

At the regular meeting of the Shiawassee County Board of Commissioners held on Thursday, December 15, 2022 in the Commissioner Chambers, Surbeck Building, 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, Howard, Garber, Marks, Plowman and Chairman Brodeur present.

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

It was moved by Commissioner Plowman, seconded by Commissioner Garber to enter into Closed Session pursuant to MCL 15.268(e) to discuss litigation and settlement strategy regarding pending litigation with our attorney in the matter of Ruggiero v. Shiawassee County Board of Commissioners, et al, Shiawassee County Case No. 21-5977-CZ, Genesee County Case No. 21-115955-CZ, as discussion in open session would be detrimental to the financial position of the County with regard to settlement. Motion carried with the following roll call vote of 7 yeas: Commissioners Holzhausen, Howard, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

Regular meeting adjourned to enter into closed session at 5:02 p.m.

Closed session adjourned at 5:10 p.m.

Regular meeting reconvened at 5:11 p.m.

It was moved by Commissioner Plowman, seconded by Commissioner Howard to approve the closed session minutes presented by Clerk Wilson. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Webster to adopt our attorney's recommendation and course of action in the matter of Ruggiero v. Shiawassee County, Case No. 21-5977-CZ, Genesee County Case No. 21-115955-CZ. Motion carried with the following roll call vote of 7 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen, Howard and Chairman Brodeur. 0 nays.

It was moved by Commissioner Garber, seconded by Commissioner Howard to approve the minutes of the November 17, 2022 Board of Commissioners meeting. Motion carried.

It was moved by Commissioner Howard, seconded by Commissioner Webster to approve the minutes of the December 1, 2022 Special Board of Commissioners meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Howard to approve the minutes of the December 12, 2022 Special Board of Commissioners meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Marks to approve the bills listed on the Invoice Edit Reports dated November 14, 2022, November 18, 2022, November 21, 2022, November 23, 2022, December 5, 2022, December 6, 2022 and December 9, 2022. Payroll Batch dated November 25, 2022 and Payroll Batch dated December 9, 2022 and to include Wire Transfers, ACH and EFT's for a grand total of \$4,307,236.83 and authorize warrants be drawn from the Treasury for the same. Motion carried with the following roll call vote of 7 yeas: Commissioners Holzhausen, Howard, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

Paula Brooks, Durand – County Coordinator candidate

Emaris Gonser, Owosso – AFSCME contract

Tom Manke, Owosso – Thanked Board for service/County Coordinator position

It was moved by Commissioner Marks, seconded by Commissioner Holzhausen to approve the contract for electrical inspection services with John Keetch and authorize the chair to sign the same. Motion carried with the following roll call vote of 7 yeas: Commissioners Plowman, Webster, Holzhausen, Howard, Garber, Marks and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Webster to move into a Public Hearing for the Shiawassee County Parks, Recreation and Open Space Plan. Chairman Brodeur offered public comment: Cody Baker, David Lawsey and Phil Hathaway spoke.

It was moved by Commissioner Webster, seconded by Commissioner Howard to close the Public Hearing. Motion carried. Public Hearing closed at 5:37 p.m.

It was moved by Commissioner Marks, seconded by Commissioner Holzhausen to approve model plan adoption Resolution 22-12-13 for the Shiawassee County Parks, Recreation and Open Space Plan. Motion carried with the following roll call vote of 7 yeas: Commissioners Webster, Holzhausen, Howard, Garber, Marks, Plowman and Chairman Brodeur. 0 nays.

### **Model Plan Adoption Resolution #22-12-13 Shiawassee County Parks, Recreation and Open Space Plan**

WHEREAS, the Shiawassee County Parks and Recreation Commission has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five-year period covering the years 2023 through 2027, and

WHEREAS, the Shiawassee County Parks and Recreation Commission began the process of developing a community recreation and natural resource conservation plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of Shiawassee County were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and park system natural resource conservation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and

WHEREAS, a public hearing was held on December 15, 2022, at the Shiawassee County Board of Commissioners Meeting Chambers to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the Shiawassee County Parks, Recreation and Open Space Plan, and

WHEREAS, the Shiawassee County Parks and Recreation Commission has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for Shiawassee County, and

WHEREAS, after a six-month public input process, the Shiawassee County Parks and Recreation Commission voted to adopt the Shiawassee County Parks, Recreation and Open Space Plan;

NOW, THEREFORE BE IT RESOLVED the Shiawassee County Board of Commissioners hereby adopts the 2023-2027 Shiawassee County Parks, Recreation and Open Space Plan.

