

MARCH SESSION 2014
MIDLAND COUNTY BOARD OF COMMISSIONERS
MARCH 18, 2014

APPROVED

Board called to order by Chairman, James Leigeb, at 9:00 a.m.

ROLL CALL

MEMBERS PRESENT: FINLEY, BONE, KEENAN, GEISLER, DORRIEN, MCGILLIVRAY, LEIGEB.

MEMBERS ABSENT: NONE.

Invocation by Commissioner Richard Keenan.

Pledge to the Flag was given.

APPROVAL OF MINUTES OF MARCH 4TH AND MARCH 11TH, 2014:

Motion by Commissioner Keenan supported by Commissioner McGillivray to approve.

Motion carried by voice.

ACCEPTANCE OF BILLS:

02-21-14 - REGULAR \$541,189.78

02-28-14 - REGULAR \$823,641.79

TOTAL CHECK RUNS \$1,364,831.57

TOTAL GENERAL FUNDS EXPENDITURES \$163,710.48

Motion by Commissioner Finley supported by Commissioner Dorrien to accept.

Motion carried by voice.

SPECIAL PROGRAM OF THE DAY - NONE.

CONSENT AGENDA - COMMITTEE REPORT NUMBER 3 (*15-3-14):

Motion by Commissioner Finley supported by Commissioner Geisler to add Committee Report #3 to the Consent Agenda and to approve the Consent Agenda.

Motion carried by voice.

Public Comments on anything that is not on the agenda or consent:

Commissioner Consideration to remove any consent agenda item:

1

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF THE APPOINTMENT OF GERALD J. LADWIG AS ATTORNEY MAGISTRATE FOR THE 75TH DISTRICT COURT.

March 14, 2014

To the Honorable Chairman and
Members of the Board of Commissioners Agenda Item: 16-3-14AO

Gentlemen:

We your Administration and Operations Committee recommend approval to appoint Gerald J. Ladwig as Attorney Magistrate for the 75th District Court as requested by the Honorable Judge Michael Carpenter. This appointment will allow Mr. Ladwig to perform all quasie judicial functions as is allowed under the Statutes in order that the caseloads are handled efficiently and effectively.

Respectfully submitted,
S/Nicolas Finley, Chairperson S/Richard Keenan
S/James Geisler

Administration and Operations Committee
Motion by Commissioner Finley to approve.

Motion Carried by Roll Call.

Public comments: None.

ROLL CALL

YEAS: FINLEY, BONE, KEENAN, GEISLER, DORRIEN, MCGILLIVRAY, LEIGEB.
NAYS: NONE.
ABSENT: NONE.

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2

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF THE REAUTHORIZING OF MIDLAND COUNTY/CITY OF MIDLAND EMERGENCY OPERATIONS PLAN.

March 14, 2014

To the Honorable Chairman and
Members of the Board of Commissioners Agenda Item: 8-2-14AO

Gentlemen:

We your Administration and Operations Committee recommend approval of the Emergency Management Coordinator's request to reauthorize the Midland County/City of Midland Emergency Operations Plan. In accordance to the Michigan Emergency Management Act this Plan requires reauthorizing at least once every four years.

The City Council has already approved the Emergency Operations Plan and the City Manager has signed the required document, thus certifying the Plan on behalf of the City of Midland. Therefore, we authorize the Chairman of the Board of Commissioners to certify this Plan by signing the required document on behalf of the County, thus certifying the Plan for the next four years.

Respectfully submitted,
Nicolas Finley, Chairperson S/Richard Keenan
S/James Geisler

Administration and Operations Committee
Motion by Commissioner Finley to approve.

Motion Carried by Roll Call.

Public comments: None.

ROLL CALL

YEAS: BONE, KEENAN, GEISLER, DORRIEN, MCGILLIVRAY, FINLEY, LEIGEB.
NAYS: NONE.
ABSENT: NONE.

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3

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF RECEIVING AND FILING THE 2013 ANNUAL REPORT SUBMITTED BY THE DRAIN COMMISSIONER.

March 14, 2014

To the Honorable Chairman and
Members of the Board of Commissioners Agenda Item: *15-3-14AO

Gentlemen:

We your Administration and Operations Committee recommend receiving and filing the 2013 Annual Report submitted by the Drain Commissioner.

Respectfully submitted,
S/Nicolas Finley, Chairperson S/Richard Keenan
S/James Geisler
Administration and Operations Committee

APPROVED AS A PART OF THE CONSENT AGENDA.

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4

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF AMENDING THE 2014 BUDGET BY USING CONTINGENCY FUNDS FOR SERVICES TO BE PROVIDED BY DICKINSON WRIGHT, PLLC.

March 14, 2014

To the Honorable Chairman and
Members of the Board of Commissioners Agenda Item: 17-3-14F

Gentlemen:

The County of Midland has continuing obligation to comply with applicable federal tax law requirements pertaining to tax-exempt obligations such as bonds and notes that the county has issued and similar obligations for any future borrowings. In recent years it has become more focused on issuers of tax-exempt debt complying with their post-issuance obligations and it has strongly been encouraged that such issuers adopt tax compliance policies and procedures.

We your Finance Committee have reviewed the request to amend the 2014 Budget by using Contingency to cover the cost of \$2,500.00 to engage the services of Dickinson Wright, PLLC, who has acted as the County Bond Counsel, to draft the necessary policies and procedures regarding post-issuance compliance to maintain the tax-exempt status of said issuances. These policies and procedures would strengthen the County's position in event of an I.R.S. audit. We recommend the approval of the use of contingency funds for these services.

