

At the regular meeting of the Shiawassee County Board of Commissioners held on Thursday, August 12, 2021, in the Corunna Community Center, McCurdy Park in Corunna, Michigan:

The meeting was called to order by Chairman Brodeur at 5:00 p.m.

Pledge of Allegiance was recited.

Invocation was offered by Commissioner Webster

Roll call found Commissioners Webster, Holzhausen, Root, Garber, Marks, Plowman and Chairman Brodeur present.

It was moved by Commissioner Root, seconded by Commissioner Plowman to approve the agenda as presented. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Root to approve the minutes of the July 15, 2021 Board of Commissioners meeting. Motion carried.

It was moved by Commissioner Webster, seconded by Commissioner Marks to approve the minutes of the August 1, 2021 Special Board of Commissioners meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the bills listed on the Invoice Edit Reports dated July 6, 2021, July 13, 2021, July 15, 2021, July 16, 2021, July 22, 2021, July 22, 2021, July 23, 2021, July 26, 2021, July 28, 2021, July 29, 2021, August 5, 2021, August 9, 2021 and to include Wire Transfers, ACH and EFT's for a grand total of \$4,936,288.49 and authorize warrants be drawn from the Treasury for the same. Motion carried with the following roll call vote of 7 yeas: Commissioners Holzhausen, Root, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

Matthew Shepard, Perry – Board conduct

Peggy Shepard, Perry – yielded her time to Matthew Shepard

Erin Ibarra, Owosso – Commissioners conduct

Emily Thomas, yielded her time to Erin Ibarra

Michael Carr, Corunna - Board transparency

Larry Alpert, Owosso - Board meeting times / county finances transparency

Rebecca Piper, Durand – Commissioners Webster/Holzhausen

Paula Brooks, Durand – Dr. Boggs contract

Dan Brooks, Durand – Commissioners / Dr. Boggs contract

Danny Miller, Owosso – Board procedures

Sally Criner, Owosso – reserves her time for another speaker

Rex Wheeler, New Lothrop - Board meeting times / Board conduct / solar farms

Rebecca McClear, Owosso – County attorney contract / Commissioner training

Jean Koski, Owosso – yielded her time to Rebecca McClear

Don Surprenant, Corunna - County attorney / Commissioner conduct

Anthony Karhoff, Bancroft – Commissioner Root resignation / Board conduct

Mary Buginsky, - Mask mandate support

Nichole Ruggiero, - Board meeting times / Court order / ARPA funds / lawsuits

Emily Thomas, - yielded her time to Sue Wright

Sue Wright – Commissioner training /Road Commission funds

It was moved by Commissioner Marks, seconded by Commissioner Plowman to approve the Ordinance 21-08-13 to amend the Shiawassee County Zoning Map for property located in Section 9 of Perry Township from A-2 agricultural to B-2 General Business and authorize the Board Chair to execute all necessary documents. Motion carried with the following roll call vote of 7 yeas: Commissioners Root, Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

**ORDINANCE
OF
THE COUNTY OF SHIAWASSEE**

At a regular meeting of the Shiawassee County Board of Commissioners held at 5:00 P.M. on August 12, 2021, in the Commissioner’s Chambers located on the 1st Floor of the Surbeck Building, 201 N Shiawassee St., Corunna, Michigan, at which time the following members were present:

Commissioner _____ moved, supported by Commissioner _____, to adopt the following to amend the Shiawassee County Zoning Ordinance.

PREAMBLE: The Shiawassee County Zoning Ordinance (“Ordinance”) as adopted by the Board of Commissioners of the County of Shiawassee, pursuant to Public Act 183 of 1943 (as amended and replaced by Public Act 110 of 2006, as also amended), may be amended following the procedures outlined in said Ordinance and in compliance with Public Act 110 of 2006, as amended.

WHEREAS: Donald K. Schultz filed a petition and paid all applicable fees to rezone a portion of land from A-2, Agricultural Production/Rural Residential to B-2, General Business; a portion of said parcel of land being located in Section 9 of Perry Township (Parcel Id.# 014-09-200-006) and legally described as follows:

A Portion of 014-09-200-006: Part of the East 10 ½ acres of the South ½ of the South ½ of the Northeast ¼ of Section 9, T5N-R2E, Perry Township, Shiawassee County, Michigan, which lies Westerly of a line described as: Commencing at the East ¼ corner of said Section 9 a distance of 882.28 feet; thence S87°45’28”W 120 feet to the point of beginning; thence S02°14’32” E 740.83 feet; thence S03°25’54”W 113.72 feet; thence S18°37’53”W 161.65 feet to a point of ending.

