

FEBRUARY SESSION 2012  
MIDLAND COUNTY BOARD OF COMMISSIONERS  
FEBRUARY 21, 2012

APPROVED

Board called to order by Chairman, Mark C. Bone, at 9:00 a.m.

ROLL CALL

MEMBERS PRESENT: SCHOENHERR, LEIGEB, GEISLER, KEENAN, BRADLEY, MCQUAID, BONE.

MEMBERS ABSENT: NONE.

Invocation by Commissioner Keenan.

Pledge to the Flag was given.

APPROVAL OF MINUTES FOR THE SESSIONS OF FEBRUARY 7<sup>TH</sup> AND 14<sup>TH</sup>, 2012:

Motion by Commissioner Leigeb to approve.

Motion carried by voice.

ACCEPTANCE OF BILLS:

GENERAL BANK CLAIMS APPROVED IN THE AMOUNT OF:

01-27-12 - REGULAR	\$2,989,294.30
02-03-12 - REGULAR	<u>\$462,309.63</u>
TOTAL CHECK RUNS	<u>\$3,451,603.93</u>

TOTAL GENERAL FUNDS EXPENDITURES \$112,049.21

Motion by Commissioner Schoenherr to accept.

Motion carried by voice.

SPECIAL PROGRAM OF THE DAY - NONE.

CONSENT AGENDA - COMMITTEE REPORT #2 (\*24-2-12) -

Motion by Commissioner Schoenherr to include Committee Report #2 (\*24-2-12) 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.

Scott Walker spoke regarding the executive leadership program.

Commissioner Comment - None.

Commissioner Consideration to remove any consent agenda item:

STANDING COMMITTEE REPORTS AND RESOLUTIONS

1

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF A LEASE AGREEMENT OF NON-DEVELOPMENTAL GAS AND OIL ON SECTIONS OF THE PERE MARQUETTE RAIL TRAIL IN ISABELLA COUNTY.

February 17, 2012

To the Honorable Chairman and

Members of the Board of Commissioners

Agenda Item: 26-2-12AO

Lady and Gentlemen:

We your Administration and Operations Committee recommend approval of an Oil and Gas Lease agreement affecting sections of the Pere Marquette Rail Trail on lands located within Isabella County. The agreement is between Isabella County and Lucas Exploration and Development, Inc. only with respect to the Joint Declaration of Covenants, Conditions and Restrictions for the properties use as a pedestrian trail.

Cont.

The County of Midland's only concern is that the Pere Marquette Rail Trail remain intact and its use be continued as originally intended. There is no financial impact to the County of Midland.

Respectfully submitted,

S/Howard G. Schoenherr, Chairperson

S/James H. Geisler

S/Richard Keenan

Administration and Operations Committee

Motion by Commissioner Schoenherr to adopt.

Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: SCHOENHERR, LEIGEB, KEENAN, GEISLER, BRADLEY, MCQUAID, BONE.

NAYS: NONE.

ABSENT: NONE.

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2

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS RECEIVING AND FILING THE 2011 DRAIN COMMISSIONER'S ANNUAL REPORT.

February 17, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: \*24-2-12AO

Lady and Gentlemen:

We your Administration and Operations Committee recommend receiving and filing the 2011 Drain Commissioner's Annual Report.

Respectfully submitted,

S/Howard G. Schoenherr, Chairperson

S/James Geisler

S/Richard Keenan

Administration and Operations Committee

APPROVED AS A PART OF THE CONSENT AGENDA.

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3

THE ADMINISTRATION AND OPERATIONS COMMITTEE AND THE FINANCE COMMITTEE RECOMMEND APPROVAL OF AN AGREEMENT AND THE ADDITIONAL FUNDING OF THIS AGREEMENT WITH PEOPLE TO PEOPLE NETWORK, INC. TO PROVIDE NURSING SERVICES TO THE COUNTY JAIL.

February 17, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 16-2-12AO

Lady and Gentlemen:

We your Administration and Operations Committee recommend approval of an agreement between the County of Midland and People to People Network, Inc. The term of this agreement is from January 1, 2012 through December 31, 2012.

Cont.

