

JULY SESSION 2016  
MIDLAND COUNTY BOARD OF COMMISSIONERS  
JULY 19, 2016

APPROVED

Board called to order by Chairman, Mark Bone, at 9:07 a.m.

ROLL CALL

MEMBERS PRESENT: KLOHA, LEIGEB, KEENAN, GEISLER, DORRIEN, NOESEN, BONE.

MEMBERS ABSENT: NONE.

APPROVAL OF MINUTES OF JUNE 21<sup>ST</sup> AND JULY 12<sup>TH</sup>, 2016:

Motion by Commissioner Leigeb supported by Commissioner Kloha to approve.

Motion carried by voice.

ACCEPTANCE OF BILLS FROM MAY 27<sup>TH</sup>, JUNE 3<sup>RD</sup> AND JUNE 10<sup>TH</sup>, 2016:

05-27-16 - REGULAR	\$4,017,272.13
06-03-16 - REGULAR	\$628,007.09
06-10-16 - REGULAR	<u>\$1,275,663.50</u>
TOTAL CHECK RUNS	<u>\$5,920,942.72</u>

TOTAL GENERAL FUNDS EXPENDITURES \$211,185.83

Motion by Commissioner Noesen supported by Commissioner Geisler to accept.

Motion carried by voice.

SPECIAL PROGRAM OF THE DAY - SMART METER CONCERNS -BROCK MILLARD.

Mr. Millard spoke regarding smart meters. Don Diebert - evaluate hiring a communication coordinator. Dennis from Consumers Energy spoke regarding smart meters.

CONSENT AGENDA - COMMITTEE REPORT NUMBER 9 (\*55-7-16):

Motion by Commissioner Leigeb supported by Commissioner Noesen to add Committee Report number 9 to the Consent Agenda and to approve the Consent Agenda.

Commissioner Consideration to remove any consent agenda item:

STANDING COMMITTEE REPORTS AND RESOLUTIONS

1

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS ACCEPTANCE OF THREE GRANTS AWARDED TO THE COUNTY OF MIDLAND FROM THE HERBERT H. AND GRACE A. DOW FOUNDATION, THE ROLLIN M. GERSTACKER FOUNDATION AND THE CHARLES J. STROSACKER FOUNDATION FOR THE COURTHOUSE RENOVATION PROJECT.

July 15, 2016

To the Honorable Chairman and

Members of the Board of Commissioners

Agenda Item: 50-6-15AOA

Gentlemen:

We your Administration and Operations Committee recommend acceptance of three grants that have been awarded to the County of Midland from the Herbert H. and Grace A. Dow Foundation, the Rollin M. Gerstacker Foundation, and the Charles J. Strosacker Foundation to construct a new public entrance and the associated interior and exterior renovations of the County Courthouse for a total amount of \$5,300,000.00 funds will deposited into fund 410, "Courthouse Construction Fund."

The Herbert H. and Grace A. Dow Foundation awarded grant is for a total amount of \$3,500,000.00. The grant payment schedule will be paid out in December of 2017, 2018 and 2019. In the years 2017 and 2018 the grant amount is \$1,000,000.00 each year, and in 2019 the grant amount is \$1,500,000.00.

Cont.

The Rollin M. Gerstacker Foundation awarded grant is for a total amount of \$1,500,000.00, which \$500,000.00 will be paid out each year in 2017, 2018 and 2019.

The Charles J. Strosacker Foundation awarded grant is for a total of \$300,000.00. The grant payments of \$100,000.00 will be paid out each year in December of 2017, 2018 and 2019.

We further would like to express our grateful appreciation to these three foundations for their support of the Midland County Courthouse Renovation project to create a safe, efficient and user-friendly environment for Midland County.

Respectfully submitted,

S/James Geisler, Chairperson

S/Richard Keenan

S/Alan Kloha for Scott Noesen

Administration and Operations Committee

Motion by Commissioner Geisler to adopt.

Motion Carried by Roll Call.

