

Robert Stacey
Gary Girardin
Don Edwards
Lloyd Peltier
James Madison



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Montmorency County Board of Commissioners

Regular Board Meeting

Agenda

October 13, 2022

9:00 a.m.

Boardroom/Courtroom

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CALL TO ORDER

- Pledge of Allegiance
- Roll Call
- Approval of Agenda
- Approval of minutes from September 22, 2022
- Claims and Accounts

PUBLIC COMMENT (Agenda Items Only)

TREASURER'S REPORT

COUNTY CONTROLLER REPORT

SHERIFF'S REPORT

OLD BUSINESS

- County Controller's Data Sheet *delete*

NEW BUSINESS

- Hiawatha Lake Special Assessment Bond *(moved to A/Public Comment)*
- NEMCOG Contribution
- MCOA letter of approval for replacing Hillman Representative
- District Health Department No. 4 Allocation Request Summary 2023
- SRO Agreement
- Records for Board Office
- Review MIDC Contractual Agreement
- Board Personnel (closed session)

STANDING COMMITTEE REPORTS

PUBLIC COMMENT

ADJOURN SUBJECT TO CHAIRMAN

NEXT REGULAR BOARD MEETING WILL BE HELD ON Thursday October 27, 2022

THIS MEETING IS OPEN TO ALL MEMBERS OF THE PUBLIC UNDER OPEN MEETINGS ACT OF MICHIGAN, PURSUANT TO PUBLIC ACT 267 OF 1976 PLEASE SILENCE ALL CELL PHONES

**MONTMORENCY COUNTY BOARD OF COMMISSIONERS
MEETING HELD OCTOBER 13, 2022**

PRESENT: Gary Girardin, James Madison, Don Edwards, Robert Stacey, Lloyd Peltier

ABSENT/EXCUSED: None

PLEDGE

ADD/DELETIONS:

Add: None

Delete: County Controllers Data Sheet

Motion by Edwards, seconded by Peltier approving the agenda with the deletion. Yeas: 5 Nays: 0 Motion carried.

MINUTES:

Motion by Edwards, seconded by Girardin approving the regular meeting minutes of September 22, 2022. Yeas: 5 Nays: 0 Motion carried.

Motion by Edwards, seconded by Girardin approving the closed session minutes of September 22, 2022. Yeas: 5 Nays: 0 Motion carried.

CLAIMS & ACCOUNTS:

Motion by Edwards, seconded Madison approving payment of bills (Claims \$183,863.78; EFT \$2,096,523.98; Desk \$84,060.03; Not entered \$10,800.00; Total: \$2,375,247.79). Yeas: 5 (Roll call: Edwards, Girardin, Madison, Peltier, Stacey) Nays: 0 Motion carried.

PUBLIC COMMENT:

None

NEW BUSINESS:

HIAWATHA LAKE Special Assessment Bond: Present were Ron Hanson, Civil Engineer & Prof. Surveyor; Roger Swets, Attorney on bonding; Remotely appearing Attorney, Stacy Hissong, Warren Miller, construction oversight, Jim Warner, President Twin Lakes Dam Association.

79 waterfronts, 113 in subdivision around the lake, 3 dams and 3 lakes. \$1.2 million estimated worth of work. Overview of how the process started, to present. Order was issued by the courts setting a lake level. Dams now under the jurisdiction of the board. Requesting ability to fix and save the lake, this would be on the people around the lake. Roger Swets spoke on bond process & funds. Looking for interim financing to fund the engineering portion right away (approx. \$170,000). Attorney Hissong will produce assessment roll and then will be requesting a resolution pledging full faith and credit of the county. Road Commission would come up with the terms and bring to the BOC for approval. After project done then could be a maintenance level assessment.

Resolution #2022-07

AUTHORIZING INITIATION OF LAKE LEVEL PROJECT
Motion Edwards/Madison Yeas: 5 (Roll call: Girardin, Madison, Peltier, Stacey, Edwards) Nays: 0 Resolution passed.

TREASURER REPORT:

Cheri Eggett present. Topics: 3 Surplus proceed cases, paid out \$40,000 to one; \$50,000 from state revenue f/2022 and 2023 (LATCF=Local Assistance and Tribal Consistency Funds); Alyssa not returning to work, requesting to move Kathy to Chief Deputy @ \$19.35 p/hr. and looking for \$15 p/hr. for new person. Discussion. Motion by Edwards, seconded by Girardin authorizing the treasurer to hire to fill vacancy at \$15 p/hr. Yeas: 5 Nays: 0 Motion carried.

