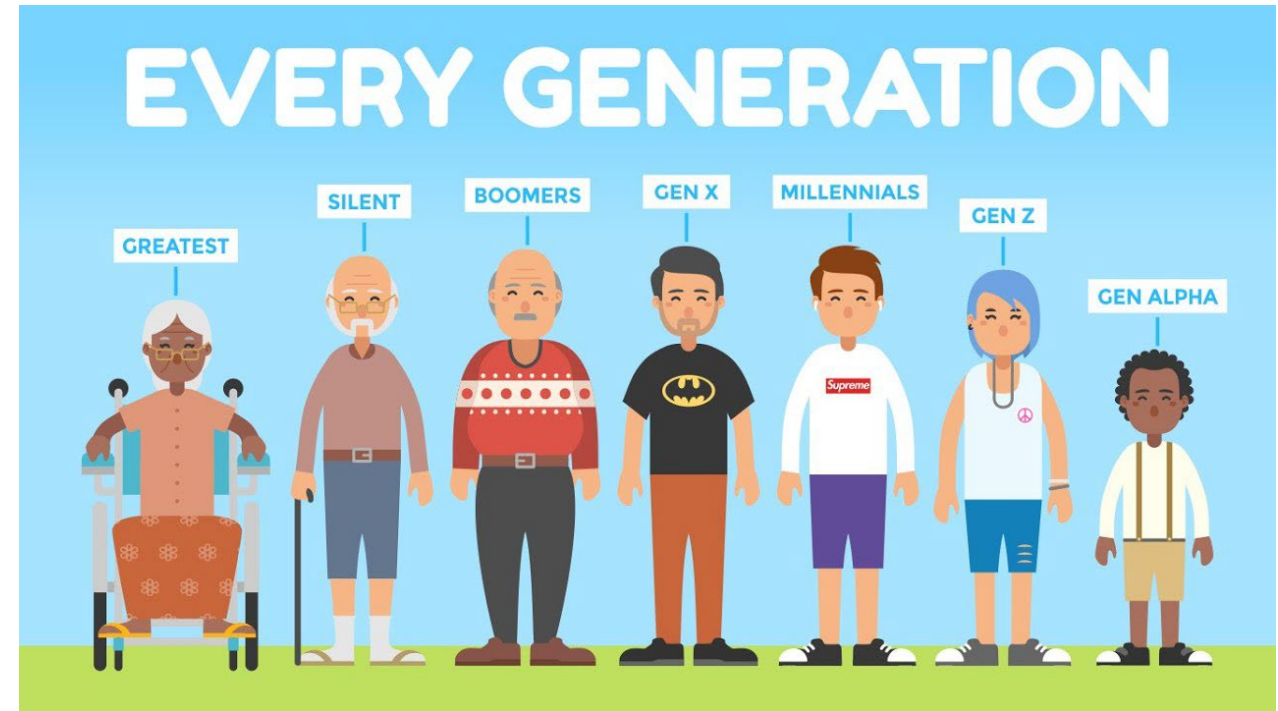
2

Provide an overview
of the Area Agency
on Aging of
Northwest Michigan

3

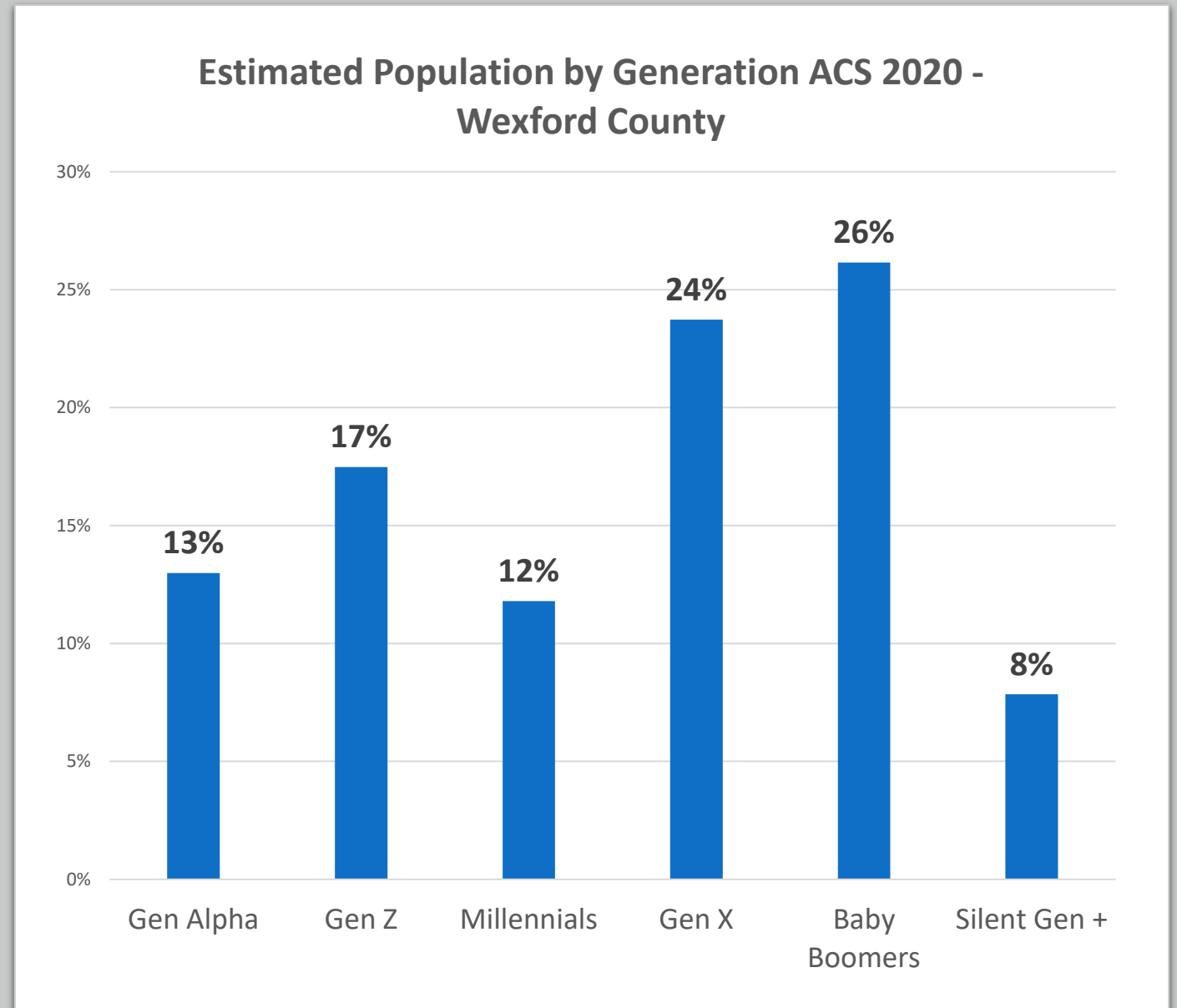
Review 2021
performance
regionally and in
Wexford County