WHEREAS: The Shiawassee County Planning Commission held a duly advertised and noticed public hearing on July 28, 2021 considering the request; and

WHEREAS: Upon reviewing the request, reviewing conditions offered by the applicant, accepting comment at the public hearing, and deliberating the findings of fact as set forth in Article 19, Section 19.5 of the Ordinance, the Shiawassee County Planning Commission recommended approval of the request to the Shiawassee County Board of Commissioners;

THEREFORE BE IT RESOLVED: The Shiawassee County Board of Commissioners, having considered the recommendation and findings of the Shiawassee County Planning Commission and having reviewed the request of the applicant, ordains to amend the official Zoning Map (Article 2, Section 2.1.2) of the Ordinance by changing the zoning designation of the above referenced property from A-2, Agricultural Production/ Rural Residential to B-2, General Business.

THOSE VOTING AYE:

THOSE VOTING NAY:

THOSE ABSENT:

Amendment # _____ to the Shiawassee County Ordinance and Map was adopted.

Gregory Brodeur, Chairperson
Board of Commissioners, Shiawassee County, Michigan

I do hereby certify that the above ordinance to amend the Shiawassee County Zoning Ordinance and Official Zoning Map is a true and correct copy of that recorded in the official minutes of the August 12, 2021 Shiawassee County Board of Commissioners meeting.

Caroline Wilson, Clerk
Shiawassee County, Michigan

I, Caroline Wilson, Clerk of the aforesaid County, hereby certify that the above ordinance to amend the Shiawassee County Zoning Ordinance and the Official Zoning Map is a true and correct copy of that recorded in the official minutes of the August 12, 2021 Shiawassee County Board of Commissioners meeting.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court this _____ day of _____, 2021.

It was moved by Commissioner Marks, seconded by Commissioner Holzhausen to approve the PA 116 Farmland Agreement Applications 2100012-2100013 for Mark Senk as presented. Motion carried with the following roll call vote of 7 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen, Root and Chairman Brodeur. 0 nays.

It was moved by Commissioner Marks, seconded by Commissioner Holzhausen to approve the PA 116 Farmland Agreement Application 2100014 for Henry and Linda Jennings as presented. Motion carried with the following roll call vote of 7 yeas: Commissioners Marks, Plowman, Webster, Holzhausen, Root, Garber and Chairman Brodeur. 0 nays.

It was moved by Commissioner Marks, seconded by Commissioner Holzhausen to authorize the Drain Commissioner to sell his current backhoe and purchase the used one. Motion carried with the following roll call vote of 7 yeas: Commissioners Plowman, Webster, Holzhausen, Root, Garber, Marks and Chairman Brodeur. 0 nays.

It was moved by Commissioner Marks, seconded by Commissioner Root to approve the minutes of the August 9, 2021, Economic and Physical Development Committee meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Root to approve the five year contract with Bendzinski and Co. Municipal Finance Advisors to be the County Dissemination Agent and prepare the annual disclosure report. Motion carried with the following roll call vote of 7 yeas: Commissioners Webster, Holzhausen, Root, Garber, Marks, Plowman and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Holzhausen to approve the payment of \$79,500 for Case #2 to the Drain Commission. Motion carried with the following roll call vote of 7 yeas: Commissioners Holzhausen, Root, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Root to approve the Public Defenders Budget, which aligns with the state fiscal year, and authorize the County Coordinator to execute the electronic acceptance with the state. Motion carried with the following roll call vote of 7 yeas: Commissioners Root, Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Webster to approve the replacement of the victims' rights coordinator at a grade 6. Motion carried with the following roll call vote of 7 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen, Root and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Root to approve the replacement of two full-time prosecuting attorneys due to two vacancies at a grade 10. Motion carried with the following roll call vote of 7 yeas: Commissioners Marks, Plowman, Webster, Holzhausen, Root, Garber and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Root to approve the reclassification of a full-time assistant prosecuting attorney to a part-time prosecuting attorney. Motion carried with the following roll call vote of 7 yeas: Commissioners Plowman, Webster, Holzhausen, Root, Garber, Marks and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the replacement of an assistant prosecuting attorney on a temporary basis with a part-time assistant prosecuting attorney to backfill a temporary vacancy of a full-time assistant prosecuting attorney. Motion carried with the following roll call vote of 7 yeas: Commissioners Webster, Holzhausen, Root, Garber, Marks, Plowman and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Root to approve the temporary move of the part-time CPL/Vital Clerk to full-time Elections Clerk until the position via training is replaced. Motion carried with the following roll call vote of 7 yeas: Commissioners Holzhausen, Root, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Holzhausen to authorize the Clerk to fill the Elections vacancy at a level 3 per the AFSCME contract. Motion carried with the following roll call vote of 7 yeas: Commissioners Root, Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to authorize the Sheriff to purchase a 2021 Ford F150 Police Responder Super Crew patrol vehicle and complete the necessary preparation for it to be added to the fleet. Motion carried with the following roll call vote of 7 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen, Root and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Root to provide the Drain Commissioner with additional funds for the revolving account not to exceed \$300,000. Motion carried with the following roll call vote of 7 yeas: Commissioners Marks, Plowman, Webster, Holzhausen, Root, Garber and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Holzhausen to approve resolution #21-08-13 to authorize the treasurer to move county banking to Horizon's bank. Motion carried with the following roll call vote of 7 yeas: Commissioners Plowman, Webster, Holzhausen, Root, Garber, Marks and Chairman Brodeur. 0 nays.