Motion by Edwards, seconded by Girardin authorizing to move Kathy Graham to Chief Deputy @ \$19.35 p/hr. effective Oct. 16, 2022. Yeas: 5 (Roll call: Madison, Peltier, Stacey, Edwards, Girardin) Nays: 0 Motion carried.

CONTROLLER:

Aprille Williamson present. Topics: Attorney Contract; Insurance Quotes; Motion by Edwards, seconded by Peltier to change group life to Standard. Yeas: 5 Nays: 0 Motion carried. Budget and wage meetings need set up; RAP grants; Opioid committee.

SHERIFF REPORT:

Sheriff Brown present. Inmate count at 9. Topics: Team Training graduate Jessica Miles; grant to be applied for by school for School Resource Officer. Deer car accidents and funding received to replace, requesting insurance money go back to millage funding. Motion by Madison, seconded by Girardin allowing \$22,008.00 to go into 207 funds to be used for purchasing a vehicle. Yeas: 5 Nays: 0 Motion carried.

10:11 A.M. Break
10:18 A.M. Back in session

OLD BUSINESS:

None

NEW BUSINESS CON'T:

NEMCOG CONTRIBUTION: Motion by Edwards, seconded by Peltier approving NEMCOG annual contribution (2023) \$4403.00. Yeas: 5 (Roll call: Peltier, Stacey, Edwards, Girardin, Madison) Nays: 0 Motion carried.

MCCOA APPOINTMENT/HILLMAN REP: Letter received from MCCOA and recommendation for Randy Wiscombe as Hillman representative. Discussion. Tabled to the next meeting.

DISTRICT HEALTH #4 2023 ALLOCATION REQUEST: Motion by Stacey, seconded by Edwards authorizing \$89,697.00 for 2023 contribution for District Health #4. Yeas: 5 (Roll call: Stacey, Edwards, Girardin, Madison, Peltier) Nays: 0 Motion carried.

SRO (School Resource Officer) AGREEMENT: Have not heard back from attorney. Officer started Oct. 1st. Discussion. Motion by Girardin, seconded by Peltier to approve the SRO contract pending attorney Graham approval. Yeas: 5 Nays: 0 Motion carried.

RECORDS FOR BOARD OFFICE: Motion by Stacey, seconded by Madison that the following documents be sent to the board office (going forward): Grant request and or approval or denials; Contracts/Agreements; purchase agreements; audits and or compliance reviews; reports dealing with funding; complete personnel files including performance reviews and termination/resignation letter and any action forms pertaining to employee. Discussion. Yeas: 5 Nays: 0 Motion carried.

REVIEW MIDC CONTRACTUAL AGREEMENTS: Proposed contracts submitted for "Managed Assigned Counsel Administrator" and "Public Defender Non-Profit Vendor." Discussion. Motion by Edwards, seconded by Girardin approving and authorizing the chair to sign the Managed Assigned Counsel Administrator agreement (cost \$12,000 10/1/22-9/30/23). Yeas: 5 (Roll call: Edwards, Girardin, Madison, Peltier, Stacey) Nays: 0 Motion carried.

COMMITTEE REPORTS:

Madison: None
Girardin: Claims & Accounts, Finance, Landfill
Stacey: Finance, Claims & Accounts, Security Mtg.
Edwards: Landfill
Peltier: NEMSCA

PUBLIC COMMENT:

Dawn Hubbard on back door replacement.

NEW BUSINESS CON'T:

BOARD PERSONNEL/CLOSED SESSION: Motion by Madison, seconded by Peltier to go into closed session for Personnel/Contract issue. Discussion. Yeas: 4 (Roll call: Madison, Peltier, Stacey, Edwards) Nays: 1 (Girardin) Motion carried.

11:27 A.M. Motion Stacey, seconded Edwards to come out of closed session. Yeas: 5 Nays: 0 Motion carried.

Motion by Stacey, seconded by Edwards to merge the County Administrative Assistant of BOC to Controllers office. Controller office to assume responsibility of Administrative Assistant; and Dawn moved to salary effective Oct. 16, \$33,415.20; supervised by controller. Discussion. Yeas: 5 (Roll call: Peltier, Stacey, Edwards, Girardin, Madison) Nays: 0 Motion carried.

Motion by Stacey, seconded by Peltier terminating contract with Trisha Moore, Emergency Manager effective today, for cause and send certified letter per wording in contract for dismissal, will also receive 60 days pay. Discussion. Yeas: 3 (Roll call: Stacey, Madison, Peltier) Nays: 2 (Edwards, Girardin) Motion carried.

11:45 A.M. Motion Edwards, seconded by Peltier to adjourn. No objections. Meeting adjourned.