Public comments: Judge Carras spoke and showed a few slides regarding the renovations.

ROLL CALL

YEAS: KEENAN, GEISLER, DORRIEN, NOESEN, KLOHA, BONE.

NAYS: LEIGEB.

ABSENT: NONE.

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2

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF THE CREATION OF THE COURTHOUSE CONSTRUCTION COMMITTEE TO OVERSEE THE COURTHOUSE RENOVATION PROJECT AND APPOINTMENT OF MEMBERS TO THIS SAID BOARD.

July 15, 2016

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 50-6-15AOB

Gentlemen:

We your Administration and Operations Committee recommend the creation of a Courthouse Construction Committee to be given authority to work with an architect, construction manager, and County staff to construct, furnish as necessary, equip and improve the Courthouse facility within a not to exceed total of \$5,750,000.00.

We further recommend that the Courthouse Construction Committee be composed of 5 voting members, with the following appointments:

Administrator/Controller  
Corporation Counsel  
County Commissioner  
Member of the Judiciary  
Citizen-At-Large member

Bridgette Grandsen  
L. William Smith  
Appointed by Board of Commissioners Chair  
Honorable Judge Stephen Carras  
Appointed by Board of Commissioners Chair

Since the Courthouse Construction Committee will oversee the project without the power of ownership conveyed through a contract of lease, the County will need to confer decision making authority upon the Committee for this project. Consequently, we further recommend that the County's purchasing and budget policies be waived for this project and that the Committee be authorized to set reasonable purchasing and budget policies and procedures for the Project as it deems necessary to complete the project within budgeted amounts.

Cont.

The Commissioner appointed to the Committee and the Administrator/  
Controller will provide updates to the full Board on a periodic basis.

Respectfully submitted,

S/James Geisler, Chairperson

S/Richard Keenan

S/Alan Kloha for Scott Noesen

Administration and Operations Committee

Motion by Commissioner Geisler to adopt.

Motion Carried by Roll Call.

Public comments: NONE.

ROLL CALL

YEAS: KEENAN, GEISLER, DORRIEN, NOESEN, KLOHA, BONE.

NAYS: LEIGEB.

ABSENT: NONE.

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3

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF A SERVICE  
AGREEMENT WITH 1016 REVOCERY NETWORK TO PROVIDE A DRUG COURT CASE MANAGER TO ASSIST  
THE DRUG COURT COORDINATOR IN THE OPERATIONS OF THE DRUG COURT.

July 15, 2016

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 57-7-16AO

Gentlemen:

We your Administration and Operations Committee recommend approval of an service  
agreement between the County of Midland 42<sup>nd</sup> Circuit Court and 1016 Recovery Network. The  
term of this agreement is from July 20, 2016 through December 31, 2016.

The purpose of this agreement is to provide a Drug Court Case Manager to assist the Drug  
Court Coordinator in the operation of the drug court within the County of Midland.  
Compensation for the Case Manager is not to exceed \$20,155.20 annually and is payable  
monthly. This expenditure will be fully reimbursed by Drug Court grant funding and  
therefore has no financial impact to the County. Should the grant funding no longer be  
available, this agreement will be terminated. This expenditure is included in the Fund  
262 Budget.

Respectfully submitted,

S/James Geisler, Chairperson

S/Richard Keenan

S/Scott Noesen

Administration and Operations Committee

Motion by Commissioner Geisler to adopt.

Motion Carried by Roll Call.

Public comments: NONE.

ROLL CALL

YEAS: GEISLER, DORRIEN, NOESEN, KLOHA, LEIGEB, KEENAN, BONE.

NAYS: NONE.

ABSENT: NONE.

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4

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF A SERVICE AGREEMENT WITH THE MIDLAND COUNTY HUMANE SOCIETY; INCLUDING OPERATING AGREEMENT AND A PURCHASE AGREEMENT WITHIN THIS SERVICE AGREEMENT OF THE FORMER COUNTY OWNED ANIMAL SHELTER LOCATED AT 4371 E. ASHMAN STREET, MIDLAND, MICHIGAN.