Under the terms of this agreement, People to People Network, Inc. agrees to provide nurse services to jail inmates up to 127 hours per week, at the rate of \$41.00 per hour and \$61.50 per hour on federal holidays. These terms are consistent with the prior agreement.

We your Finance Committee on a two to one vote recommend approval of a \$33,000.00 budget adjustment for this agreement. This adjustment is recommended because the net increase in cost is 15% and the net increase in inmates is 150%, a more than reasonable and responsible increase.

This increase to take effect upon the approval of the Board of Commissioners, the signing of this agreement and will be funded by the County 2012 Contingency Fund. This action is necessary for the safety of our personal and inmates.

Respectfully submitted,

S/Howard G. Schoenherr, Chairperson

S/James H. Geisler

S/Richard Keenan

Administration and Operations Committee

S/James H. Geisler, Chairperson

S/James Leigeb

S/Howard G. Schoenherr

Finance Committee

Motion by Commissioner Schoenherr supported by Commissioner Geisler to adopt.

Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: LEIGEB, KEENAN, GEISLER, BRADLEY, MCQUAID, SCHOENHERR, BONE.

NAYS: NONE.

ABSENT: NONE.

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4

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE TRANSFER OF FUNDS FROM PROBATE COURT 42<sup>ND</sup> CIRCUIT COURT-FAMILY DIVISION EDUCATION AND TRAINING LINE ITEM TO THE CAPITAL FOR THE PURCHASE OF AN IPAD2 FOR JUDGE ALLEN.

February 17, 2012

To the Honorable Chairman and

Members of the Board of Commissioners

Agenda Item: 17-2-12F

Lady and Gentlemen:

We your Finance Committee recommend approval of the request of Judge Allen of the Probate Court 42<sup>nd</sup> Circuit Court-Family Division for the transfer of funds from line item 101-149.000-866.000, titled Education and Training to the capital expenditure in the amount of \$707.98 to purchase an iPad2.

Respectfully submitted,

S/James H. Geisler, Chairperson

S/Howard G. Schoenherr

Finance Committee

Motion by Commissioner Geisler to adopt.

Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: KEENAN, GEISLER, BRADLEY, MCQUAID, SCHOENHERR, BONE.

NAYS: LEIGEB.

ABSENT: NONE.

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5

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE RESOLUTION AUTHORIZING THE BORROWING FOR THE PURCHASE OF THE 2011 DELINQUENT TAXES, PURSUANT TO PUBLIC ACT 532 OF MICHIGAN PUBLIC ACT OF 1978.

February 17, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 21-2-12F

Lady and Gentlemen:

We your Finance Committee recommend approval of the Resolution authorizing Cathy Lunsford, the Midland County Treasurer to borrow for the purchase of the 2011 Delinquent Taxes, pursuant to Public Act 532 of the Michigan Public Act of 1978.

The assumptions behind our borrowing estimate are:

2011 Adjusted Tax Roll	\$104,938,636.00
4.5% Average Delinquency on March 1, 2012	4,722,238.00
Estimated collections from March 1-April 30	<u>-1,400,000.00</u>
Estimated County Borrowing	\$ 3,322,238.00

The \$6,000,000.00 maximum authority is to ensure the resolution does not fall short of the amount to be borrowed. The Treasurer's Office will adjust the amount borrowed based on the actual amount of delinquency on March 1, 2012, less the collections from March 1, 2012 through April 30, 2012. The deadline for the County to reimburse the local units for their 2011 delinquent taxes is June 1, 2012, which will be funded through the borrowing.

Respectfully submitted,  
S/James H. Geisler, Chairperson                      S/James Leigeb  
S/Howard G. Schoenherr  
Finance Committee  
Motion by Commissioner Geisler to adopt.  
Motion Carried by Roll Call.  
Public comments: None.  
Commissioner Discussion: None.

ROLL CALL  
YEAS:            GEISLER, BRADLEY, MCQUAID, SCHOENHERR, LEIGEB, KEENAN, BONE.  
NAYS:            NONE.  
ABSENT:        NONE.

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6

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE PROPOSED ADJUSTMENTS TO THE 2012 BUDGET THAT RECORD CHANGES TO EXPENDITURES FOR KNOWN VARIANCES FROM THE BUDGET.