Thinking About Generations



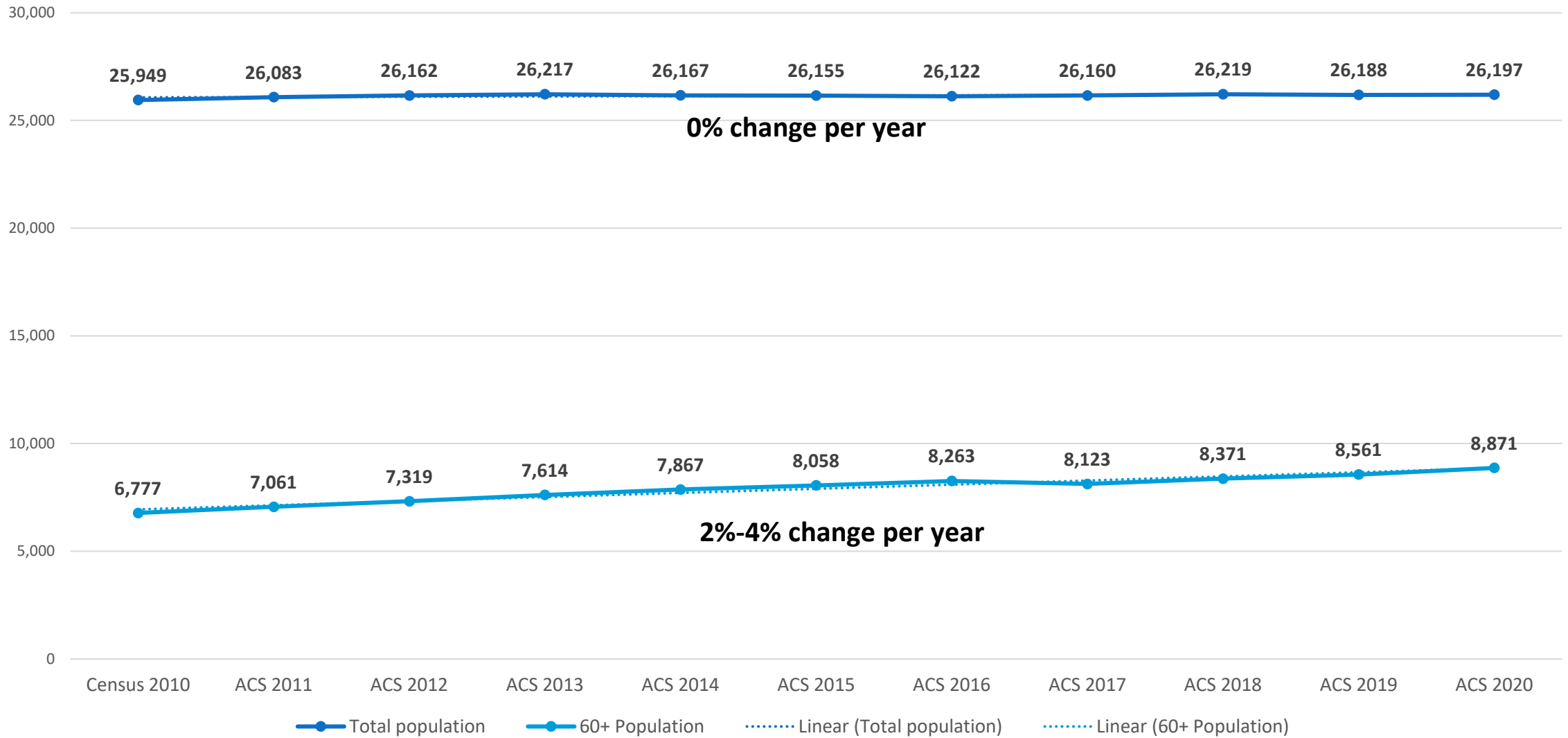
In 2024 – All Baby Boomers will be at least 60 years of age;
All Baby Boomers will be 65 by end of the decade.
The oldest Baby Boomers will be 80 by 2025.

Wexford County by Generation (estimates)