Minutes prepared by:



Cheryl A. Neilsen
County Clerk

Robert Stacey
Don Edwards
Gary Girardin
James Madison
Lloyd Peltier



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Montmorency County Board of Commissioners

RESOLUTION #2022-07

AUTHORIZING INITIATION OF LAKE LEVEL PROJECT

At a regular meeting of the Board of Commissioners of the County of Montmorency held in the County, on **October 13, 2022, at 9:00 a.m.**, local time.

PRESENT: Robert Stacey, Gary Girardin, Don Edwards, James Madison, and Lloyd Peltier

ABSENT: None

The following resolution was offered by **Don Edwards** and seconded by **James Madison**:

WHEREAS, pursuant to Part 307 of Act 451, Public Acts of Michigan, 1994, as amended (“Part 307”), the Montmorency County Circuit Court, (i) by order dated June 27, 2022, established the normal lake level of Lake Hiawatha/Hiawatha Lake in the County of Montmorency to be a range of 861.9 to 862.9 feet, with a target elevation of 862.4 feet and the normal lake level of Little Brush Lake in the County of Montmorency to be a range of 862.9 to 863.9 feet, with a target elevation of 863.4 feet, and the normal lake level of Moose Lake in the County of Montmorency to be a range of 856.00 to 857.00 feet, with a target elevation of 856.5 feet; and; and (ii) confirmed the boundaries of the Hiawatha Lakes – Lake Level Special Assessment District (the “Special Assessment District”) for the purpose of financing lake level improvements and activities necessary to establish and maintain the the lake levels; and

WHEREAS, the Montmorency County Board of Commissioners has appointed the Montmorency County Board of County Road Commissioners (the “Road Commission”) as the “delegated authority” within the meaning of Part 307 to take such actions as are necessary to maintain the normal level of Lake Hiawatha/Hiawatha Lake, Little Brush Lake and Moose Lake (collectively referred to as “Hiawatha Lakes”); and

WHEREAS, it is necessary for the Road Commission as delegated authority to undertake a lake level project for the Special Assessment District in order to maintain the normal level of the Hiawatha Lakes.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MONTMORENCY, as follows:

1. The Special Assessment District shall be designated and hereafter referred to as the “Hiawatha Lakes – Lake Level Special Assessment District.”

2. The appointment of the Road Commission as the “delegated authority” within the meaning of Part 307 and the actions of the Road Commission as delegated authority to date are all ratified and confirmed.

3. As delegated authority, the Road Commission is authorized to undertake the design, acquisition, and construction of a lake level project for Hiawatha Lakes.

4. As delegated authority, the Road Commission may retain legal counsel to perform services related to maintaining the normal level of Hiawatha Lakes and work necessary or desirable for the lake level project.

5. As delegated authority, the Road Commission is expressly authorized to retain an engineering firm to perform services related to maintaining Hiawatha Lakes’ normal level, including, without limitation all services necessary for the lake level project.

6. The Board of Commissioners authorizes the Road Commission to retain municipal finance counsel to assist the Special Assessment District in borrowing funds to pay the interim costs of the project incurred prior to the time long term financing is obtained for the lake level project.

7. All costs associated with the activities authorized above shall be reimbursed by a lake level special assessment to be levied by the Special Assessment District to the extent permitted by Part 307 upon proper proceeding to approve and confirm a special assessment roll, and/or bonds issued by the Special Assessment District to which the Board of Commissioners, by a two-thirds (2/3) vote of its members elect, will be asked to pledge the full faith and credit of the County of Montmorency at such time as the special assessment roll for the lake level project is approved.

8. The Chairperson of the Board, the County Controller, the County Clerk, the County Treasurer and any other official of the County, or any one or more of them (“Authorized

Officers”), are authorized and directed to take all actions necessary or desirable for the issuance of the interim financing and to execute any documents or certificates necessary to complete the issuance of the interim financing.

9. This resolution and the expression of intent to seek reimbursement from future proceeds of the interim financing and the special assessment bonds is intended to satisfy the requirements of Section 150 of the Internal Revenue Code of 1986, as amended.

10. All resolutions and parts of resolutions insofar as the same may be in conflict herewith are hereby rescinded.

YEAS: Gary Girardin, Robert Stacey, James Madison, Don Edwards, and Lloyd Peltier

NAYS: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

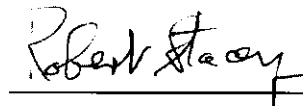
CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners of the County of Montmorency at a regular meeting held on **October 13, 2022**, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the open meetings act.



Cheryl A. Neilsen, Clerk
County of Montmorency, Michigan

Dated: 10/21, 2022



Robert Stacey, Chairman
County of Montmorency, Michigan

Dated: October 13, 2022