Yeas:

Nays:  
Absent:

I, Morgan Knox, Executive Assistant, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Shiawassee County Board of Commissioners at a Regular Meeting thereof held on the 15<sup>th</sup> day of December, 2022.

<<Seal here, if a seal is available>>

**NOTE: The MDNR requires a copy of the minutes from when the Commissioners opened the public hearing, then closed the public hearing. Also required from the minutes are any Commissioners comments after the hearing, and the adoption resolution action.**

It was moved by Commissioner Marks, seconded by Commissioner Holzhausen to approve the purchase of property fraud software in an amount not to exceed \$17,150 and authorize the Register of Deeds to execute the same. Motion carried with the following roll call vote of 7 yeas: Commissioners Holzhausen, Howard, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

It was moved by Commissioner Marks, seconded by Commissioner Plowman to approve the next phase of the Storm Water Project in an amount not to exceed \$65,000 with the understanding it will be paid back to the general fund from the Drain Commissioner from the first eligible project. Motion carried with the following roll call vote of 7 yeas: Commissioners Howard, Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Marks, seconded by Commissioner Webster to approve the minutes of the December 12, 2022 Economic and Physical Development Committee meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to authorize the 2022 End of Year Budget Adjustments as presented and authorize the County Administrator to make any needed additional end of year end budget adjustments to close out the 2022 budget. Motion carried with the following roll call vote of 7 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen, Howard and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Howard to move into a Public Hearing for the 2023 Budget. Chairman Brodeur offered public comment. No one responded.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to close the Public Hearing. Motion carried. Public Hearing closed at 5:41 p.m.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the 2023 Budget Resolution 22-12-14 and adopt the 2023 budget as presented. Motion carried with the following roll call vote of 7 yeas: Commissioners Marks, Plowman, Webster, Holzhausen, Howard, Garber and Chairman Brodeur. 0 nays.

**SHIAWASSEE COUNTY BOARD OF COMMISSIONERS**  
**RESOLUTION No. 22-12-14**  
**FISCAL YEAR 2023 ANNUAL BUDGET**

**WHEREAS** the Uniform Budgeting and Accounting Act, Public Act 2 of 1968, as amended, requires each local unit of government to adopt a balanced budget for all required funds;

**WHEREAS** the Finance and Administration Committee of the Board of Commissioners has reviewed requests for funding and recommendations on anticipated revenues from the county's elected officials, department heads, agency directors, and other staff; and

**WHEREAS** the Shiawassee County Board of Commissioners will duly advertise and conduct a public hearing on December 15, 2022 for the 2023 proposed budget in accordance with the Uniform Budgeting and Accounting Act:

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**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners of Shiawassee County, Michigan, does hereby approve and adopt the FY 2023 general fund budget, projecting revenues totaling **\$20,835,412** and expenditures totaling **\$20,835,412** based on an approved millage of **5.4221 mills** (after Headlee reduction);

**BE IT FURTHER RESOLVED** that pursuant to MCL 46.71, all claims (bills) against Shiawassee County shall be approved by the Board of Commissioners prior to being paid, except that the Coordinator's office may, in the ordinary course of business, pay pending budgeted payroll and certain other claims prior to approval by the Board if necessary to avoid late penalties, service charges, interest, or adverse legal consequence. The Board shall receive a list of claims paid prior to Board authorization for approval at the next Board meeting;

**BE IT FURTHER RESOLVED** that the Board of Commissioners hereby approves and adopts the FY 2023 budget for Special Revenue Funds;

**BE IT FURTHER RESOLVED** that the Coordinator shall serve as chief fiscal officer and chief administrative officer for the purposes of the Uniform Budget and Accounting Act, PA 1968, as amended (MCL 141.421 et seq.);

**BE IT FURTHER RESOLVED** that the Coordinator's office shall be authorized to make budget amendments transferring up to \$6,000 between accounts, departments, or funds without prior approval from the Board; and

**BE IT FURTHER RESOLVED** that whenever it appears to the Coordinator's office that the actual and probable revenues will be less than the estimated revenues upon which appropriations were based, or when it appears that expenditures will exceed an appropriation, the Coordinator's office shall present to the Board recommendations to prevent expenditures from exceeding available revenues or appropriations for the fiscal year. Such recommendations shall include proposals for

reducing appropriations, increasing revenues, or both.