July 15, 2016

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 19-3-15AO

Gentlemen:

We your Administration and Operations Committee recommend approval of a Service Agreement between the County of Midland and the Midland County Humane Society. This Service Agreement consists of an Operating Agreement and a Purchase Agreement for the former County animal shelter located at 4371 E. Ashman Street, Midland, Michigan.

The term of Operating Agreement is for ten years, commencing on the date of final signatures of Service Agreement by all parties. Under the terms the Humane Society agrees to operate and maintain the Shelter consistent with the requirements of the State of Michigan License for at least 40 hours per week, fifty-two weeks per year; maintain a population of animals at or below capacity; accept all animals; comply with the all laws, statutes, ordinances and rules regarding the operations of a Shelter and comply with the terms and conditions of the Service Agreement amongst other terms within both agreements.

The County agrees to employ at least one Animal Control Officer to qualify under the County's Animal Control Ordinance that will enforce all statutes, laws and ordinances relating to animals. The County agrees pay \$9.00 per day boarding fee for up to 7 days on behalf of any animal brought to the Shelter by the Animal Control Officer, an employee of the County Sheriff's Office, or any other person duly authorized by the Office of the County Sheriff, under order of any court of competent jurisdiction, for so long as is ordered by said court. This fee is to be reviewed every two years upon written request of either the County of Midland or the Humane Society.

The Purchase Agreement the County agrees to sell to the Humane Society the County owned facility and the Humane Society agrees to purchase this building for One Dollar (\$1.00) for the purpose of a licensed Animal Shelter and/or Animal Protection Shelter related activities and for no other purpose. The Humane Society agrees to purchase this shelter and accept the conditions of the premises "AS IS" among other terms spelled out in this agreement.

Respectfully submitted,  
S/James Geisler, Chairperson    S/Richard Keenan  
S/Scott Noesen

Administration and Operations Committee  
Motion by Commissioner Geisler to adopt.  
Motion Carried by Roll Call.  
Public comments: Neil Wackerle spoke.

ROLL CALL

YEAS:           DORRIEN, NOESEN, KLOHA, LEIGEB, KEENAN, GEISLER, BONE.  
NAYS:           NONE.  
ABSENT:        NONE.

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5

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF AN AGREEMENT WITH DIAMOND DRUG, INC. D/B/A DIAMOND PHARMACY SERVICES FOR PHARMACY SOFTWARE AT THE JAIL.

July 15, 2016

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 56-7-16AO

Gentlemen:

We your Administration and Operations Committee recommend approval of an agreement between the County of Midland Sheriff Office and Diamond Drug, Inc. d/b/a Diamond Pharmacy Services ("Diamond").

Diamond will provide proprietary Software owned by Sapphire Health, LLC, entitled Sapphire eMAR to the Midland County Jail. Diamond is to provide training to individuals, provide users duties and manual, access information, software updates, and portal for support amongst others.

The County is to prepare the jail for software setup, participate in the training, provide list of users, to comply with requirements as well as the software manual for using the software. There is no financial cost to the County.

Respectfully submitted,  
S/James Geisler, Chairperson    S/Richard Keenan  
S/Alan Kloha for Scott Noesen  
Administration and Operations Committee  
Motion by Commissioner Geisler to adopt.  
Motion Carried by Roll Call.

Public comments: NONE.

ROLL CALL

YEAS:                NOESEN, KLOHA, LEIGEB, KEENAN, GEISLER, DORRIEN, BONE.  
NAYS:                NONE.  
ABSENT:            NONE.

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6

THE ADMINISTRATION AND OPERATIONS COMMITTEE AND THE FINANCE COMMITTEE RECOMMEND APPROVAL OF AN AGREEMENT WITH TAMMY Z. MOVASAS, M.D., M.P.H. FOR THE PROVISION OF MEDICAL DIRECTOR FOR MIDLAND COUNTY.