**RESOLUTION AUTHORIZING CHANGE IN BANKING RELATIONSHIP
RESOLUTION NO. #21-08-13**

WHEREAS, Shiawassee County maintains numerous bank accounts with TCF Bank through its local branch located in the City of Corunna;

WHEREAS, TCF Bank recently merged with Huntington Bank;

WHEREAS, as a condition of the most recent merger, TCF Bank is required to divest certain of its assets, including the Corunna branch location;

WHEREAS, the current TCF Bank Corunna branch location will be acquired by Horizon Bank; and

WHEREAS, Shiawassee County desires to continue banking through the local Horizon Bank branch located in the City of Corunna.

NOW, THEREFORE, BE IT RESOLVED that, Shiawassee County approves and authorizes the transition of all banking accounts and banking services currently held at or conducted through TCF Bank's Corunna branch to the Corunna branch of Horizon Bank.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners, the County Coordinator, and County Treasurer of Shiawassee County, are hereby authorized to execute such documents and take such actions as are necessary to carry out the above-described transfer to Horizon Bank's Corunna branch.

Roll Call Vote:

Ayes:

Nays:

Resolution declared adopted.

Gregory Brodeur
Chairman of the Shiawassee County Board of Commissioners

I, the undersigned, Clerk of Shiawassee County, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Shiawassee County Board of Commissioners, at its Regular Meeting held on August 12, 2021.

Caroline Wilson
Shiawassee County Clerk
Clerk to the Board of Commissioners Shiawassee County

It was moved by Commissioner Plowman, seconded by Commissioner Root to approve the minutes of the August 9, 2021, Finance and Administration Committee meeting. Motion carried.

It was moved by Commissioner Marks, seconded by Commissioner Root to approve the BOC meeting week change schedule from September 13th-16th to September 20th-23rd. Motion carried.

It was moved by Commissioner Marks, seconded by Commissioner Root to approve the minutes of the August 11, 2021, Committee of the Whole meeting. Motion carried.

Chairman Brodeur – thanked public for their patience. Discussed opening up the communication with Board during a time before the second public comment. Moved Commissioner Webster to Chairperson of Public Safety and Courts Committee and Commissioner Marks as a member to the Finance and Administration Committee.

County Coordinator Dr. Boggs explained the loss revenue calculated from a federal standard, budget workshops starting with departments goal is to be done with them by end of September, City of Corunna letter regarding McArthur sidewalk project, Court order on ARPA funds, FOIA correspondence.

Dan Law, Owosso – Agenda incomplete / transparency in motions

Joe Ibarra, Owosso – Board conduct / Dr. Boggs

Matt Schaefer, Durand – County attorney / Dr. Boggs

Anthony Karhoff, Bancroft – Board meeting times / Board conduct

Peggy Shepard, Perry – reserves her time for another speaker

Matthew Shepard, Perry – First Amendment Rights / Commissioner Garber; Veteran’s Committee

Emily Thomas, Perry – ARPA funds; returned funds / Dr. Boggs evaluation

Michael Carr, Corunna - Agenda postings / Board conduct / solar farms

Danny Miller, Owosso – Jail Garden / Commissioners rescind per diem

Peggy Shepard, Perry – yielded her time to Danny Miller

Steve Sexton, Owosso - Board transparency / jail garden

Rex Wheeler, New Lothrop - Board conduct / Hazelton Township

Tom Manke, Owosso – SCOA / Commissioner Webster

Jeff Reed, Byron - Commissioners Root / Mark

Rebecca McClear, Owosso – Dr. Boggs / County Attorney Painter

Thomas Foster, New Haven – County conduct

Meeting adjourned at 7:21 p.m.

Gregory Brodeur, Chairman
Board of Commissioners

Caroline D. Wilson
County Clerk