February 17, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 23-2-12F

Lady and Gentlemen:

We your Finance Committee recommend approval of the request of Tori Meyer, Finance Director of the proposed adjustments to the 2012 Budget. These adjustments record changes to expenditures for known variances from the adopted 2012 Budget.

Cont.

The adjustment address housekeeping items as well as an increase in Unemployment Expenditures related to Public Act 268 of 2011. Public Act 268 authorizes the State Treasurer to collect an obligation assessment for unemployment from each contributing employer, which is then applied to pay bond obligations issued by the State of Michigan.

Respectfully submitted,

S/James H. Geisler, Chairperson  
S/Howard G. Schoenherr

S/James Leigeb

Finance Committee

Motion by Commissioner Geisler to adopt.

Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: BRADLEY, MCQUAID, SCHOENHERR, LEIGEB, KEENAN, GEISLER, BONE.

NAYS: NONE.

ABSENT: NONE.

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7

THE HUMAN SERVICES COMMITTEE AND THE FINANCE COMMITTEE RECOMMEND APPROVAL OF THE PROMOTION AND THE FUNDING OF THIS PROMOTION OF MS. MAXWELL FROM A GRADE G TO GRADE I.

February 17, 2012

To the Honorable Chairman and

Members of the Board of Commissioners

Agenda Item: 15-2-12HSF

Lady and Gentlemen:

We your Human Services Committee and your Finance Committee have reviewed the request from the Director of Information Systems to change the position Systems Support/Technician, Grade G to a Systems Technician, Grade I.

The increased cost from this change will be offset with decreases in overall General Fund personnel costs due to attrition. Thus, this change will not require the use of contingency.

We recommend approval of this request and further authorize the Administrator/Controller to make the appropriate budget adjustments.

Respectfully submitted,

S/Richard Keenan, Chairperson  
S/Rose Marie McQuaid  
S/James T. Bradley

S/James H. Geisler, Chairperson  
S/James Leigeb  
S/Howard G. Schoenherr

Human Services Committee

Finance Committee

Motion by Commissioner Keenan supported by Commissioner Geisler to adopt.

Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: MCQUAID, SCHOENHERR, LEIGEB, KEENAN, GEISLER, BRADLEY, BONE.

NAYS: NONE.

ABSENT: NONE.

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8

THE HUMAN SERVICES COMMITTEE RECOMMENDS APPROVAL TO RESCIND THE PREVIOUS ACTION OF THE BOARD OF COMMISSIONERS THAT APPROVED MIDLAND COUNTY CLEAN INDOOR AIR REGULATION AND THE DISBANDMENT OF THE CLEAN INDOOR AIR APPEALS BOARD.

February 17, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 22-2-12HS

Lady and Gentlemen:

We your Human Services Committee recommends approval to rescind previously approved Board of Commissioners action that created the Midland County Clean Indoor Air Regulation for Midland County. The County regulation has been essentially replaced at the statewide level by the Michigan Smoke-Free Air Law (Act 188 of 2009), which went into effect on May 1, 2010.

We further recommend approval of the disbanding of Midland County Clean Indoor Air Appeals Board that was created by Board of Commissioners action on July 25, 2006. We take this opportunity to thank the members that served on this board for their volunteering their time to serve on this said board.

Respectfully submitted,  
S/Richard Keenan, Chairperson    S/Rose Marie McQuaid  
S/James T. Bradley  
Human Services Committee  
Motion by Commissioner Keenan to adopt.  
Motion Carried by Roll Call.  
Public comments: None.  
Commissioner Discussion: None.  
ROLL CALL  
YEAS:                      SCHOENHERR, LEIGEB, KEENAN, GEISLER, BRADLEY, MCQUAID, BONE.  
NAYS:                      NONE.  
ABSENT:                      NONE.

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MIDLAND COUNTY BOARD OF COMMISSIONERS  
REQUESTS, PETITIONS AND COMMUNICATIONS  
FEBRUARY 21, 2012

21-2-12  
TREASURER REQUESTS APPROVAL OF A RESOLUTION AUTHORIZING THE BORROWING FOR THE PURCHASE OF THE 2011 DELINQUENT TAXES, PURSUANT TO PUBLIC ACT 532 OF MICHIGAN PUBLIC ACT OF 1978.

