

At the regular meeting of the Shiawassee County Board of Commissioners held on Thursday, October 21, 2021 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, 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 Root, seconded by Commissioner Plowman to approve all minutes of the September 23, 2021 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 September 23, 2021, September 24, 2021, September 30, 2021, October 1, 2021, October 7, 2021 and October 14, 2021 and to include Wire Transfers, ACH and EFT's for a grand total of \$9,380,042.93 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.

Matt Taylor & Marney Dagget, MERS – gave presentation

Christian Veenstra, Watkins Ross – gave presentation

Cindy Pettit, Owosso – Vaccine Passports

Shelly Ochodnick, Owosso – Health Department mandates

Paula Brooks, Durand – Agenda items

Marcy Brady, Corunna – MERS & County retirement plan

Matthew Shepard, Perry – ARPA funds & Agenda items

Malissa Schutt, Owosso – County Personnel handbook

David Chrenka, Owosso – MERS retirement plan

Karma Chandler, Owosso – Health Department mandates

Gerry Hagadon, Corunna – MERS retirement plan

Kimberly Singer, Owosso – Redistricting Commission – State level

Tom Manke, Owosso – Health Department mandates

Chairman Brodeur gave explanation of Health Department recent letter.

It was moved by Commissioner Marks, seconded by Commissioner Root to approve the 2021 Drain Assessments as proposed. 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 Marks, seconded by Commissioner Holzhausen to approve the apportionment report and direct the spread of taxes in terms of millage rates to be spread on taxable value. 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 Resolution # 21-10-16 the PA 116 Farmland Agreement Application for Mr. Tom Albaugh for his property located at 7201 W. Riley Road, Elsie. 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 approve the bid documents as presented. 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, supported by Commissioner Holzhausen to approve board appointments to Parks and Planning Commission. Motion carried.

It was moved by Commissioner Marks, supported by Commissioner Holzhausen to approve the minutes of the October 18, 2021, Economic and Physical Development Committee meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Root to authorize MERS to allow Brandon Worrall to purchase one year of service credit as requested. Motion carried with the following roll call vote of 6 yeas: Commissioners Webster, Root, Garber, Marks, Plowman and Chairman Brodeur. 1 nay: Commissioner Holzhausen.

It was moved by Commissioner Plowman, seconded by Commissioner Webster to approve the creation and posting of the Human Resources Manager. Motion failed with the following roll call vote of 3 yeas: Commissioners Marks, Plowman and Webster. 4 nays: Commissioners: Holzhausen, Root, Garber and Chairman Brodeur.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve Resolution # 21-10-15 the Revised Shiawassee County Personnel Policy as presented. Motion carried with the following roll call vote of 6 yeas: Commissioners Root, Garber, Marks, Plowman, Holzhausen and Chairman Brodeur. 1 nay: Commissioner Webster.

It was moved by Commissioner Plowman, seconded by Commissioner Holzhausen to approve the contract with the Circuit Court Association 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 Plowman, seconded by Commissioner Root to approve the purchase of a Ford 250 Super Cab in an amount not to exceed \$32,291 and a Ford Escape in an amount not to exceed \$23,510. 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 the re-filling of two positions in the Sheriff's Department – one for a corrections deputy and one for a road patrol deputy. 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 creation and hiring of a part-time secretary in the Sheriff's Department not to exceed \$10,000 for Fiscal Year 2022 without benefits. 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 a 4% increase for all non-reps effective November 1, 2021, red lining all APAs within their band until they reach their original wage study step. Motion carried with the following roll call vote of 7 yeas: Commissioners Holzhausen, Root, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nay

It was moved by Commissioner Plowman, seconded by Commissioner Root to approve the Coordinator to proceed with the necessary steps to begin the pension bonding process and bring the documents back for board approval. Motion carried with the following roll call vote of 7 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen, Root and Chairman Brodeur. 0 nay

It was moved by Commissioner Plowman, seconded by Commissioner Root to approve the minutes of the October 18, 2021, Finance and Administration Committee meeting. Motion carried.