July 15, 2016

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 53-7-16AOF

Gentlemen:

We your Administration and Operations Committee recommend approval of an agreement between the County of Midland Department of Public Health and Tammy Z. Movsas, M.D., M.P.H. for the provision of Medical Director for Midland County. The term of this agreement is for three years, from July 1, 2016 through June 30, 2019.

Under the terms of this agreement Doctor Movsas shall provide professional medical director services to the County averaging sixteen hours per week, fifty-two weeks per year, and shall be available twenty-four hours a day, seven days a week for consult, with at least eight hours per week on-location at the County during the department's regular business hours.

Cont.

The County agrees to reimburse Doctor Movsas for her services at a rate of \$77.18 per hour and shall receive no fringe benefits during the agreement period. The County also agrees to reimburse for any mileage/meal costs incurred for the provision of medical director services under the rules and regulations of the County's travel reimbursement policies. This represents an increase of 5%, or \$3,296.00 during the three years duration for these services from the current agreement of \$73.50 per hour, which does including FICA.

We your Finance Committee recommend approval to authorize the Administrator/Controller to make the necessary budget adjustments to the 2016 Budget.

Respectfully submitted,

S/James Geisler, Chairperson  
S/Richard Keenan  
S/Alan Kloha for Scott Noesen  
Administration and Operations  
Committee

S/Scott Noesen, Chairperson  
S/James Geisler  
S/Eric Dorrien  
Finance Committee

Motion by Commissioner Geisler supported by Commissioner Noesen to adopt.

Motion Carried by Roll Call.

Public comments: NONE.

ROLL CALL

YEAS: KLOHA, LEIGEB, KEENAN, GEISLER, DORRIEN, NOESEN, BONE.

NAYS: NONE.

ABSENT: NONE.

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7

THE ADMINISTRATION AND OPERATIONS COMMITTEE AND THE FINANCE COMMITTEE RECOMMEND APPROVAL OF AN AMENDMENT TO AN AGREEMENT WITH COMMUNITY MENTAL HEALTH FOR CENTRAL MICHIGAN ("CMHCM") TO PLACE CHILDREN IN FOSTER CARE; A RATE INCREASE IN ADMINISTRATION FEE, FOSTER CARE RATE AND OTHER FEES TO BE PAID TO THE COUNTY 42<sup>ND</sup> CIRCUIT COURT-FAMILY DIVISION BY CMHCM.

July 15, 2016

To the Honorable Chairman and  
Members of the Board of Commissioners

Agenda Item: 54-7-16AOF

Gentlemen:

We your Administration and Operations Committee recommend approval of an amendment to an agreement between the County of Midland 42<sup>nd</sup> Circuit Court-Family Division and Community Mental Health for Central Michigan ("CMHCM") to place children in foster care. The term of this agreement is from October 1, 2015 through September 30, 2016 and the amendment became effective May 1, 2016.

This amendment includes a rate increase of 1% and therefore CMHCM agrees to pay an administration fee of \$27,432.77. Formerly the annual administration fee was \$27,161.16. Additionally, CMHCM agrees to pay \$50.46 per day for foster care (also a rate increase of 1%), and up to \$1,858.05 for other fees as noted in Attachment A of this agreement. The transportation rate remains the same at \$0.56 per mile. Pre-approval must be obtained before CMHCM will reimburse the 42nds Circuit Court for expenses incurred.

Cont.

We your Finance Committee recommend approval to authorize the Administrator/Controller to make the necessary budget adjustments to revenues and expenditures in the 2016 Budget.

Respectfully submitted,

S/James Geisler, Chairperson  
S/Richard Keenan  
S/Alan Kloha for Scott Noesen  
Administration and Operations  
Committee

S/Scott Noesen, Chairperson  
S/James Geisler  
S/Eric Dorrien  
Finance Committee

Motion by Commissioner Geisler supported by Commissioner Noesen to adopt.

Motion Carried by Roll Call.

Public comments: NONE.