Respectfully submitted,
Dan McGillivray, Chairperson
James Geisler
Finance Committee
Motion by Commissioner McGillivray to approve.
Motion Carried by Roll Call.
Public comments: None.

ROLL CALL

YEAS: KEENAN, GEISLER, DORRIEN, MCGILLIVRAY, FINLEY, BONE, LEIGEB.
NAYS: NONE.
ABSENT: NONE.

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MIDLAND COUNTY BOARD OF COMMISSIONERS
REQUESTS, PETITIONS AND COMMUNICATIONS
MARCH 18, 2014

16-3-14

75TH DISTRICT COURT JUDGE CARPENTER REQUESTS APPROVAL TO APPOINT MR. GERALD J. LADWIG TO BE AN ATTORNEY MAGISTRATE OF DISTRICT COURT.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.

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17-3-14

FINANCE DIRECTOR REQUESTS APPROVAL OF A PROPOSAL TO ENGAGE DICKINSON WRIGHT, PLLC, WHO CURRENTLY ACTS AS BOND COUNSEL FOR THE COUNTY, TO DRAFT NECESSARY POLICIES AND PROCEDURES REGARDING POST ISSUANCE COMPLIANCE TO MAINTAIN THE TAX-EXEMPT STATUS OF ISSUING TAX-EXEMPT BONDS AND NOTES: AMEND THE 2014 BUDGET FOR THE AMOUNT OF \$2,500 FROM CONTINGENCY TO COVER THESE COST.

REFERRED TO THE FINANCE COMMITTEE.

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18-3-14

MIDLAND COUNTY EMERGENCY MEDICAL SERVICES ADVISORY BOARD CHAIRMAN REQUESTS THAT AN EMERGENCY MEDICAL SERVICES (EMS)MILLAGE RENEWAL OF .65 MILLS FOR FOUR YEARS BE PLACED ON THE BALLOT.

REFERRED TO THE FINANCE COMMITTEE.

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OLD BUSINESS

OLD BUSINESS NO. 1

CONSIDERATION OF THE RE-APPOINTMENT OF DOUGLAS WARD FOR A 6TH TERM TO THE COMMUNITY MENTAL HEALTH FOR CENTRAL MICHIGAN AND THE RE-APPOINTMENT OF KYLE NOTHSTINE TO THE PLANNING COMMISSION FOR A THIRD TERM.

March 18, 2014

To the Honorable Chairman and
Members of the Board of Commissioners

Agenda Item: 108-10-13BOC

Gentlemen:

I would recommend waiving County Policy 101.3, Section 6.5 to allow the reappointment for a sixth term of Douglas Ward to the Community Mental Health for Central Michigan Board of Directors as one of Midland County's representatives on this said board. Mr. Ward's new term will be April 1, 2014 through March 31, 2017.

I further recommend waiving of this said policy for the reappointment of Kyle Nothstine for a third term to the Midland County Planning Commission, with the term to be January 1, 2014 through December 31, 2016.

Respectfully submitted,
S/Nicolas Finley
District #1
Midland County Board of Commissioners
Motion by Commissioner Finley to approve.
Motion carried by voice.

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MCGILLIVIRAY - NO COMMENT.

FINLEY - NO COMMENT.

BONE - EXCITED ABOUT THE DIRECTION WITH PERSONAL PROPERTY TAX.

KEENAN - SPOKE REGARDING THE MIDLAND TOWNSHIP MEETING HE ATTENDED LAST WEDNESDAY.

GEISLER - NO COMMENT.

DORRIEN - SPOKE REGARDING THE AUGUST BALLOT ISSUE REGARDING PERSONAL PROPERTY TAX.

LEIGEB - NO COMMENT.

COMMISSIONER MEETING(S) SCHEDULE

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CLOSED SESSION - LABOR NEGOTIATIONS

Pursuant to a motion by Commissioner Keenan and supported by Commissioner Finley and with the corresponding passage by voice a Closed Session of the Board of Commissioners was declared at 9:14 a.m. for the purpose of discussing Labor Negotiations in accordance with MSA 4.1800(18), Sec. 8(c).

Motion carried by voice.

Motion by Commissioner Bone supported by Commissioner Finley to return to Open Session at 9:35 a.m.

Motion carried by voice.

Motion by Commissioner Keenan supported by Commissioner Finley to bring one item of New Business to the floor.

Motion carried by voice.

NEW BUSINESS -
NEW BUSINESS NO. 1

RECOMMENDATION TO APPROVE AGREEMENT BETWEEN THE TEAMSTERS LOCAL #214 AND THE COUNTY OF MIDLAND.

March 18, 2014

To the Honorable Chairman and
Members of the Board of Commissioners

Agenda Item: 104-10-13HS

Gentlemen:

I recommend approval of the Tentative Agreement between the Teamsters Local #214 and the County of Midland. The Union has informed us that their membership has ratified this agreement.

Respectfully submitted,
S/Richard G. Keenan
District #4
Midland County Board of Commissioners
Motion carried by Commissioner Keenan to approve.
Motion carried by voice.

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MOTION BY COMMISSIONER BONE SUPPORTED BY COMMISSIONER DORRIEN TO ADJOURN:
Motion carried by voice.

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MEETING IS ADJOURNED UNTIL APRIL 1, 2014 AT 9:00 A.M. TO MEET IN A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS AND FOR THE COMMITTEES TO RESUME THEIR DUTIES.

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James Leigeb, Chairman, Midland County
Board of Commissioners

Ann Manary, Midland County Clerk and
Clerk of the Board of Commissioners