It was moved by Commissioner Garber, seconded by Commissioner Holzhausen to approve the grant agreement between the Michigan Department of Health and Human Services and the Shiawassee County Health Department for Public Health Services-Emerging Threats in the amount of \$713,344 for a period of 10/1/21 through 9/30/22 and authorize the board chair to execute the 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 Garber, seconded by Commissioner Holzhausen to approve the grant agreement between the Shiawassee County Health Department and the Michigan Primary Care Association for the Durand School Wellness Program in the amount of \$150,000 for a period of 10/1/21 through 9/30/22 and authorize the board chair to execute the contract. 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 Garber, seconded by Commissioner Holzhausen to approve the grant agreement between the Michigan Department of Health and Human Services and the Shiawassee County Health Department for Essential Local Public Health Services in the amount of \$1,253,548 for a period of 10/1/21 through 9/30/22 and authorize the board chair to execute the contract. 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 Garber, supported by Commissioner Root to approve board appointment to Veterans Board and Health and Human Services Board. Motion carried.

It was moved by Commissioner Garber, supported by Commissioner Root to approve the minutes of the October 19, 2021, Health and Human Services Committee meeting. Motion carried.

It was moved by Commissioner Marks, supported by Commissioner Plowman to adopt the County attorney's recommendation with regard to settlement of pending litigation in Ruggiero v Shiawassee County Board of Commissioners, et al, Shiawassee County Circuit Court Case No. 21-5977-CZ. Motion carried with the following roll call vote of 6 yeas: Commissioners Webster, Holzhausen, Garber, Marks, Plowman and Chairman Brodeur. 1 nay: Commissioner Root.

It was moved by Commissioner Marks, supported by Commissioner Plowman to authorize expenditure of up to \$5,000 for the purpose of conducting Board training on the Open Meetings Act and authorize Chairman Brodeur to execute a contract for the provision of such training. 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 Marks, supported by Commissioner Plowman to approve the minutes of the October 20, 2021, Committee of the Whole meeting. Motion carried.

Chairman Brodeur no report.

Coordinator Dr. Boggs will be working on the bond process immediately. Other bonds closed and sold today.

Jeffery Reed, Bancroft – MSP investigation

Karma Chandler, Owosso – Health Department mandates

Marcy Brady, Corunna – Agenda items/MERS & 457 Plan

Tony Newman, Drain Commissioner – County pensions/MSU Extension HR project/Health Department mandates

Matthew Shepard, Perry – Veteran Board appointments/Handouts

Tom Manke, Owosso – Health Department mandates

It was moved by Commissioner Plowman, seconded by Commissioner Webster to move into closed session under Section 8(h) of the Open Meetings Act to discuss the contents of a written legal memorandum from its attorney, which is exempted from disclosure under Section 13(1)(g) of the Freedom of Information Act. Meeting disarrayed. Commissioner Holzhausen was excused for short break. Commissioner Marks called to question, seconded by Commissioner Plowman, roll call took place of 6 yeas: Commissioners Root, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays. Motion carried to move into closed session with the following roll call vote of 6 yeas: Commissioners Garber, Marks, Plowman, Webster, Root and Chairman Brodeur. 0 nays.

Regular meeting adjourned to enter into closed session at 7:34 p.m.

Closed session adjourned at 7:57 p.m.

Regular meeting reconvened at 7:58 p.m.

It was moved by Commissioner Plowman, seconded by Commissioner Root that the County Coordinator and County corporation counsel are directed to coordinate with the Election Commission and the County prosecutor on the issue of representation of the Election Commission and to take such actions as are necessary and appropriate (including, but not limited to, making such filings and entering appearances in this matter) to protect the County's interests in these proceedings, particularly with regard to the amount of legal fees incurred. Motion carried with the following roll call vote of 4 yeas: Commissioners Plowman, Webster, Root and Marks. 3 nays: Commissioners Holzhausen, Garber and Chairman Brodeur.

It was moved by Commissioner Root, seconded by Commissioner Plowman to direct corporate counsel to oppose Attorney McClear's motion in its entirety. It was moved by Commissioner Plowman, seconded by Commissioner Plowman to withdraw this motion.

It was moved by Commissioner Plowman, seconded by Commissioner Root to give corporate counsel permission to attempt to discuss cost for attorney fees, but not to oppose the motion for the appointment of counsel. Motion carried with the following roll call vote of 6 yeas: Commissioners Webster, Holzhausen, Root, Marks, Plowman and Chairman Root. 1 nay: Commissioner Garber.

Meeting adjourned at 8:10 p.m.

Gregory Brodeur, Chairman
Board of Commissioners

Caroline D. Wilson
County Clerk