



Wexford County

**EXECUTIVE COMMITTEE**

*Gary Taylor, Chair*

**NOTICE OF MEETING**

The Executive Committee of the Wexford County Board of Commissioners will hold a regular meeting on Tuesday, March 14, 2023, beginning at 4:00 p.m. in the Commissioners’ Room, third floor Historic Courthouse 437 E. Division St., Cadillac, Michigan.

**TENTATIVE AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL
- C. ADDITIONS / DELETIONS TO THE AGENDA
- D. APPROVAL OF THE AGENDA
- E. APPROVAL OF THE FEBRUARY 14, 2023 REGUALR MEETING MINUTES..... 1
- F. PUBLIC COMMENTS  
*Designated for topics on the agenda only.*
- G. AGENDA ITEMS
  - 1. Discussion on Current Litigation Matters
  - 2. Infrastructure Alternatives Inc. Monthly Report (*T. Lutke, February 2023*)..... 4
  - 3. Boon Sports Management Agreement Amendment ..... 5
- H. CORRESPONDENCE
- I. ADMINISTRATOR’S COMMENTS
- J. PUBLIC COMMENTS
- K. COMMITTEE COMMENTS
- L. CHAIR COMMENTS
- M. ADJOURN

COUNTY OF WEXFORD  
**EXECUTIVE COMMITTEE MEETING**  
 MEETING MINUTES  
 February 14, 2023

The Executive Committee regular meeting was called to order by Chair, Gary Taylor at 4:00 p.m. in the Commissioners' Room, located on the third floor of the Historic Courthouse, 437 E. Division St. Cadillac, Michigan.

Members Present: Gary Taylor, Chair; Mike Musta, Brian Potter, and Julie Theobald  
 Members Absent: None  
 Also Present: Jami Bigger, Deputy County Administrator/HR Director; Honorable Judge Elmore, Circuit Court; Megan Kujawa, Senior Executive Assistant; Tom Lutke, IAI Project Manager; Kristi Nottingham, Treasurer; Alaina Nyman, Clerk; Joe Porterfield, County Administrator/Equalization Director; Roxanne Snyder, Register of Deeds; Dan Staub, Pescador; Mistine Stark, Community Corrections Manager

**ADDITIONS OR DELETIONS TO THE AGENDA**

None.

**APPROVAL OF THE AGENDA**

A motion was made by Comm. Theobald and supported by Comm. Musta to approve the agenda. A vote was called, all in favor. Motion passed, 4-0.

**APPROVAL OF THE MINUTES**

A motion was made by Comm. Musta and supported by Comm. Theobald to approve the January 10, 2023, Regular Meeting Minutes. A vote was called, all in favor. Motion passed, 4-0.

**PUBLIC COMMENTS**

None.

**AGENDA ITEMS**

***G.1. Pescador – Dan Staub***

Mr. Staub, Project Manager Pescador, informed the committee that they are moving forward with abandoning at least 13 wells that are in the RAP area. The purpose of abandoning these wells is to reduce reporting and costs and there are some that are not and have never been in use and others that no longer need to be monitored. Some of the wells have drop pipe and pumps in them and when they remove those, they will be able to re-use those materials for other wells within the RAP. They have an annual operating budget of \$57,000.00, and typically can operate with \$24,000.00. The estimated cost to abandon these wells is \$38,000.00. He will continue to keep the County updated on the progress.

***G.2. Discussion on Current Litigation Matters***

Mr. Porterfield, County Administrator, informed the committee that the Foreclosure Litigation is still ongoing, and they are combining some cases to hopefully reach a settlement. He was informed that a case that he submitted to MMRMA a year ago has been closed due to the plaintiff not following up and filing. Mr. Porterfield stated that he submitted a new case to MMRMA between a previous inmate and the Sheriff's Department, but it is in the preliminary stages.