Population Trended - Overall and 60+ Wexford County

Data sources:
2010 Census
American Community Survey

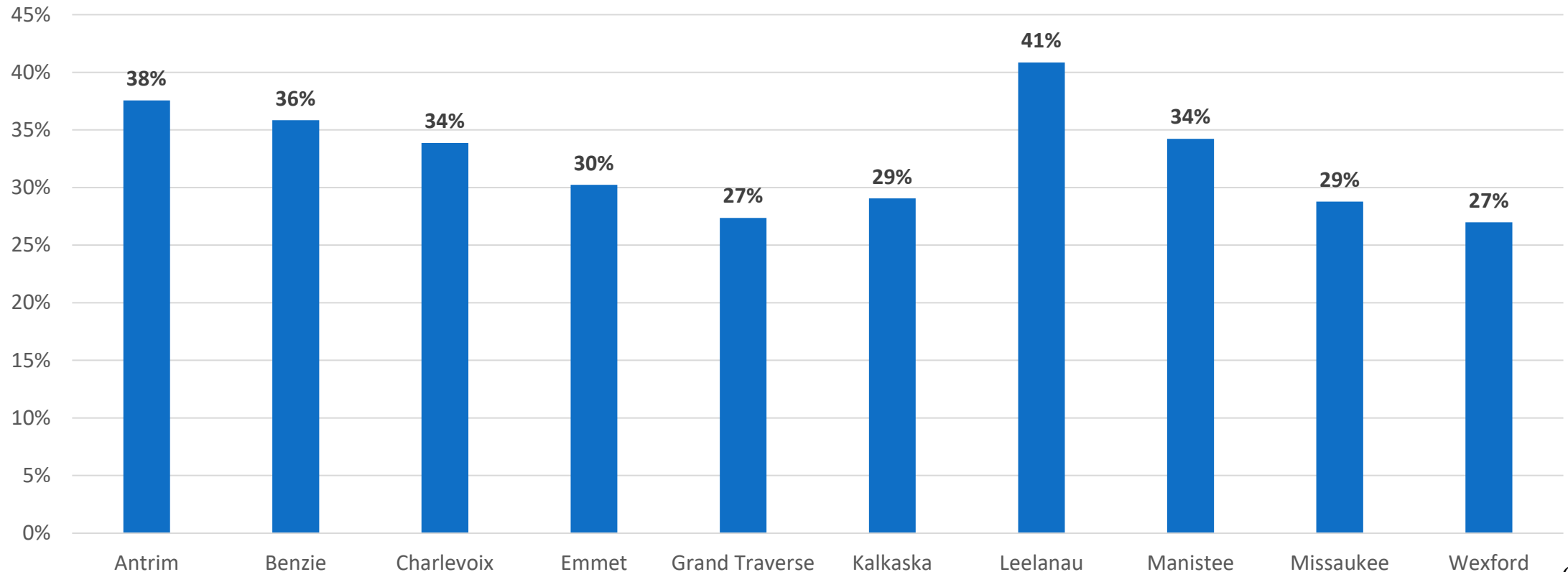


60+ Population Comparison

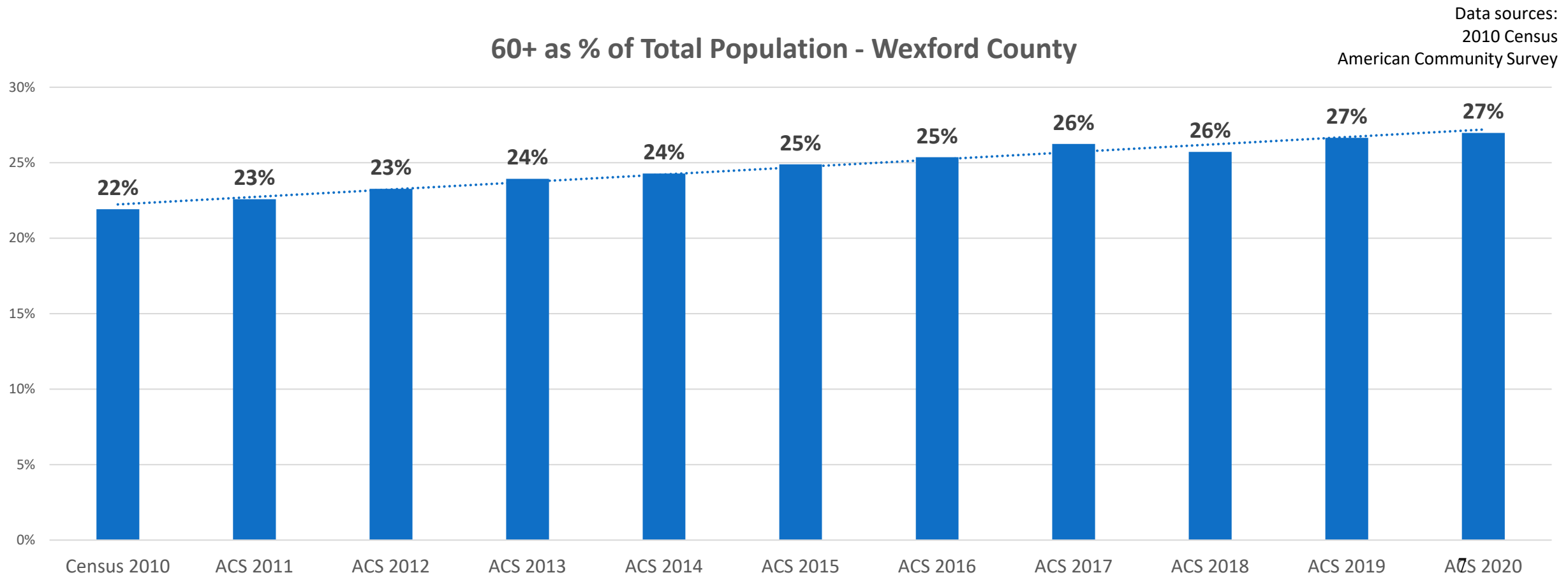
1 in 3 people in the region are 60+.

60+ Population as % of Total by County (ACS 2020)

Data sources:
American Community Survey

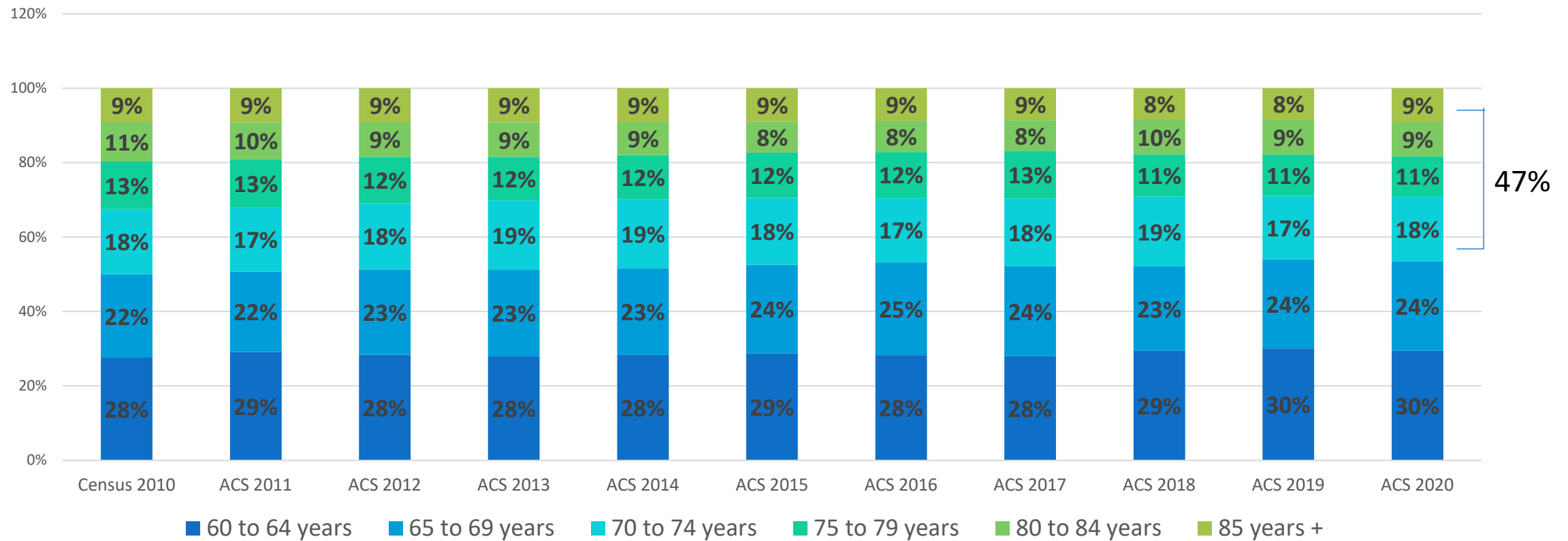


Wexford County Trended 60+ Population



Breaking it down

Distribution of 60+ Age Cohort Wexford County



Different needs at different ages

77% of older adults want to age
at home (AARP)

In generalities:

60+ needs: Information, prevention, education,
future planning options

70+ needs: Information, care management, in-
home services, socialization

80+ needs: Intensive care management, end of
life planning, long term care
placement planning

The 2020 decade is seeing and will continue to see increased demand for care and services from agencies like the Wexford COA and AAANM.

About AAANM

- Private, nonprofit 501c3
- Serving 10 counties in northwest Michigan
- Governed by a Board of Directors
- Approximately 45 FTEs

Mission is to serve and advocate for older adults, adults with disabilities and caregivers by supporting their independence, dignity, and quality of life.

What we
do...





Area Agency on Aging of Northwest Michigan

Dignity. Independence. Choice.

Example of calls





Area Agency on Aging of Northwest Michigan

Dignity. Independence. Choice.

Example of program participants



Regionally – 2021 by the Numbers

\$1.950M	Dollars granted to senior meal programs across the region
4,576	Contacts to assist individuals with Medicare/Medicaid questions
3,305	Complex calls requesting information and options
757	Individuals care managed, preventing or delaying nursing home placement
38	Individuals transitioned from nursing home to community

Wexford County – 2021 by the Numbers

\$185,801	Dollars granted to NMCAA for senior meals
\$2.3M	Dollars spent on care and services for seniors in Wexford County
119	Individuals care managed, preventing or delaying nursing home placement
4	Individuals transitioned from nursing home to community



Area Agency on Aging of Northwest Michigan

Dignity. Independence. Choice.

Thank you



Area Agency on Aging
of Northwest Michigan

Dignity. Independence. Choice.

Annual Report

Fiscal Year 2021

October 1, 2020 - September 30, 2021



Prepared By:
Heidi Gustine
Executive Director

Mission is to serve and advocate for older adults, adults with disabilities and caregivers by supporting their independence, dignity, and quality of life.

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Dignity. Independence. Choice.



Executive Director Message

“Challenges are what makes life interesting; overcoming them is what makes life meaningful.” As I reflect on 2021 and this quote from Joshua J. Marine, I cannot help but feel this was a year full of meaning. We all desperately hoped that 2021 would be better than 2020, bringing a sense of normalcy after the upheaval of pandemic. And while we still find ourselves in the midst of the pandemic, and still facing numerous challenges, 2021 was definitely a better year!



