

**LAPEER COUNTY BOARD OF COMMISSIONERS**  
**January 19, 2017**  
**9:00 A.M.**

Chairman Roy called the meeting to order at 9:06 a.m. in the Commission Chambers on the lower level of the County Complex Building. Commissioner Schneider opened the meeting with prayer. The Pledge of Allegiance was recited.

|          |                 |             |
|----------|-----------------|-------------|
| Present: | Cheryl A. Clark | District #1 |
|          | Gary Roy        | District #2 |
|          | Dyle Henning    | District #3 |
|          | Lenny Schneider | District #4 |
|          | Rick Warren     | District #5 |
|          | C. Ian Kempf    | District #7 |
| Absent:  | Linda M. Jarvis | District #6 |

### AGENDA

The agenda and draft minutes from the January 5, 2017 Organizational Meeting were reviewed.

#### 23-17

Motion by Clark, supported by Warren, to accept the agenda with the deletion of a closed session. Motion carried.

#### 24-17

Motion by Schneider, supported by Kempf, to approve the January 5, 2017 Organizational Meeting Minutes. Motion carried.

It was noted that the Commissioner Mileage/Expense Sheets are in the packet for review.

**Elected Official/Department Head Updates** – No comments were received.

**PUBLIC TIME** – Emil Joseph, Friend of the Court stated that after 22 years, January 31, 2017 will be his last day. He noted that Michael D. Hodges has been appointed as the next Friend of the Court.

#### 25-17

Motion by Clark, supported by Kempf, to approve the Capital Budget for 2017-2021, as submitted by Buildings and Grounds/Parks Department. Roll Call Vote: Kempf, aye; Schneider, aye; Warren, aye; Clark, absent; Henning, aye; Jarvis, aye; Roy, aye. 6 aye, 1 absent. Motion carried.

#### 26-17

Motion by Clark, supported by Kempf, to adopt the following resolution, as submitted by the Drain Commissioner:

### **RESOLUTION RE: Indian Creek Intercounty Drain Bonds, Series 2017**

WHEREAS, proceedings have been taken by the Drainage Board for the Indian Creek Intercounty Drain for improvements to the Indian Creek Intercounty Drain (the

(Resolution for Indian Creek Intercounty Drain Bonds continued)

"Project") under the provisions of Chapter 8 of the Drain Code of 1956, as amended (the "Drain Code"), pursuant to a petition filed with the Lapeer County Drain Commissioner; and

WHEREAS, in order to pay for the costs of the Project, the Drainage Board has authorized and provided for the issuance by the Indian Creek Intercounty Drain Drainage District (the "Drainage District") of bonds designated "Indian Creek Intercounty Drain Bonds, Series 2017" (the "Bonds") in the aggregate principal amount of \$3,300,000 and bearing interest at a rate not to exceed 6% per annum, in anticipation of the collection of an equal amount of special assessments against property and public corporations (including the County of Lapeer) in the Counties of Lapeer, Sanilac and Tuscola in the Drainage District, said special assessments having been duly confirmed as provided in the Drain Code; and

WHEREAS, 84.1% of the cost of the Project has been apportioned by the Drainage Board to the County of Lapeer, 4.2% of such cost has been apportioned by the Drainage Board to the County of Sanilac and 11.7% of such cost has been apportioned by the Drainage Board to the County of Tuscola; and

WHEREAS, the Drainage Board deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County of Lapeer on the Bonds to the extent of special assessments assessed against property and public corporations in the County; and

WHEREAS, the Project is necessary to protect and preserve the public health and it is in the best interest of the County of Lapeer that the Bonds be sold.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAPEER:

Pursuant to the authorization provided in Sections 132 and 276 of the Drain Code, and provided that the Bonds are issued within the parameters set forth above, the Lapeer County Board of Commissioners, by a majority vote of its members elect, does hereby irrevocably pledge the full faith and credit of the County of Lapeer for the prompt payment of the principal of and interest on the Bonds to the extent of special assessments against property and public corporations in the County, and does agree that in the event that property owners or public corporations in the County shall fail or neglect to account to the County Treasurer of the County of Lapeer for the amount of any such special assessment installment and interest (in anticipation of which the Bonds are issued) when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. In the event that, pursuant to said pledge of full faith and credit, the County of Lapeer advances out of County funds, all or any part of the principal of and interest due on the Bonds, it shall be the duty of the County Treasurer, for and on behalf of the County of Lapeer, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. The issuance and sale of the Bonds is subject to permission being granted therefor by the Department of Treasury of the State of Michigan pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and the County Treasurer is hereby authorized and directed, if necessary, to file with the Department of Treasury an application for approval of the Bonds.