**G.3. Infrastructure Alternatives Inc. Monthly Report (T. Lutke, January 2023)**

Tom Lutke, IAI Project Manager, was present and a report was provided in the packet. Mr. Lutke reviewed key points. There was a leak that had to be repaired; it was determined that it was no fault of the property owners, he asked the committee for direction on what to do about the \$4,800 bill.

Chair Taylor informed him that he can address the bill, as done in the past, and to take the average and bill the owners accordingly.

**G.4. Letter of Understanding POAM**

A motion was made by Comm. Theobald and supported by Comm. Musta to forward a recommendation to the full board to approve the presented Letter of Understanding, between the County and the POAM Non 312 Union. A vote was called, all in favor. Motion passed, 4-0.

**G.5. Two Seven Oh Grant – Animal Control**

A motion was made by Comm. Musta and supported by Comm. Potter to forward a recommendation to the full board to approve the Two Seven Oh, Inc reimbursement grant agreement. A vote was called, all in favor. Motion passed, 4-0.

**G.6. Old Jail Property Realtor Agreement Discussion**

Mr. Porterfield stated that the current Realtor Agreement with Mr. Jim Meier for the sale of the Old Jail Property expired on January 26<sup>th</sup>. There has been a basic extension of that agreement provided from Mr. Meier that will extend to 2024. Mr. Porterfield asked the committee their thoughts on the extension.

Comm. Musta asked if there had been any interest in the property. Mr. Porterfield said there had not and that they have had this agreement with Mr. Meier for roughly four years.

Chair Taylor asked Mr. Porterfield to research getting a new realtor for the property.

**G.7. Transition Houses Proceeds Discussion**

Ms. Stark, Community Corrections Manager, asked the committee for clarification on where the proceeds from the sale of the Transition Houses were put.

Chair Taylor stated that currently the funds are in a reserve fund of their own. These funds did not go directly back to Community Corrections because they are looking at the budget of Community Corrections and they will revisit the distribution of the funds when they discuss Community Corrections budget in March.

Honorable Judge Elmore, Circuit Court, discussed with the committee his frustrations on the several layers of misunderstanding there has been surrounding Community Corrections and that he has been working with Ms. Stark and Mr. Porterfield to get clarification. It has come to his understanding that Community Corrections is under his supervision, following a resolution from 1991 when Community Corrections was established. There are several aspects that need to be worked out to be able to move forward. He wants the committee to know that he will be working with Mr. Porterfield on getting an amended resolution formed to present to the committee and to the board on Community Corrections, along with an agreement with Missaukee County for payment on their use of Community Corrections services.

**CORRESPONDENCE**

None.

**ADMINISTRATOR'S COMMENTS**

Admin. Porterfield informed the committee that Chair Taylor and himself purchased one of the three lots that were previously discussed and approved. All three lots passed the surveyors and environmental studies. Over the weekend the fairgrounds experienced a sewer break, and he is looking into grants to fund the repairs. There is an upcoming Northern Lakes Community Mental Health listening session on March 1. The first Opiate Recovery Funds Committee had their first meeting and it well. More individuals from the community have been invited to attend the next one scheduled for March 3.

**PUBLIC COMMENTS**

None.

**COMMITTEE COMMENTS**

None.

**CHAIR COMMENTS**

None.

**ADJOURN**

**A motion was made by Comm. Theobald and supported by Comm. Potter to adjourn at 4:32 p.m. A vote was called, all in favor. Motion passed, 4-0.**

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Gary Taylor, Chair

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Megan Kujawa, Recording Secretary



**INFRASTRUCTURE  
ALTERNATIVES, INC.**

**G.2.**

## **Monthly Operations & Maintenance Report**

**March 14, 2023**

**Report for Month:** February 2023  
**Location:** Wexford County  
**Facilities:** Cedar Creek Water Plant & Distribution System  
**Operator in Charge:** Ryan Longstreet, Certified Operator

### **Emergency Callouts/Customer Complaints**

- ❑ Customer called about their bill and asked to have water shut off at their property at 1830 Old US 131.

