

MAY SESSION 2012  
MIDLAND COUNTY BOARD OF COMMISSIONERS  
MAY 15, 2012

APPROVED

Board called to order by Chairman, Mark C. Bone, at 9:00 a.m.

ROLL CALL

MEMBERS PRESENT: SCHOENHERR, LEIGEB, GEISLER, KEENAN, BRADLEY, MCQUAID, BONE.

MEMBERS ABSENT: NONE.

Invocation by Commissioner Keenan.

Pledge to the Flag was given.

APPROVAL OF MINUTES FOR THE SESSIONS OF MAY 1<sup>ST</sup> AND MAY 7<sup>TH</sup>, 2012:

Motion by Commissioner Leigeb to approve.

Motion carried by voice.

ACCEPTANCE OF BILLS:

GENERAL BANK CLAIMS APPROVED IN THE AMOUNT OF:

04-20-12 - REGULAR	\$ 929,447.23
04-27-12 - REGULAR	\$ 304,578.82
TOTAL CHECK RUNS	<u>\$1,234,026.82</u>

TOTAL GENERAL FUNDS EXPENDITURES \$321,995.48

Motion by Commissioner Schoenherr to accept.

Motion carried by voice.

SPECIAL PROGRAM OF THE DAY - NONE.

CONSENT AGENDA -NONE.

Public Comments on anything that is not on the agenda or consent.

Commissioner Comment

Commissioner Consideration to remove any consent agenda item:

STANDING COMMITTEE REPORTS AND RESOLUTIONS

1

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF AN AMENDMENT TO A LEASE AGREEMENT WITH THE MIDLAND AREA COMMUNITY FOUNDATION; SANTA HOUSE LEASE AGREEMENT.

June 11, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 90-7-03AO

Lady and Gentlemen:

We your Administration and Operations Committee recommend approval of the first amendment to the lease agreement between the County of Midland and the Midland Area Community Foundation. The term of this amended agreement is from June 1, 2012 through August 31, 2013, with consecutive five-year renewals.

The purpose of this amended agreement is to lease the Santa House to the Midland Area Community Foundation. The Foundation agrees to pay \$3,700 per year for the reimbursement of utilities. This amendment represents an increase of \$200.00 annually. These monies will be receipted into the General Fund, Reimbursements and Refunds Account. This action shall authorize the Administrator/Controller to make the necessary budget adjustments related to the increases in rental revenue and utility expenses.

Respectfully submitted,  
S/Howard G. Schoenherr, Chairperson  
S/James Geisler  
S/Richard Keenan  
Administration and Operations Committee  
Motion by Commissioner Schoenherr to adopt.  
Motion Carried by Roll Call.  
Public Comments: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS:                      SCHOENHERR, LEIGEB, KEENAN, GEISLER, BRADLEY, MCQUAID, BONE.  
NAYS:                      NONE.  
ABSENT:                    NONE.

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2

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL FOR THE GIS COORDINATOR TO PROVIDE A MOBILE APPLICATION FOR APPLE AND ANDROID "SMART" MOBILE DEVICES AT NO COST AND MAKE IT AVAILABLE TO THE MOBILE STORES THAT THESE APPLICATIONS CAN BE ACQUIRED.

June 11, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 63-5-12AO

Lady and Gentlemen:

We your Administration and Operations Committee recommend approval to authorize the Geographic Information Systems Coordinator to provide at no cost the developed mobile application for Apple and Android 'smart' mobile devices and make it available to the mobile stores where these applications can be acquired. This application mirrors the Interactive Web Mapping application.

Respectfully submitted,  
S/Howard G. Schoenherr, Chairperson  
S/James Geisler  
S/Richard Keenan  
Administration and Operations Committee  
Motion by Commissioner Schoenherr to adopt.  
Motion Carried by Roll Call.  
Public Comments: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS: LEIGEB, KEENAN, GEISLER, BRADLEY, MCQUAID, SCHOENHERR, BONE.  
NAYS: NONE.  
ABSENT: NONE.

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3

THE ADMINISTRATION AND OPERATIONS COMMITTEE RECOMMENDS APPROVAL OF AN AMENDMENT TO AN AGREEMENT WITH GREAT WEST RETIREMENT SERVICES; DEFERRED COMPENSATION PLAN.

June 11, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 11-1-01AO

Lady and Gentlemen:

We your Administration and Operations Committee have reviewed the recommended approval of the fund changes to the Great West Retirement Deferred Compensation Plan. The purpose of this amendment is to eliminate some investment options and add new investment options. As some of the current funds offered through the current Great West fund line up are no longer reporting data to Morningstar, it has become impossible to evaluate, monitor and make recommendations to employees regarding these funds. All new funds offered in the comprehensive package of investment options can be supported and monitored.

Notifications will be sent to participating employees regarding the upcoming changes. Additionally, Great West representatives will be scheduling employee information meetings prior to implementation to answer questions that participants may have.