Heidi
Gustine, MPA

As the pandemic raged on in 2021, AAANM supported pandemic relief efforts. With the partnership of United Way of Northwest Michigan (UWNWMI) and local health departments, AAANM established a centralized phone number for older adults to reserve appointments for vaccinations, including assisting with transportation resources when needed. Our staff of nurses and social workers worked lists of individuals wanting to be vaccinated. Partnered with UWNWMI, AAANM held mask drives to distribute thousands of KN95 masks to older adults across the region seeking to protect themselves from Covid-19. And for a second year in a row, partnered closely with Food Rescue of Goodwill Northern Michigan and local county aging units, thousands of pounds of fresh produce were distributed to older adults sheltering in place or experiencing food insecurity.

But 2021 was also a year of significant internal organizational change and accomplishment. In May 2021, AAANM received three-year accreditation for Case Management of Long Term Supports and Services from the National Committee for Quality Assurance (NCQA). This was a tremendous undertaking by leadership and staff to ensure that AAANM’s policies and procedures meet national best practice standards for case management. And this was achieved in a completely remote environment! Additionally, AAANM embarked on a journey to modernize the organization, looking at policies, procedures and practices related to efficiency and effectiveness from the time someone calls the Agency until a participant is discharged from care. Also, back-office functions were upgraded with new systems for accounting and payroll.

The year 2021 was definitely a year of making meaning. I want to extend my sincere gratitude to AAANM’s staff, partners, and community for walking this journey of historical proportions together. Together we can overcome challenges and do great things.

About Area Agency on Aging of Northwest Michigan

AAANM is a private, nonprofit agency designated as an Area Agency on Aging in 1974 by the Bureau on Aging, Community Living and Supports (ACLS). Operating under the framework of the Federal Older Americans Act and the State Older Michiganians Act, AAANM is responsible for developing, managing and funding a comprehensive system of services for older adults.

As one of more than 670 Area Agencies on Aging nationwide, and one of 16 AAAs in Michigan, AAANM serves ten counties located in northwest lower Michigan including: Antrim, Benzie, Charlevoix, Emmet, Grand Traverse, Kalkaska, Leelanau, Manistee, Missaukee, and Wexford.

FY 2021 Audited Financial Summary

Revenues	Dollars	Expenses	Dollars
MI Choice Medicaid Waiver	\$13,149,631.00	MI Choice Medicaid Waiver	\$12,200,269.00
Federal Support	\$3,099,759.00	Community Services	\$718,318.86
State Support	\$1,860,395.00	Home Delivered Meals	\$1,589,193.44
Local Cash	\$43,000.00	Congregate Meals	\$362,636.00
Program Income	\$226,573.00	Care Management	\$1,724,244.09
Interest Income	\$39,068.00	Admin/Support/Planning	\$557,752.30
Other	\$10,931.00	Other (In-House Programs)	\$474,816.65
TOTAL	\$18,429,357.00	Program Development	\$61,288.66
		TOTAL	\$17,688,519.00

Services and Support Summary

Direct Services

	Units	Participants
• Elder Abuse Prevention (hours)	30	n/a
• Friendly Reassurance (contacts)	334	9
• Information and Assistance (contacts)	3,305	n/a
• Long Term Care Ombudsman (*activities)	111	n/a
→ 26 cases / 39 complaints		
• Medicare/Medicaid Assistance Program (contacts)	4,576	n/a

*Activities include COVID 19 virtual visits, routine facility visits, information and assistance to facility staff/individuals, participation in facility surveys, resident council participation, trainings attended and trainings provided to facility staff.

Contracted Services

	Units	Participants
• Adult Day Health (hours)	1,532	5
• Adult Day Transportation (trips)	2,038	64
• Kinship Caregiver Supplemental Services	n/a	21
• Congregate Meals (meals)	108,483	4,307
• Home Delivered Meals (meals)	399,076	2,685
• Legal Assistance (hours)	630	182

AAANM contracts Federal Older Americans Act and State Older Michiganians Act funding to organizations serving Region 10. The following organizations received contracted funding in FY 2021.

Antrim County Commission on Aging
 Benzie Senior Resources
 Charlevoix County Commission on Aging
 Child & Family Services of Northwestern Michigan
 Friendship Centers of Emmet County
 Grand Traverse Pavilions
 Kalkaska County Commission on Aging
 Legal Services of Northern Michigan
 Manistee County Council on Aging
 Northwest Michigan Community Action Agency
 Wexford County Council on Aging



Care Connections Summary

Care Connections refers to a group of programs that offers individuals the support they need to remain living in the community.

Supports Coordinators (nurses and social workers) help individuals understand and access the care options available.

Care Management Program

Empowers individuals to live at home rather than a nursing facility. Must be 60 years of age or older, have difficulties performing Activities of Daily Living (ADLs), and need assistance coordinating community resources. Experienced nurses and social workers help individuals identify personal needs and develop a plan of care.

Community Transition Services

Assists individuals 18 or older with moving from a nursing facility back into a home setting. Must be eligible to have Medicaid pay for long term care services.

Program

- Care Management 253
- Caregiver Respite 4
- MI Choice Medicaid Waiver (179 using Self-Determination) 504
- Community Transition Services 38
- Veterans Services 1

Participants

MI Choice Medicaid Waiver Program

Provides individuals with care and services to live in the community rather than a nursing facility. Must be 18 years or older, eligible for nursing home admission and qualify for Medicaid to pay for long term care.

Caregiver Respite

Provides relief for primary caregiver/s by caring for and supporting eligible participants with companionship and assistance with ADLs.

Purchased Services

	Care Management	MI Choice Medicaid Waiver
Adult Day Health (hours/participants)	1,572	218 / 2
Chore (participants)	2	46
Community Living Supports (hours/participants)	n/a	470,312 / 470
Enviro. Accessibility Adaptions (participants)	n/a	12
Friendly Reassurance (hours)	737	n/a
Home Delivered Meals (meals/participants)	n/a	18,686 / 92
Homemaking (hours/participants)	10,294 / 99	n/a
Nutrition Supplements (participants)	17	85
Personal Care (hours/participants)	15,180 / 94	n/a
Personal Emergency Response Sys. (participants)	126	146
Private Duty Nursing/Med Mgnt (hours/participants)	1,504 / 75	18,570
Respite Care (hours/participants)	4,382 / 34	2,913
Spec. Med. Equipment and Supplies (participants)	36	104
Transportation (participants)	62	162

"Alone we can do so little; together we can do so much." – Helen Keller



Thank you to our community partners for helping our team serve Northwest Michigan.

Area Agency on Aging of Northwest Michigan



1-800-442-1713 or 1-231-947-8920



1609 Park Drive
Traverse City, Michigan 49686



info@aaanm.org



aaanm.org



facebook.com/AAANMregion10

The Area Agency on Aging of Northwest Michigan receives funding through the Bureau of Aging, Community Living, and Supports, county units of government and donations from participants, caregivers and the general public. Services through the MI Choice Medicaid Waiver and Community Transitions Programs are paid for by the Michigan Department of Health and Human Services and the Centers for Medicare and Medicaid Services.

WEXFORD COUNTY BOARD OF COMMISSIONERS

Regular Meeting * Wednesday, August 3, 2022

Meeting called to order at 4:00 p.m by Chairman Taylor.

Roll Call: Present- Commissioners Mike Musta, Ben Townsend, Kathy Adams, Michael Bush, Julie Theobald, Jason Baughan, Brian Potter and Gary Taylor.