ROLL CALL

YEAS: LEIGEB, KEENAN, GEISLER, DORRIEN, NOESEN, KLOHA, BONE.

NAYS: NONE.

ABSENT: NONE.

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8

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF PLACING ROAD MILLAGE BALLOT LANGUAGE ON THE UPCOMING NOVEMBER 2016 GENERAL ELECTION BALLOT.

July 15, 2016

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 52-6-16F

Gentlemen:

We your Finance Committee reviewed the request from Midland County Road Commission and the City of Midland requesting to place the following ballot language on the November 2016 general election ballot for renewal of the Road Millage:

2016 ROAD MILLAGE QUESTION

“Shall the County of Midland, Michigan (hereafter ‘County’) renew the previously voted increase in the limitation on the total amount of general ad valorem taxes which may be imposed for all purposes upon all taxable real and personal property in Midland County, as provided in Article 9, Section 6 of the Michigan Constitution of 1963, as amended, which last resulted in a levy of 1.0 Mill (\$1.00 per \$1,000.00) of taxable valuation of such property as finally equalized, for a levy of up to 1.0 Mill of taxable valuation in 2017 through 2020, both inclusive, apportioned according to the statutory formula found in to Act 133, Public Acts of Michigan, 1968, for the purpose of continuing constructing, maintaining, repairing and improving highway, road, street and bridge systems in the County, including the Cities of Midland and Coleman, and the Village of Sanford, which if fully levied, is estimated to raise \$3,441,710 in the first year?”

This proposed millage language has been reviewed and approved by Civil Counsel, we recommend approval of the proposed language and to place this ballot question on the November 2016 general election.

Respectfully submitted,

S/Scott Noesen, Chairperson  
S/Eric Dorrien  
Finance Committee

S/James Geisler

Motion by Commissioner Noesen to adopt.

Motion Carried by Roll Call.

Public comments: NONE.

ROLL CALL

YEAS: KEENAN, GEISLER, DORRIEN, NOESEN, KLOHA, LEIGEB, BONE.

NAYS: NONE.

ABSENT: NONE.

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9

THE FINANCE COMMITTEE RECOMMENDS RECEIVING AND FILING THE REGION VII AREA ON AGING FY 2017-2019 MULTI-YEAR AND ANNUAL IMPLEMENTATION PLAN.

July 15, 2016

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: \*55-7-16F

Gentlemen:

We your Finance Committee have reviewed the Region VII Area Agency on Aging FY 2017 - 2019 Multi-Year and Annual Implementation Plan and we recommend receiving and filing the Implementation Plan.

If approved by the Board of Commissioners, we further request that the County Clerk send a copy of this action to Region VII Area Agency on Aging.

Respectfully submitted,  
S/Scott Noesen, Chairperson                      S/James Geisler  
S/Eric Dorrien  
Finance Committee

APPROVED AS A PART OF THE CONSENT AGENDA.

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10

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE DRAFT COUNTY POLICIES 301.12, FUND BALANCE POLICY; 301.13, CLAIMS PROCESSING PROCEDURE POLICY; 303.3, USE OF COUNTY CREDIT CARD, NO CHANGES TO ANY OF THESE POLICIES AT THIS TIME.

July 15, 2016

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 6-1-16F

Gentlemen:

We your Finance Committee recommend approval of the draft County Policies 301.12, Fund Balance Policy; 301.13, Claims Processing Procedure Policy; and 303.3, Use of County Credit Cards. There are no recommended changes to any of the three policies at this time.

Respectfully submitted,  
S/Scott Noesen, Chairperson                      S/James Geisler  
S/Eric Dorrien  
Finance Committee

Motion by Commissioner Noesen to adopt.

Motion Carried by Roll Call.

Public comments: NONE.

ROLL CALL

YEAS:                GEISLER, DORRIEN, NOESEN, KLOHA, LEIGEB, KEENAN, BONE.  
NAYS:                NONE.  
ABSENT:             NONE.