### **Significant Events:**

- ❑ 2/1 – Pulled Auto flusher 2 due to freezing. Thawed out and reinstalled on 2/8.
- ❑ 2/8 – Turned off water at 1830 Old US 131 by customer request.
- ❑ 2/28 – Usage is still high at 9311 E. 22 Rd. They used 60,000 gallons this past month so we believe there is still a leak somewhere. We will continue to monitor and see if the leak surfaces. The homeowners have been asked to keep an eye out for pooling and notify us if they notice anything.
- ❑ Delinquent Bills Report will be generated on March 1<sup>st</sup> as required by Resolution 17-30.

### **Preventive Maintenance:**

- ❑ Pulled Chlorine feed quill to clean and inspect for buildup. We were seeing lower Chlorine residuals and wanted to verify there was no blockage.
- ❑ IAI staff continues to regularly check chlorine residuals throughout the water system.

### **Facilities Data for the Month**

Production at Well House	327,120 gallons
Metered Usage	227,418 gallons
Metered Flushing	216,930 gallons
Difference *(% Gain)	*117,228 gallons (35.84%)



**SECOND AMENDMENT TO MANAGEMENT AGREEMENT**

2 **THIS SECOND AMENDMENT TO MANAGEMENT AGREEMENT** made and enacted this    day of   MARCH  , 2023, by and between Boon Sports Management (hereinafter referred to as "BSM") and Wexford County (hereinafter referred to as "County").

**WHEREAS**, County and BSM entered into a Management Agreement dated April 30, 2014; and

**WHEREAS**, the County and BSM extended the term and amended the Management Agreement by agreement dated April 5, 2017 (the "First Amended Agreement"); and

**WHEREAS**, BSM and the County wish to amend Section 4(d) of the First Amended Agreement as follows:

**NOW THEREFORE**, in consideration of these presents and the agreement of each other, BSM and County agree that the Section 4(d) of the First Amended Agreement shall be and the same is hereby amended as follows:

4. Responsibilities of BSM.

...

d. Pay for operating expenses of the Civic Center including only those utilities related to the Civic Center and provide maintenance or repair of all facilities, including systems within the building, building exteriors, improvements to the property adjacent to the buildings, custodial cleaning, trash removal, landscaping, preventative maintenance and other activities necessary to maintain the Civic Center in good condition. BSM will also, at its own cost, keep in good condition and repair and maintain all systems, fixtures and capital improvements of the Civic Center. If a damage to a system, fixture, or capital improvement is or may reasonably be reimbursable through existent County insurance coverage, upon notice from BSM, the County shall file a claim with the County's insurer seeking remittance of payment due to loss incurred and covered. BSM shall cooperate with County and/or the County's insurer in filing any claims. If any claim is granted in whole or part by the insurer, the insurance proceeds shall be utilized to reduce or offset BSM's incurred contractual cost obligation. This contact provision shall in no way be interpreted to require the County seek, maintain or continue insurance coverage, or any level of insurance coverage, on any specific system, fixture, or capital improvement at the Civic Center; nor shall this provision or the filing of a claim with the County's insurer be deemed to waive or diminish in any way the contractual responsibility of BSM to maintain the Civic Center in good condition and to, at its own cost, keep in good condition and repair and maintain all systems, fixtures and capital improvements of the Civic Center. ...

All other terms and conditions of the aforementioned Management Agreement and First Amended Agreement shall remain the same.

This Agreement may be executed in counterparts by the parties hereto, each of which, when so executed and delivered, shall be an original, but all counterparts shall together constitute one instrument.

**IN WITNESS WHEREOF**, County and BSM have executed this Second Amendment to Management Agreement.

**BOON SPORTS MANAGEMENT**



\_\_\_\_\_  
By: Michael Stebbins, President.

Date: MARCH 2, 2023

**WEXFORD COUNTY**

\_\_\_\_\_  
By: Gary Taylor, Chairperson

Date: \_\_\_\_\_, 2023