Absent- Joe Hurlburt.

Pledge of Allegiance.

Additions/Deletions to the Agenda- *None*

Approval of the Agenda

MOTION by Comm Musta, seconded by Comm Theoabld to approve the agenda.

All in Favor.

Employee Recognition- *None.*

Presentation and Reports-*None.*

Public Comment- *None.*

Consent Agenda

1. Approval of the July 20, 2022 Regular Meeting Minutes
2. Approval of WMCCCAB Resignation and Appointment
3. Approval of Road Commission Committee Appointment

MOTION by Comm Musta, seconded by Comm Adams to approve the Consent Agenda.

All in favor.

Agenda Items

1. Networks Northwest 2023 Budget Request

MOTION by Comm Musta, seconded by Comm Potter to approve a 2023 appropriation to Networks Northwest in the amount of \$4,695.00.

Roll Call: Motion approved 8-0.

2. Website Domain Transfer

MOTION by Comm Potter, seconded by Comm Theobald to approve the website domain transfer to Shumaker Technology Group in the amount of a one-time \$50.00 fee and \$25.00 annually.

Roll Call: Motion passed 9-0.

Administrator's Report-

Joe Porterfield informed the Board that the budget proofs have been opened up to all Department Heads. He explained that he is currently working on a Memorandum of Understanding for CMH. He is awaiting attorney approval, but we cannot use our attorney that normally handles these because of a conflict.

Correspondence- *None.*

Public Comments- *None.*

Liaison Reports-

Comm Theobald attended a Community Corrections meeting. They are working on the grant process, budget, and selling the transition houses. She also provided information from a DHHS meeting she attended. She also attended the MAC summit in Lansing.

Comm Potter attended the MAC summit in Lansing. He had previously explained that the Governor had included money in the budget to help with some retirement forgiveness. It has now been removed to help those that are funded above 60%, so we are no longer eligible.

Comm Musta attended an AAS meeting. He sent out the summer newsletter.

Comm Townsend attended a Networks Northwest meeting. The current CEO is moving on, so they are looking for a replacement. He also reminded everyone of the Wings & Wheels 2nd Annual event at the airport on August 27th.

Comm Taylor attended the fair board meeting where they are getting ready for the fair on August 15th.

Board Comments-

Comm Potter commented that he thinks Comm Townsend is a perfect fit for the Airport Board. He also reminded everyone that there will be a Celebration of Life Ceremony for Commissioner Bengelink on August 18th. Meeting with the family will be from 11am to 1:30 pm and then a service following. In lieu of flowers, the family has asked for donations to the Veteran's Memorial Wall.

Comm Musta thanked the Clerk's office for their work on the election.

Comm Townsend congratulated those that had to go through the election. He also joked that he would like to flip the chairs.

Comm Theobald congratulated those involved with the election.

Chairman's Comments-

Comm Taylor thanked everyone for attending.

Adjourn

MOTION by Comm Potter, seconded by Comm Musta to adjourn at 4:11 p.m.

All in favor.

Gary Taylor, Chairperson

Alaina Nyman, County Clerk

DRAFT

STATE OF MICHIGAN

84TH DISTRICT COURT

AUDREY D. VAN ALST
DISTRICT COURT JUDGE
CHIEF JUDGE

DANIELLE DECATOR
COURT ADMINISTRATOR
MAGISTRATE

COUNTIES OF WEXFORD AND MISSAUKEE

HEATHER M. HELSEL
ATTORNEY MAGISTRATE

437 EAST DIVISION ST.
CADILLAC, MICHIGAN 49601
231-779-9515
FAX 231-779-5396

SELENA GOLNICK
CHIEF DEPUTY CLERK
MAGISTRATE

August 5, 2022

To: Wexford County Board of Commissioners:

Re: Community Corrections Transition Houses

On July 28, 2022, the Wexford-Missaukee Community Corrections Advisory Board voted to recommend to the Wexford County Board of Commissioners that, without further delay, the county sell both Community Corrections Transition Houses and place the sale proceeds in a fund reserved for Community Corrections to assist in continuation of valuable services provided.

I believe that reserving the sale proceeds for Community Corrections was previously agreed to by the Board of Commissioners as the homes were originally purchased with Community Corrections funds, with no funding coming from the County.

Thank you for your attention to this matter.

Respectfully,

Audrey D. Van Alst

Audrey D. Van Alst
Community Corrections Advisory Board Chairperson

cc: Mistine Stark, Wexford-Missaukee Community Corrections Director
Joe Porterfield, Wexford County Administrator

FIGURA LAW

EMPIRE COMMERCE CENTER
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PO BOX 447
EMPIRE, MICHIGAN 49630

TELEPHONE: (231) 326-2072

Of Counsel to Simen, Figura & Parker, PLC
Flint, Michigan

RICHARD J. FIGURA, PC*
rfigura@figuralaw.com

* Outstanding Municipal Attorney Award
Michigan Association of Municipal Attorneys

TIMOTHY J. FIGURA**
tfigura@figuralaw.com

** Also admitted in Pennsylvania

August 8, 2022

Joe Porterfield
Wexford County Administrator
Wexford County
437 E. Division St.
Cadillac, MI 49601

RE: Legal Services

Dear Mr. Porterfield,

The purpose of this letter is to confirm the conditions under which our firm ("Firm") will represent Wexford County ("County") on any matter referred to us during the course of this agreement.

Referral of Matters.

We will provide legal services to the County on any matter within our area of practice upon referral of such matter to us by the County Administrator or the County Board of Commissioners. We will never initiate any matter on behalf of the County on our own and will proceed on those matters referred to us in the manner agreed to based on our advice and the County's direction.

Fees.

Our fees for any matter referred to us during the course of this agreement shall be those fees established by the Firm from time to time as the prevailing rate for all municipal clients of the Firm. That fee rate is presently One Hundred Sixty Dollars (\$160.00) per hour. That hourly rate is a blended rate designed to reflect the hourly rates of various members of the Firm's staff who may have regular hourly rates significantly higher (and, occasionally, lower) than the prevailing municipal rate. That prevailing municipal rate is reviewed annually and may be changed by the Firm no more than once during any calendar year. Notice of any change in the Firm's prevailing municipal rate will be given to the County at least 30 days prior to any billing cycle in which the changed rate shall be effective.

In addition to fees, the County shall reimburse us for costs and expenses incurred in any matter referred to us as set forth in the general provisions enclosed with this letter.

Litigation Matters.

In order for us to effectively represent the County in any litigation, the County shall disclose to us

*Mr. Joe Porterfield
Wexford County Administrator
August 8, 2022
Page 2*

fully and accurately, all facts and circumstances involved in any matter which is the subject of litigation in which we are representing the County. The County also agrees to cooperate fully with us and to be available to attend meetings, discovery proceedings, conferences, hearings, and other proceedings involved in any such litigation. Since the outcome of litigation is subject to certain risks inherent in the litigation process, it is understood that we can make no promises or guarantees to you concerning the outcome of any litigation matter. Nothing in this letter should be construed as such a promise or guarantee.

Enclosed is a statement entitled "General Provisions", setting forth additional terms and conditions. These are incorporated by reference and apply to our representation to the extent not expressly modified by this letter.

Also enclosed is a copy of the Firm's policy, or mission statement, with respect to our representation of municipal clients.

If this reflects your understanding of the terms and conditions of our representation, please accept by signing this letter below and returning it to our office.

We are pleased to represent the County.