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11  
THE BOARD OF COMMISSIONERS RECOMMENDS APPROVAL OF THE ADMINISTRATOR/CONTROLLER ANNUAL EVALUATION REPORT.

July 15, 2016

To the Honorable Chairman and Agenda Item: 35-5-16 BOC  
Members of the Board of Commissioners

Ladies and Gentlemen:

The Board of Commissioners met in Closed Session and considered the performance of the Administrator/Controller and her contribution to the County's accomplishments during the past twelve months. The conclusion of the Board of Commissioners after the performance review is that the mutually agreed goals and objectives for 2015-2016 were predominantly managed and/or completed in a manner that "exceeds expectations".

Respectfully submitted,  
S/Mark Bone, Chairperson S/James Geisler  
S/Alan Kloha S/Eric Dorrien  
James Leigeb S/Scott Noesen  
Richard Keenan  
Midland County Board of Commissioners  
Motion by Commissioner Dorrien supported by Commissioner Geisler to adopt.  
Motion carried by voice.

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MIDLAND COUNTY BOARD OF COMMISSIONERS  
REQUESTS, PETITIONS AND COMMUNICATIONS  
JULY 19, 2016

53-7-16  
HEALTH DIRECTOR REQUESTS APPROVAL OF AN AGREEMENT WITH TAMMY Z. MOVAS, MD, MPH FOR MEDICAL DIRECTOR COVERAGE FOR MIDLAND COUNTY.

REFERRED TO THE FINANCE AND ADMINISTRATION AND OPERATIONS COMMITTEES.

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54-7-16  
42<sup>ND</sup> CIRCUIT ATTORNEY REFEREE/DEPUTY COURT ADMINISTRATOR REQUESTS APPROVAL OF AN AGREEMENT WITH COMMUNITY MENTAL HEALTH FOR CENTRAL MICHIGAN FOR PROVISION OF FOSTER CARE SERVICES FOR 42<sup>ND</sup> CIRCUIT COURT-FAMILY DIVISION.

REFERRED TO THE FINANCE AND ADMINISTRATION AND OPERATIONS COMMITTEES.

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55-7-16  
REGION VII AREA AGENCY ON AGING EXECUTIVE DIRECTOR REQUESTS REVIEW AND APPROVAL OF THE REGION VII AREA AGENCY ON AGING PROPOSED FY 2017-2019 MULTI-YEAR ANNUAL IMPLEMENTATION PLAN.

REFERRED TO THE FINANCE COMMITTEE.

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56-7-16  
SHERIFF REQUESTS APPROVAL OF AN AGREEMENT WITH DIAMOND PHARMACY SERVICES THAT WILL PROVIDE PROPRIETARY SOFTWARE OWNED BY SAPPHIRE HEALTH, LLC FOR PHARMACY SOFTWARE SERVICES TO THE JAIL.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.  
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57-7-16

42<sup>ND</sup> CIRCUIT COURT JUDGE BEALE REQUESTS APPROVAL OF AN AGREEMENT WITH 1016 RECOVERY NETWORK TO PROVIDE A DRUG COURT CASE MANAGER TO ASSIST THE DRUG COURT COORDINATOR IN THE OPERATIONS OF THE DRUG COURT.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.

OLD BUSINESS - NONE.

NEW BUSINESS - NONE.

COMMISSIONER COMMENTS

GEISLER - NO COMMENT.

DORRIEN - NO COMMENT.

NOESEN - NO COMMENT.

KLOHA - NO COMMENT.

LEIGEB - SPOKE REGARDING HIS CONCERN FOR OUR POLICE IN THE COUNTY.

KEENAN - THOUGHT IT WAS NICE TO SEE THE PUBLIC AT THE MEETING.

BONE - THANKED ALL THE FOUNDATIONS FOR THEIR CONTRIBUTIONS.

COMMISSIONER MEETING(S) SCHEDULE

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

MEETING IS ADJOURNED UNTIL AUGUST 9, 2016 AT 9:00 A.M. TO MEET IN AN EXECUTIVE 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