(Resolution for Indian Creek Intercounty Drain Bonds continued).

4. The County Treasurer is hereby authorized, if necessary, to execute a certificate of the County to comply with the continuing disclosure undertaking of the County with respect to the Bonds pursuant to paragraph (b)(5) of SEC Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

5. This resolution shall become effective only if the Board of Commissioners of the County of Sanilac and the Board of Commissioners of the County of Tuscola each adopt a resolution substantially in the form of this resolution that pledges the limited tax full faith and credit of each respective county to the payment of the principal of and interest on the Bonds to the extent of its apportioned share of the cost of the Project.

6. All resolutions and part of resolutions, insofar as the same may be in conflict with the provisions of this resolution, be and the same hereby are rescinded.

Roll Call Vote: Clark, aye; Henning, aye; Jarvis, absent; Kempf, aye; Schneider, aye; Warren, aye; Roy, aye. 6 ayes, 1 absent. Motion carried.

#### 27-17

Motion by Clark, supported by Kempf, pursuant to motion 344-08 of the October 9, 2008 Regular Board Meeting, giving the Committee of the Whole the authority to act, to enter into the official record the following action taken at the January 12, 2017 meeting of the Committee of the Whole:

*Motion by Kempf, supported by Warren, to adopt the following resolution:*

#### **RESOLUTION**

**WHEREAS,** Alton "Al" Hart was born January 27, 1931 to Lyle and Florence Hart and graduated from Otisville High School in 1949; and,

**WHEREAS,** Alton "Al" Hart married Dorothy St. Amor in 1951, and raised two daughters, Loraine (Smith) of Lapeer and Rhonda (Gill) of Imlay City, and a son Darrell Hart of Elba Township. Al and Dorothy were blessed with five grandchildren and three great-grandchildren. 2008 was a sorrowful year as Dorothy passed away. Al's spark returned when he met Betty Gamblin, and they married April 13, 2013; and,

**WHEREAS,** Alton "Al" Hart graduated with an Associate's Degree of Metallurgical, from Oakland University in 1967, and worked for the Bostick Foundry Co. as Plant Superintendent until the Plant closed in 1982. Al left Lapeer for a short time to work at a clothes foundry in Richmond, Indiana. After returning to Lapeer he hired in at Albar Industries, and retired as the Quality Engineer, in the year 2000, at the age of sixty-nine; and,

(Resolution for Alton Hart continued)

**WHEREAS, Alton "Al" Hart** has served the First Presbyterian Church in Lapeer as an Elder for at least twenty years; and Head Usher for over twenty-two years. also volunteered as: Funeral Attendant; Music Congregational Care Committee Member, Rose Gardener; Brown Bagger's Club, and The House Committee. The Church honored him with a Clock Plaque of Appreciation when he retired from these duties in October of 2015; and,

**WHEREAS, Alton "Al" Hart** was the President of the Lapeer County Genealogical Society for over fourteen years. He accepted the role of President when they started the Research Center so that the center would be eligible to sign for Grant Funding for Micro Fiche Equipment. He also assists the Historical Society with many projects. Up until recently Al would trek to Lansing as a participant of the Michigan Genealogical Counsel, where he served as a trustee for them for three-years; and,

**WHEREAS, Alton "Al" Hart** was the 2015 recipient of the Edgar A. Guest Community Service Award presented by the Lapeer Masonic Lodge 54; and,

**WHEREAS, Alton "Al" Hart** has volunteered his Friday mornings at the Lapeer County Clerk's Office for at least the past 15 years serving and assisting visitors who need help with genealogy research. He has provided individuals from other states assistance via email and has enhanced our office with valuable information from historical events.

**NOW, THEREFORE, BE IT RESOLVED,** that the Lapeer County Board of Commissioners, on behalf of all our citizens, does hereby adopt this resolution and extends our deep appreciation to **Alton "Al" Hart** for his distinguished service, and urges and encourages our fellow citizens to join us in commemorating his many years of service with a heartfelt **THANKS AND GRATITUDE.**

Roll Call Vote: Kempf, aye; Schneider, aye; Warren, aye; Clark, absent; Henning, aye; Jarvis, aye; Roy, aye. 6 ayes, 1 absent. Motion carried."