Respectfully,

FIGURA LAW



Timothy J. Figura

tfigura@figuralaw.com

TJF/jab
Enclosures

Read and Agreed to:

Dated: _____, 2022.

As authorized by action of the _____ County Board taken on _____, 2022.

GENERAL PROVISIONS

Except as modified by the accompanying engagement letter, the following provisions apply to the relationship between FIGURA LAW (“Firm”) and WEXFORD COUNTY, MICHIGAN (“County”).

1. The County agrees to employ the Firm for representation in matters referred to the Firm from time to time. The Firm will determine the extent of the services and who will perform such services on your behalf.
2. Fees for services are primarily based on our hourly billing rates; billing rates differ, depending generally on the attorney's experience and years of practice. These rates are periodically adjusted. The time for which you will be charged includes, but is not limited to: telephone and office conferences with the County, its elected officials, officers, agents and employees, counsel for other parties, witnesses, consultants, court personnel, and others; conferences among our legal personnel; factual investigations; legal research; drafting of letters, legal opinions, resolutions, ordinances, pleadings, briefs and other documents involved in litigation matters; travel time; court time; and time spent in depositions and other discovery proceedings.
3. In addition to our fees, you are responsible for payment of costs and expenses for services such as: extensive photocopying, messenger and delivery service; computerized research; travel outside of Leelanau County (including mileage, parking, air fare, lodging, meals and ground transportation), long distance phone and fax charges; and court costs and filing fees. Fees and expenses which are normal and customary with regard to the matter we are representing the County on will be advanced by the Firm and reimbursed by the County.
4. Fees and expenses will be billed monthly and are payable upon presentation. We expect prompt payment within 30 days of an invoice being rendered. We reserve the right to postpone or defer providing additional services, or to discontinue our representation, if billed amounts are not paid when due. A late payment fee of 1-1/2 % on the unpaid balance may be applied to any balance which is not paid within 30 days.

5. You have the right at any time to terminate our representation upon written notice to the Firm. In such event, we will cooperate fully with any successor legal counsel retained by the County to ensure there is no gap in service to the County. Such termination does not, however, relieve you of the obligation to pay for all services rendered and costs or expenses paid or incurred on your behalf prior to termination.

6. We reserve the right to withdraw from our representation if, among other things, you fail to honor the terms of the engagement letter or fail to cooperate or follow our advice on a material matter. We may also withdraw, if there exists any fact or circumstance that would render our continuing representation unlawful or unethical. If we elect to withdraw, you will take all steps necessary to free us of any obligation to perform further, including the execution of any documents necessary to complete our withdrawal, and the payment for all services rendered and costs and expenses paid or incurred on your behalf prior to withdrawal.

7. Each party agrees to assume responsibility for its own acts and omissions, without waiving governmental immunity.

FIGURA LAW OFFICE

Policy re: Legal Representation for Local Governmental Clients

Following is the Mission Statement and policy of the FIGURA LAW office (the Firm) regarding the representation of local governmental clients.

Mission Statement

It is the mission of the Firm to provide our local governmental clients with the best legal advice and representation in a timely, cost efficient and politically neutral manner. The Firm is committed to staying abreast of new developments in the area of county, city, village, township and general local government law and to utilizing the latest technology where doing so enables the firm to meet this goal in a manner which provides cost benefits to the governmental client.

To implement the above mission statement, the Firm has implemented the following policies:

1. No Political Activity.

The Firm works for the smartest leaders in the local governmental unit - both the day before and the day after the election. We owe our duty to provide legal services to the duly elected representatives of the electorate, whomever they may be, and their appointees, whether we agree with their political views or not.

The firm's governmental clients, their elected and appointed officials, are entitled to our best legal advice. While they may not like the advice they get in a particular instance, they must know that the advice is based on our best and honest opinion of the law. That advice can not and must not be slanted toward any individual's personal political beliefs or agenda.

This means that no attorney or employee of this firm will engage in any political activity on behalf of any candidate for an elective or appointed office of a governmental unit which the firm represents. We will not contribute to political campaigns, assist in a campaign or do anything that might give the impression that we are partial to any candidate for an elected or appointed office in that governmental unit.

2. Legal Advice Only.

We are lawyers. We have been trained to give legal advice only. We do not give advice on political matters and, while we will provide advice based on our knowledge and experience when asked, we do not make policy decisions for our governmental clients. The local representatives were elected by the people to make political decisions and decide on policies. We were not. Accordingly, we will limit our advice to legal issues and will not offer advice or comment on political or policy matters. This does not mean that we won't advise our clients on the legal

ramifications of a course of action or policy they might be considering. It is our duty in such instances to advise them of such ramifications so they can make informed decisions.

3. Legal Services Limited to the Governmental Client.

We are retained by the local legislative body (county board, township board, city or village council) to represent the governmental unit. We will provide legal advice and representation when directed to do so by that legislative body or by the official authorized to give that direction. That legal advice and representation will be given only to the elected and appointed officials, and boards and commissions of the governmental unit. Without specific direction from the governmental unit in an appropriate case, we will never provide legal advice at public expense to any other person or firm.

4. Ordinance Enforcement.

We are frequently called upon to prosecute ordinance violations for a governmental client. In those instances, we recognize that different governmental units have different philosophies regarding enforcement of local ordinances, including building and zoning codes. Some communities are more “user friendly” in their approach to ordinance enforcement and rarely prosecute persons for certain kinds of violations, choosing instead to “work” with them. Others are more strict and insist on vigorous prosecution of all or, at least, certain classes of violations. Others have a philosophy somewhere in between.

We do not dictate the enforcement philosophy for our governmental clients. Each client determines its own philosophy, and we attempt to carry out that philosophy to the best of our ability, thereby accomplishing the client’s goals. We may, however, suggest different enforcement techniques to be used depending on the client’s desires.

Unless and until we are given specific direction, however, we prosecute ordinance matters under the following general guidelines:

a. Attitude.

Every defendant, no matter how serious the charge, is a human being and a citizen. Accordingly, each defendant is treated with respect and dignity. They are called Mr., Miss and Mrs., sir and ma’am. We listen to what they have to say. Frequently, a defendant only wants someone to listen to his or her side of the story. While we show compassion, we remember that we must still carry out the enforcement policies of the elected officials of the governmental unit. In other words, we can disagree, but we won’t be disagreeable.

b. Building code and zoning cases.

Each governmental unit has its own philosophy regarding the enforcement of building code and zoning matters. Our enforcement activity is reliant on the direction we receive from the client. Absent any specific instructions to the contrary, our goal is not to punish, but to get compliance with local laws. Every effort should be made to get the property owner to comply with building codes and zoning ordinances without spending valuable governmental resources on litigation.

5. Timeliness.

Our clients are entitled to prompt response from us at all times. All telephone calls and/or emails are returned the same day, if possible, but always within 24 hours. We re committed to handling all matters pending in any court or other tribunal in a timely fashion so that our client will not be exposed to delays or penalties for late filings or other late actions.

6. Cost Consciousness.

We will always consider the cost of our services and any course of action we recommend to the governmental client. As governmental attorneys, we owe a duty to the citizens of the communities we represent to ensure that public dollars are spent wisely. Accordingly, we will always advise our clients of the potential cost of an action they may be considering and, whenever possible, will try to suggest alternative approaches which will save them money without reducing or impairing results.

7. Information.

We will always keep our clients fully informed of the status of those matters we are handling for them. This will be done through frequent contact by telephone, letter or email and by periodic written reports when appropriate.