APPROVED AND ADOPTED BY THE SHIAWASSEE COUNTY BOARD OF COMMISSIONERS FOR FIRST READING NOVEMBER 17, 2022 AND APPROVED AT SECOND READING ON DECEMBER 15, 2022.

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Greg Brodeur,  
Chairman

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Caroline Wilson,  
County Clerk

It was moved by Commissioner Plowman, seconded by Commissioner Marks to accept tentative agreement between AFSCME and Shiawassee County and authorize the chair to execute the final agreement. Motion carried with the following roll call vote of 7 yeas: Commissioners Plowman, Webster, Holzhausen, Howard, Garber, Marks and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Holzhausen to approve the Senior Citizens Service Agreement between Shiawassee Council on Aging and Shiawassee County, and authorize the chair to execute the same. Motion carried with the following roll call vote of 7 yeas: Commissioners Webster, Holzhausen, Howard, Garber, Marks, Plowman and Chairman Brodeur. 0 nays.

**SHIAWASSEE COUNTY  
Resolution No. 22-12-16**

**SENIOR CITIZENS SERVICES  
MILLAGE PROPOSAL**

**WHEREAS**, Act 39 of the Public Acts of 1976 expressly authorizes the Board of Commissioners for the County of Shiawassee to appropriate funds to organizations for the purpose of providing activities or services to the older persons, being individuals sixty (60) years of age or older of said County; and

**WHEREAS**, the Board of Commissioners for the County of Shiawassee has appropriated funds to the Shiawassee County Council on Aging as the organization eligible to receive funds appropriated for the purposes of planning, coordinating, evaluating and providing services to the older persons, being individuals sixty (60) years of age or older of said County; and

**WHEREAS**, millage funds of 0.50 of one (1) mill were approved by the electorate to activities or services to the older persons, being individuals sixty (60) years of age or older of said County and that millage authorization expired on December 31, 2021.

**WHEREAS**, the Board of Commissioners for the County of Shiawassee sought to have the voters of said County determine whether or not they desired to raise funds for the purpose of supportive activities directed toward the provision and improvement of senior citizen services by

an ad valorem property tax levy of 0.50 of one (1) mill for a period of four (4) years, 2022 through 2025, inclusive.

**WHEREAS**, the following proposal was submitted to the qualified voters of the County of Shiawassee at the State Primary Election held in said County on Tuesday, August 2, 2022:

**SENIOR CITIZENS SERVICES  
MILLAGE PROPOSAL**

For the sole purpose of providing operating millage for the funding of senior citizen services within Shiawassee County, shall the tax limitation on general ad valorem taxes within the County of Shiawassee imposed under Article IX, Sec. 6 of the Michigan Constitution of be increased up to 0.5000 mill (\$0.50 per \$1,000 of Taxable Value) for a period of four (4) years, 2022 through 2025, inclusive?

(If approved and levied in full, this millage will raise an estimated \$1,121,631 for the senior citizen services in the first calendar year of the levy based on taxable value. As required by law, a portion of the millage may also be disbursed to the Downtown Development Authorities of the Cities of Corunna, Durand, Laingsburg, and Owosso, and the Villages of Byron, Lennon, Morrice, New Lothrop and Vernon, the Brownfield Authorities of Owosso Township and the City of Owosso.)

YES

NO

**WHEREAS**, said proposal was approved by the electorate of the County of Shiawassee at the State Primary Election held in said County on Tuesday, August 2, 2022.

**WHEREAS**, this question was certified to the County Clerk.

**WHEREAS**, all Public Officials of the County of Shiawassee, State of Michigan, and all Governmental units thereof, within such time as shall be required by law, performed all acts necessary to be performed in order to submit the above stated proposition to the duly qualified voters of said County at the State Primary Election to be held in said County on Tuesday, August 2, 2022.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

That the above-referenced proposal be adopted in accordance with the approval of the electorate of the County of Shiawassee at the State Primary Election held in said County on Tuesday, August 2, 2022.