REFERRED TO THE FINANCE COMMITTEE.  
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22-2-12  
HEALTH DIRECTOR REQUESTS APPROVAL TO RESCIND BOARD ACTION THAT CREATED THE MIDLAND COUNTY CLEAN INDOOR AIR REGULATION AND DISBAND THE CLEAN INDOOR AIR APPEALS BOARD.

REFERRED TO THE HUMAN SERVICES COMMITTEE.  
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23-2-12  
FINANCE DIRECTOR REQUESTS APPROVAL OF PROPOSED ADJUSTMENTS TO THE 2012 BUDGET TO EXPENDITURES FOR KNOWN VARIANCES FROM THE 2012 BUDGET.

REFERRED TO THE FINANCE COMMITTEE.  
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24-2-12

DRAIN COMMISSIONER SUBMITS 2011 ANNUAL REPORT.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.

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25-2-12

GREAT LAKES BAY MICHIGAN WORKS! REQUESTS PASSAGE OF A RESOLUTION THAT THE CONSORTIUM BOARD ADOPT THE PASSED WORKFORCE DEVELOPMENT BOARD RESOLUTION TO CREATE A STAND-ALONE PRIVATE, NON-PROFIT CORPORATION TO BE THE GREAT LAKES BAY MICHIGAN WORKS! ADMINISTRATIVE ENTITY.

REFERRED TO THE FINANCE COMMITTEE.

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26-2-12

PARKS AND RECREATION DIRECTOR REQUESTS APPROVAL OF GAS AND OIL LEASE AGREEMENT ON SECTIONS OF THE PERE MARQUETTE RAIL TRAIL. IN ISABELLA COUNTY.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.

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OLD BUSINESS -  
OLD BUSINESS NO. 1  
117-10-11

RECOMMENDATION TO APPROVE THE AGREEMENT BETWEEN THE MIDLAND COUNTY COMMAND OFFICERS ASSOCIATION AND THE MIDLAND COUNTY SHERIFF.

February 21, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 117-10-11HS

Lady and Gentlemen:

I recommend that the Board of Commissioners approve the agreement between the Midland County Command Officers Association and the Midland County Sheriff, and the Midland County Board of Commissioners. The Union has informed us that their membership has ratified this agreement.

Respectfully Submitted,  
S/Richard Keenan  
Midland County Board of Commissioners  
District #4  
Motion by Commissioner Keenan to adopt.  
Motion Carried by Roll Call.  
Public comments: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS: LEIGEB, KEENAN, GEISLER, BRADLEY, MCQUAID, SCHOENHERR, BONE.  
NAYS: NONE.  
ABSENT: NONE.

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NEW BUSINESS - NONE.

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COMMISSIONER COMMENTS

GEISLER - NO COMMENT.

BRADLEY - NO COMMENT.

MCQUAID - NO COMMENT.

SCHOENHERR - NO COMMENT.

LEIGEB - NO OCMMENT.

KEENAN - NO COMMENT.

BONE - NO COMMENT.

COMMISSIONER MEETING(S) SCHEDULE

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CLOSED SESSION - LABOR NEGOTIATIONS

Pursuant to a motion by Commissioner Schoenherr and supported by Commissioner Geisler and with the corresponding passage by voice vote a closed session of the Board of Commissioners was declared at 9:54 a.m. for the purpose of discussing Labor Negotiations in accordance with MSA 4.1800(18), Sec. 8(h).

Motion carried by voice.

Motion by Commissioner Schoenherr and supported by Commissioner Keenan to return to open session at 10:22 a.m.

Motion carried by voice.

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MOTION BY COMMISSIONER SCHOENHERR SUPPORTED BY COMMISSIONER LEIGEB TO MOTION TO ADJOURN:

Motion carried by voice.

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MEETING IS ADJOURNED UNTIL MARCH 6, 2012 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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Mark C. Bone, Chairman, Midland County  
Board of Commissioners

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