8. Individual Advice.

As governmental attorneys, we serve the county commission, or township board, or the city or village council of our clients. We serve the legislative body as a whole and not the interests of any single member of those legislative bodies. If an individual member of a board or council seeks our advice on a local governmental matter, we will not render the advice to the official seeking it unless we are authorized to do so by the commission, board or council. In those where we are authorized to give advice to the individual official, we will advise the other members of the commission, board or council of the advice sought by and given to the individual member. We serve the commission, board or council as a whole and cannot be a party to any one member's political agenda.

In most cases, the governmental client will have an established and approved protocol for seeking legal advice. For example, it is customary in a township for requests to be channeled to us from the supervisor. It is also commn for matters to come to us from zoning and/or code enforcement officials within their sphere of activity. Likewise, it is customary in a county, city

or village for such requests to be channeled through the county administrator, the mayor, the village president, or the city or village manager. An exception is typically made for law enforcement and specialized questions from the clerk or treasurer. We will follow whatever protocol a particular governmental client has established.

We may, if asked, consider advising or representing a member of the local governmental body on a matter which is wholly separate from and totally unrelated to our representation of the governmental entity. Even then, the representation will be made known to the governmental body.

9. Fees and Billings.

Governmental clients will be charged only those fees which have been approved by the county commission, township board, or the city or village council. Those approved fees will be evidenced in writing.

We understand that the hourly rates charged governmental clients are lower than the hourly rates charged other clients of the firm. Historically, governmental clients always pay their bills in full and on time (within 30 days). Such diligence is entitled to the lower hourly rate. In addition, the hourly rate is a blended rate designed to reflect the hourly rates of various members of the Firm's staff who may have regular hourly rates significantly higher (and, occasionally, lower) than the prevailing municipal rate. That prevailing municipal rate is reviewed annually and may be changed by the Firm no more than once during any calendar year. Notice of any change in the Firm's prevailing municipal rate will be given to the client at least 30 days prior to any billing cycle in which the changed rate shall be effective.

Unless otherwise agreed to by a particular client, billings for services rendered will be sent to the governmental client monthly. So that the client can better determine how much a particular activity is costing it, billings will be broken down according to area of service; i.e., general, planning and zoning, specific ordinance enforcement, individual lawsuits, etc. Each billing will describe the service provided and the time spent providing the service (broken down into 1/10 of an hour increments). The description of the service provided will be such as to reasonably inform the client (and the public) as to the nature of such service.

10. Other Legal Counsel.

The interests of the client are paramount. If, at any time, we believe our client would be better served by retaining other counsel for a specialized matter, we will so advise the client and recommend legal counsel with the appropriate expertise for such matter.

In any event, we will always advise the client if it ever appears that our representation of the client creates a conflict of interest with our representation of another client of the firm. In such case, we will withdraw from representing both clients in the particular matter, and, whenever possible, we will assist the client in finding other competent counsel for such matter.

11. Serve at the Pleasure.

Unless otherwise provided by written agreement, we serve at the pleasure of the county commission, township board, or the city or village council. Unless otherwise provided by a city or village charter or duly adopted rule, our services can be terminated by a majority of the said commission, board or council. If, for any reason, a governmental client of the firm wishes to be represented by different legal counsel, we will assist that client in making the transition to other legal counsel and will cooperate with such new legal counsel in all respects so as to ensure the client's best interests are always served.

BOARD OF COMMISSIONERS AGENDA ITEM

FROM: Executive Committee
FOR MEETING DATE: August 17, 2022
SUBJECT: Board of Commissioners Meetings Attendance via Zoom

SUMMARY OF ITEM TO BE PRESENTED:

At the Executive Committee's meeting on Tuesday, August 09, 2022 there was concern on the use of Zoom during the Board meetings. Earlier this year the Commissioners voted that Zoom was not being utilized for Committee meetings and stated that they would re-visit the use of Zoom for Board meetings.

There is very little attendance via Zoom. They agreed that Zoom is very distracting during the meetings and interrupts the concentration of the Commissioners and the flow of the meetings. It was discussed that the equipment is there and available for use in the future, if need be, but are encouraging the public that if they would like to attend and participate to do so in person.

RECOMMENDATION:

Executive Committee forwards a recommendation to the full board to approve the discontinuation of Zoom during Board meetings.

Minutes of a regular meeting of the Wexford County Board of Commissioners, held at the Wexford County Courthouse, 437 E. Division St., Cadillac, Michigan on the seventeenth day of August 2022 at 4:00 p.m.

PRESENT: _____

ABSENT: _____

The following preamble and resolution were offered by Commissioner _____ and supported by Commissioner _____.

**RESOLUTION NO. 22-21
SUPPORTING WEXFORD COUNTY SECONDARY ROAD PATROL AND TRAFFIC
ACCIDENT PREVENTION PROGRAM GRANT APPLICATION**

BE IT RESOLVED, that the Wexford County Board of Commissioners supports the Secondary Road Patrol and Traffic Accident Prevention Program Application for the period October 1, 2022 to September 30, 2023 in the amount of \$34,410 on this date of August 17, 2022.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

AYES: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

Gary Taylor, Chairman, Wexford County Board of Commissioners

Alaina M. Nyman, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

I hereby certify that the foregoing is a true and complete copy of Resolution 22-21 adopted by the County Board of Commissioners of Wexford County at a regular meeting held on August 17, 2022, and I further certify that public notice of such meeting was given as provided by law.

Alaina M. Nyman, County Clerk



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

COL. JOSEPH M. GASPER
DIRECTOR

July 28, 2022

Sheriff Trent Taylor
Wexford County Sheriff's Office
1015 Lincoln Street
Cadillac, Michigan 49601

Dear Sheriff Taylor:

Enclosed is the Secondary Road Patrol and Traffic Accident Prevention Program (SRP) application for FY 2023 (October 1, 2022 through September 30, 2023). Appropriate forms to certify compliance are attached. The application, quarterly financial report, semi-annual program report, annual program report, and contract adjustment requests are also available on the Secondary Road Patrol website at www.michigan.gov/ohsp-srp; click on SRP Forms. Completed applications for participation in the program must be submitted to our office by **September 1, 2022**. Submit via email to MSP-SRP@michigan.gov. Applications received after September 1, 2022 may jeopardize the county's eligibility for funding.

Estimated program funding for fiscal year 2023 is \$6,200,000 from the Secondary Road Patrol and Training Fund.

Based upon our projections, your county's total allocation for FY 2023 is **\$34,410**. Your reimbursement from the fund may not exceed this amount. The amount being allocated to each county for FY 2023 is based on the best estimates of revenue at this time.

P.A. 416, as amended, requires a "Maintenance of Effort" by the county. Your attention is directed to Section 77(1), which states, in part:

"An agreement entered into under this section shall be void if the county reduces its expenditures or level of road patrol below that which the county was expending or providing immediately before October 1, 1978, unless the county is required to reduce general services because of economic conditions and is not merely reducing law enforcement services."

Wexford County's required maintenance of effort level is **9**. Maintenance of effort must not include positions and expenditures funded from the SRP. If the level of county funded road patrol is less than your maintenance of effort requirement, your application cannot be processed. Should this occur, and you subsequently come into compliance during the year, a partial year application will be processed at that time.