Motion carried.

28-17

Motion by Clark, supported by Kempf, that the Lapeer County Planning Commission and Board of Commissioners acknowledges receipt of Burnside Township's PA 116 Application submitted by applicant William and Virginia Ankley for Section No. 32, Parcel 005-032-026-00, approximately 55.56 acres for a period of 30 years, and on January 19, 2017 recommends approval of said application. Motion carried.

29-17

Motion by Clark, supported by Kempf, to authorize payment to Howard L. Shifman P.C., in the amount of \$3,335.00, for legal services rendered through December 31, 2016, to be paid from line item 101-210-801.020. Motion carried.

30-17

Motion by Clark, supported by Kempf, to authorize renewal of the Workers Compensation Services Agreement with Citizens Management Inc. for the total amount of \$94,490.00 (\$28,347.00 County portion and \$66,143.00 Lapeer County Medical Care Facility Portion) for the period of January 1, 2017 through January 1, 2019, to be paid from line item 101-954-713.000. Motion carried.

31-17

Motion by Clark, supported by Kempf, to authorize renewal of Liability Insurance Coverage through Michigan Municipal Risk Management Authority for the period of January 1, 2017 through December 31, 2017 with the annual premium of \$453,780.00 to be paid from line item 101-954-713.000. Motion carried.

32-17

Motion by Clark, supported by Kempf, to approve the 2017 Wage Reopener Amendment to the current Labor Agreement between the County of Lapeer and Police Officers Association for Michigan (POAM) Corrections/Clerks Unit "C" (Sheriff's Department), expiring December 31, 2018; and further, to authorize the Finance/Payroll Department to implement the wage increases and PEHP adjustments pursuant to the signed amendment for those employees actively on payroll as of the date of December 31, 2016. Motion carried.

**Brownfield Redevelopment Authority – three-year term**  
**Economic Development Corporation Board of Directors - six-year term**

At the January 12, 2017 Committee of the Whole Meeting, Commissioner Schneider nominated Michael Connors to serve on the Brownfield Redevelopment Authority and Economic Development Corporation Board of Directors.

33-17

Motion Clark, supported by Kempf, that nominations be closed, the rules set aside, and a unanimous ballot be cast to appoint Michael Connors to serve on the Brownfield Redevelopment Authority for a three-year term ending December 31, 2019, and on the Economic Development Corporation Board of Directors, for a six-year term ending December 31, 2022. Motion carried.

**Emergency Management Advisory Council Appointments – two-year term**

At the January 12, 2017 Committee of the Whole Meeting, Commissioner Schneider nominated Tom Atkins to serve on the Emergency Management Advisory Council.

34-17

Motion by Clark, supported by Kempf, that nominations be closed, the rules set aside, and a unanimous ballot be cast to appoint Tom Atkins to serve on Emergency Management Advisory Council, for a two-year term ending December 31, 2018. Motion carried.

At the January 12, 2017 Committee of the Whole Meeting, Commissioner Schneider nominated Ed Ronders to serve on the Emergency Management Advisory Council.

35-17

Motion by Clark, supported by Kempf, that nominations be closed, the rules set aside, and a unanimous ballot be cast to appoint Ed Ronders to serve on Emergency Management Advisory Council, for a two-year term ending December 31, 2018. Motion carried.

36-17

Motion by Clark, supported by Kempf, to approve the County's Audit Motion for disbursements dated January 20, 2017, based upon the signature of the County Controller/Administrator or Chief Financial Officer/Assistant Administrator; and further, to approve the Road Commission Audit Motion for disbursements dated January 19, 2017, based upon the signatures of the Road Commission Chairman and Finance Director. Roll Call Vote: Clark, aye; Henning, aye; Jarvis, absent; Kempf, aye; Schneider, aye; Warren, aye; Roy, aye. 6 ayes, 1 absent. Motion carried.

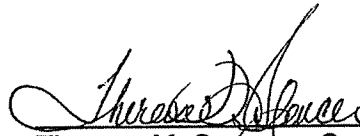
**PUBLIC TIME** – No comments were received.

The Commissioners gave brief reports on meetings and conferences that they have recently attended, as well as upcoming meetings and events.

Chairman Roy declared the meeting adjourned. 9:22 a.m.

---

Gary Roy, Chairman  
Board of Commissioners



---

Theresa M. Spender, County Clerk  
Clerk of the Board