Ayes  
Nays  
Absent

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\_\_\_\_\_, Chairperson  
Shiawassee County Board of  
Commissioners  
Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_, Clerk  
Shiawassee County

It was moved by Commissioner Plowman, seconded by Commissioner Webster to approve the proposal from TREMCO for replacement of the remaining part of the jail roof in an amount not to exceed \$650,000 and the district court roof in an amount not to exceed \$300,000. Motion carried with the following roll call vote of 6 yeas: Commissioners Howard, Garber, Marks, Plowman, Webster and Chairman Brodeur. 1 nay: Commissioner Holzhausen.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the Sheriff's Office to buyout two vehicle leases not to exceed \$21,200. Motion carried with the following roll call vote of 7 yeas: Commissioners Howard, Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to authorize the conditional offer of employment to Adam Stacey, passed during the December 12, 2022 Special Board Meeting, be rescinded with immediate effect. Motion carried with the following roll call vote of 4 yeas: Commissioners Garber, Plowman, Holzhausen and Chairman Brodeur. 3 nays: Commissioners Garber, Webster and Howard.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the minutes of the December 12, 2022 Finance and Administration Committee meeting. Motion carried.

It was moved by Commissioner Webster, seconded by Commissioner Howard to approve the payment to the State of Michigan Department of Technology, Management, and Budget for radio activation in an amount not to exceed \$45,250. Motion carried with the following roll call vote of 7 yeas: Commissioners Marks, Plowman, Webster, Holzhausen, Howard, Garber and Chairman Brodeur. 0 nays.

It was moved by Commissioner Webster, seconded by Commissioner Garber to approve the minutes of the December 13, 2022 Public Safety and Courts Committee meeting. Motion carried.

It was moved by Commissioner Garber, seconded by Commissioner Holzhausen to approve the MSU Extension Services for 2023 and authorize the Board Chairman to sign the agreement. Motion carried with the following roll call vote of 7 yeas: Commissioners Plowman, Webster, Holzhausen, Howard, Garber, Marks and Chairman Brodeur. 0 nays.

It was moved by Commissioner Garber, seconded by Commissioner Holzhausen to approve the grant agreement between the Shiawassee County Health Department and the Michigan Department of Environment, Great Lakes, and Energy (EGLE) for Environmental Health Services in the amount of \$109,184 for a period of 10-1-2022 through 9-30-2023. Motion carried with the following roll call vote of 7 yeas: Commissioners Webster, Holzhausen, Howard, Garber, Marks, Plowman and Chairman Brodeur. 0 nays.

It was moved by Commissioner Garber, seconded by Commissioner Webster to approve the contract between the Shiawassee County Health Department and ALZY Environmental Service, LLC for registered sanitarian services in the amount of \$38 per hour for an average of 24 hours per week for a period of 1-1-2023 to 12-31-2023. Motion carried with the following roll call vote of 7 yeas: Commissioners Holzhausen, Howard, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

It was moved by Commissioner Garber, seconded by Commissioner Holzhausen to approve the contract between the Shiawassee County Health Department and Dr. Dennis Chernin for Medical Director Services in the amount of \$39,240 for period of 1-1-2023 through 12-31-2023. Motion carried with the following roll call vote of 7 yeas: Commissioners Howard, Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Garber, seconded by Commissioner Holzhausen to approve the minutes of the December 13, 2022 Health and Human Services Committee meeting. Motion carried.

It was moved by Commissioner Marks, seconded by Commissioner Garber to approve the Resolution 22-12-15 of appointments to county advisory committees as recommended by the Board Chair. Motion carried with the following roll call vote of 7 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen, Howard and Chairman Brodeur. 0 nays.

**SHIAWASSEE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION TO APPROVE ADVISORY COMMITTEE APPOINTMENTS  
RESOLUTION #22-12-15**

**Whereas**, every year advisory boards to the County Board of Commissioners come up for reappointment.

**Whereas**, these are governmental boards that provide public representation and engagement with County funded activities.

**Whereas**, a call for public participation is made annually and residents of Shiawassee County submit letters of interest to serve on these boards.

**Whereas**, the County Board Chairman reviews each letter and selects applicants for confirmation by the County Board of Commissioners.