Sincerely,

Alicia Sledge
Division Director, Acting

Attachments
By email

SECTION C: SECONDARY ROAD PATROL AND TRAFFIC ACCIDENT PREVENTION PROGRAM APPLICATION

I. Application and Contract Signature Page

This application is made under P.A. 416, as amended, in the amount and for the purpose set forth. On the basis of the information provided in this application and detailed budget submitted by the county, an award will be made to the county in the amount and for the period stated, and is subject to the Contract Conditions and Requirements. This agreement becomes effective as of the date county representatives are notified by OHSP.

We certify that the information contained in this application including, but not limited to, the Methods and Procedures and Budget Detail, is accurate to the best of our knowledge. We agree to comply with P.A. 416, the Contract Conditions and Requirements, Generally Accepted Accounting Principles, and OHSP policies with the understanding that failure to do so is cause for termination of the grant.


A. REQUESTOR INFORMATION

1. Applicant County Wexford County Sheriff's Office	2. Federal Employer ID Number 38-6007337
3. Fiscal October 1, 2022, to September 30, 2023	

B. CHAIRPERSON, COUNTY BOARD OF COMMISSIONERS

4. Name Gary Taylor	5. Telephone Number 231-779-9453	
6. Street Address 437 E. Division St	7. City Cadillac	8. ZIP Code 49601
9. State Agency with which County EEO is on file:		
10. Signature of Chairperson		11. Date

C. SHERIFF

12. Name Trent J Taylor	13. Telephone Number 231-779-9216	14. Email Address taylor@wexfordcounty.org
15. Street Address 1015 Lincoln St	16. City Cadillac	17. ZIP Code 49601
18. Signature of Sheriff 		19. Date 8-10-22

D. FINANCIAL OFFICER

20. Name Kristi Nottingham	21. Telephone Number 231-779-9476	
22. Street Address 437 E. Division St	23. City Cadillac	24. ZIP Code 49601
25. Signature of Financial Officer		26. Date

E. PRIMARY CONTACT PERSON FOR SRP PROGRAM

27. Name and Title Lt. Richard Denison	28. Telephone Number 231-779-9216
29. E-mail Address rdenison@wexfordcounty.org	30. Fax Number 231-779-0216

Only original signatures will be accepted

FOR OHSP USE ONLY

Date Application Received	Contract Number
AUTHORITY: MCL 28.31, MCL 51.76, MCL 51.77, as amended	COMPLIANCE: Voluntary; however, failure to complete will result in a denial of funding 41

II. Maintenance of Effort Base Data

County-Funded Deputies

Report the number of county-funded, full-time certified deputies employed by, or budgeted for, the sheriff's department as of the dates indicated below. The source of funding for the deputies (i.e., other grants, local contractual arrangements, etc.) is not a deciding factor in determining whether the county meets the maintenance of effort requirement. Do not include P.A. 416-Funded Road Patrol Deputies.			
County-Funded, Full-Time Certified Deputies	1) As of 9/30/78	2) Current	3) Budgeted for Upcoming Fiscal Year (October 1 – September 30)
Total Number	9	18	24
Number Whose Primary Duty is Road Patrol	9	15	24

III. Methods and Procedures

INSTRUCTIONS: Indicate how your department will utilize the funds allocated by selecting each box that describes an activity engaged in by your county's SRP Deputies. If "other" is selected, provide a description of the activity. All activities must be allowable under the provisions of P.A. 416 and must be consistent with the submitted budget.

☒ Patrol and monitor traffic violations on secondary roads.

☒ Investigate crashes involving motor vehicles on secondary roads.

☒ Provide emergency assistance to persons on secondary roads.

☒ Enforce violations of criminal laws which are observed by or brought to the attention of the sheriff's department while patrolling secondary roads.

☒ Enforce laws in state parks and county parks within the county.

☒ Provide a vehicle inspection program.

☐ Provide traffic safety information and education programs.

☐ Other (please describe)

☐ Additional Information: |

IV. Resolutions, Contracts, and Law Enforcement Plan

- A. List each city or village which has requested, by resolution, that the sheriff's department provides services within its boundaries. If none, note N/A.

Note: Include a copy of each resolution. If any new resolutions are adopted during the fiscal year, immediately forward a copy to OHSP.

N/A

- B. List each township, city, or village that contracts with the sheriff's department to provide law enforcement services. If none, note N/A.

Note: Include a copy of each contract. If any new contracts are acquired during the fiscal year, immediately forward a copy to OHSP.

N/A

- C. Include a copy of your most current Law Enforcement Plan with MSP for the unincorporated areas of the county.

Note: Law Enforcement Plans shall be updated at least every four years, following a sheriff's election.

VI. Budget Detail

INSTRUCTIONS: The budget must be completed in detail and shall only cover the period for which this application is made.

Note: Round to whole dollar amounts (except in rates and calculations).

A. PERSONNEL

SALARIES AND WAGES			
POSITION TITLE	SALARY RATE	% OF TIME ON P.A. 416 ACTIVITIES	COST
SRP Deputy	27.95	100	58136
Holiday Pay			2907
Sick Pay			1342
			\$
			\$
OVERTIME			\$200
LONGEVITY			\$510
SUBTOTAL			\$63095

FRINGE BENEFITS		
FICA	PERCENT 7.65	\$4827
RETIREMENT	PERCENT 1290x12	15480
HOSPITALIZATION	AVG/EMPLOYEE/MONTH \$1500 x 12	18000
WORKERS COMPENSATION	RATE/\$100 IN WAGES \$3.35	2114
OTHER INSURANCE (please identify) Sick and Accident	40 hs wage x 70%x0735x12	\$690
		\$
		\$
		\$
		\$
SUBTOTAL		\$41111
TOTAL PERSONNEL		\$104206

C. EQUIPMENT

Must include detailed description of equipment to be purchased

DESCRIPTION	QUANTITY	PURCHASE PRICE	COST
			\$
			\$
			\$
TOTAL EQUIPMENT			\$

D. OPERATING EXPENSES

DESCRIPTION OF EXPENSE	RATE	COST
PRINTING/SUPPLIES		\$
CLEANING/CLOTHING ALLOWANCE		\$500
TRAINING		\$
RADIO MAINTENANCE CONTRACTS		\$
MISCELLANEOUS (describe)		\$
TOTAL OPERATING EXPENSES		\$500

TOTAL DIRECT COSTS (Personnel, Automotive, Equipment, and Operating)	\$112206
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E. INDIRECT COSTS

NOT TO EXCEED 5% OF TOTAL DIRECT COSTS	\$
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TOTAL PROJECT COSTS (Direct + Indirect)	\$112206
STATE ALLOCATION	\$34410

F. BUDGET NARRATIVE

INSTRUCTIONS: Provide a narrative justifying and detailing the basis for determining the cost of the items included in each budget category. INCLUDE CALCULATIONS THAT AREN'T APPARENT ON PREVIOUS PAGES. Additional pages may be attached as needed.

Equipment:

There are no equipment purchases in this years budget

Operating Cost:

2023 Budget consists of \$500.00 for uniforms/cleaning

Indirect Costs:

There are no indirect charges/cost to the SRP program

Name and Title of Person Completing the Budget Lt. Richard Denison	231-779-9216
Email Address rdenison@wexfordcounty.org	

2022-08-17

Wexford County Board of Commissioners				
Amendments to the 2022 Budget				
Adj #	Acct	Acct Description	Revenue	Expense
2022-08-01	101-287-980.00	ARPA Funds		(\$30,000.00)
	101-215-800.02	Microfilming	\$30,000.00	
Approved by the BOC 07/20/2022.				