**Therefore**, now let it be resolved the County Board of Commissioners hereby affirms the Chairman's appointment recommendations for the following people, boards, and set terms:

Name of Board	Appointee	Representing Unit	Term
Veterans Affairs Committee	Charles Hegg	Peace Time Era	01-01-23 to 12-31-26
Veterans Affairs Committee	Douglas Bowman	Vietnam Era	01-01-23 to 12-31-26
Health Board	John Morovitz	N/A	01-01-23 to 12-31-25
Health Board	John Pajtas	N/A	01-01-23 to 12-31-25

Housing Program Advisory Board	Laurel Robb	N/A	01-01-23 to 12-31-25
Mid-West Michigan Trail Authority	John Plowman	Shiawassee Resident	01-01-23 to 12-31-23
Mid-West Michigan Trail Authority	Barry Culham	Shiawassee Resident	01-01-23 to 12-31-25
Parks & Recreation Commission	John Plowman	General Public	01-01-23 to 12-31-25
Parks & Recreation Commission	Chris Klawuhn	General Public	01-01-23 to 12-31-25
Parks & Recreation Commission	Michael Carr	General Public	01-01-23 to 12-31-25
Parks & Recreation Commission	Larry Johnson	ExOfficio	01-01-23 to 12-31-25
Planning Commission	Bryan Marks	Industrial	01-01-23 to 12-31-25
Planning Commission	Walt Saxton	Government	01-01-23 to 12-31-25
Planning Commission	Bonnie Ott	Education	01-01-23 to 12-31-25
Solid Waste Committee	Gary Burk	Industrial Waste Generator	01-01-23 to 12-31-24
Solid Waste Committee	Ric Crawford	Solid Waste Industry	01-01-23 to 12-31-24
Solid Waste Committee	Terry McLeod	General Public	01-01-23 to 12-31-24
Solid Waste Committee	John Gall	Solid Waste Industry	01-01-23 to 12-31-24
Solid Waste Committee	Casey Elliott	Environmental Health	01-01-23 to 12-31-24
VAAA	Laurel Robb	Advisory Council Senior Rep.	01-01-23 to 12-31-23
Zoning Board of Appeals	Mary Nordbeck	Rush Township	01-01-23 to 12-31-25
Zoning Board of Appeals	John Plowman	Perry Township	01-01-23 to 12-31-25
Zoning Board of Appeals	Walt Saxton	Planning Commission	01-01-23 to 12-31-25

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 Greg Brodeur,  
 Board Chairman

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 Caroline Wilson  
 County Clerk

It was moved by Commissioner Marks, seconded by Commissioner Garber to approve the holiday schedule and BOC meeting schedule as presented. Motion carried.

## 2023 COUNTY HOLIDAYS

January 1 (observed)	New Year's Day (Monday the 2 <sup>nd</sup> )
January 16	Martin Luther King Jr. Day
February 20	Presidents' Day
April 7	Good Friday
May 29	Memorial Day
June 19	Juneteenth Day (Court Staff Only)
July 4	Independence Day
September 4	Labor Day
October 9	Columbus Day
November 10 (observed)	Veterans Day-Is Saturday the 11 <sup>th</sup>
November 23 & 24	Thanksgiving Day & Day After
December 25 (observed)	Christmas Eve Day-Is Sunday the 24 <sup>th</sup>
December 26 (observed)	Christmas Day-Is Monday the 25 <sup>th</sup>
December 31 (observed)	New Year's Day-Is Monday the 1 <sup>st</sup> , 2024

It was moved by Commissioner Marks, seconded by Commissioner Plowman to approve the minutes of the December 14, 2022, Committee of the Whole meeting. Motion carried.

Clerk Wilson swore in the 2023 Board of Commissioners.

Chairman Brodeur, on full Board's behalf, paid condolences to Commissioner Webster for the loss of her mother. Presented award to Commissioner Plowman and Commissioner Marks.

County Coordinator Dr. Boggs announced a Historic Courthouse dedication on December 22, 2022 at 11:00 a.m. and reported on courthouse renovation department updates. Thanked Commissioners Plowman and Marks for their service and welcomed the new Commissioners.

Meeting adjourned at 6:11 p.m.

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Gregory Brodeur, Chairman  
Board of Commissioners

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Caroline D. Wilson  
County Clerk