Respectfully submitted,  
S/Howard G. Schoenherr, Chairperson  
S/James H. Geisler  
S/Richard Keenan  
Administration and Operations Committee  
Motion by Commissioner Schoenherr to adopt.  
Motion Carried by Roll Call.  
Public Comment: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS: KEENAN, GEISLER, BRADLEY, MCQUAID, SCHOENHERR, LEIGEB, BONE.  
NAYS: NONE.  
ABSENT: NONE.

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THE HUMAN SERVICES COMMITTEE RECOMMENDS APPROVAL TO FILL A PART-TIME CORRECTIONS OFFICER IN THE SHERIFF'S OFFICE AND ANY SUBSEQUENT VACANCIES THAT MAY OCCUR.

June 11, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 61-5-12HS

Lady and Gentlemen:

We your Human Services Committee recommend approval to fill the part-time Corrections Officer position in the Sheriff's Office that is being vacated, and also any subsequent vacancies that may occur.

Respectfully submitted,  
S/Richard Keenan, Chairperson  
S/Rose Marie McQuaid  
S/James T. Bradley  
Human Services Committee  
Motion by Commissioner Keenan to adopt.  
Motion Carried by Roll Call.  
Public Comment: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS:                      GEISLER, BRADLEY, MCQUAID, SCHOENHERR, LEIGEB, KEENAN, BONE.  
NAYS:                      NONE.  
ABSENT:                    NONE.

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THE FINANCE COMMITTEE RECOMMENDS APPROVAL TO INFORM THE COUNTY TREASURER THAT THE COUNTY HAS NO INTEREST IN ANY OF THE 2012 PROPERTY TAX FORECLOSED PARCELS FOR UNPAID PROPERTY TAXES.

June 11, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 55-5-12F

Lady and Gentlemen:

We your Finance Committee reviewed the County Treasurer's communication regarding the 2012 Property Tax Foreclosed parcels for unpaid property taxes for the County's consideration to purchase. We recommend that the County has no interest in purchasing any of these parcels and recommend informing the County Treasurer of this decision.

Respectfully submitted,  
S/James H. Geisler, Chairperson  
S/James Leigeb  
S/Howard G. Schoenherr  
Finance Committee  
Motion by Commissioner Geisler to adopt.  
Motion Carried by Roll Call.  
Public Comment: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS:                      BRADLEY, MCQUAID, SCHOENHERR, LEIGEB, KEENAN, GEISLER, BONE.  
NAYS:                      NONE.  
ABSENT:                    NONE.

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6

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE ROAD MILLAGE RENEWAL PROPOSAL AND TO PLACE THE BALLOT LANGUAGE ON THE UPCOMING AUGUST PRIMARY.

June 11, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 57-5-12AF

Lady and Gentlemen:

We your Finance Committee have reviewed the request from the Road Commission and the City of Midland to place the following ballot language for Road Millage Renewal Proposal on the August 2012 primary ballot:

ROAD MILLAGE RENEWAL PROPOSAL

“Shall the County of Midland, Michigan (“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 up to 1.0 Mill (\$1.00 per \$1,000) of taxable valuation of such property as finally equalized, for a levy of up to 1.0 Mill (\$1.00 per \$1,000) of taxable valuation, in the years 2013-2016, both inclusive, pursuant to the statutory formula as apportioned according to Act 133, Public Acts of 1968 for the purpose of continuing construction, maintenance, repair, and improvement to highway, road, street and bridge systems in the County of Midland, including the Cities of Midland and Coleman, and Village of Sanford, which if fully levied is estimated to raise \$3,452,164 in the first year?”

This proposed millage language has been prepared by Civil Counsel. We recommend approval of the language and the placement of the ballot question on the August 2012 primary election.

Respectfully submitted,  
S/James H. Geisler, Chairperson  
S/James Leigeb  
S/Howard G. Schoenherr  
Finance Committee  
Motion by Commissioner Geisler to adopt.  
Motion Carried by Roll Call.  
Public Comment: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS:                      MCQUAID, SCHOENHERR, LEIGEB, KEENAN, GEISLER, BRADLEY, BONE.  
NAYS:                      NONE.  
ABSENT:                    NONE.

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7

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE ADDITIONAL ROAD MILLAGE PROPOSAL AND TO PLACE THE BALLOT LANGUAGE ON THE UPCOMING AUGUST PRIMARY.

June 11, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 55-5-12BF

Lady and Gentlemen:

We your Finance Committee have reviewed the request from the Road Commission and the City of Midland to place the following ballot language for Road Millage Increase Proposal on the August 2012 primary ballot:

ADDITIONAL ROAD MILLAGE PROPOSAL

"Shall the County of Midland, Michigan ("County"), in addition to the Road Millage Renewal Proposal, increase the tax 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, for the years 2013 through 2016, both inclusive, up to 1.0 mill (\$1.00 per \$1,000.00) of the taxable value of such property as finally equalized, and levy such millage, as apportioned by population pursuant to an agreement between the Cities of Midland and Coleman, Village of Sanford, and the Midland County Road Commission, as authorized by Act 133, Public Acts of 1968, for the purpose of construction, maintenance, repair, and improvement to highway, road, street and bridge systems in the County of Midland, including the Cities of Midland and Coleman, and Village of Sanford, which if fully levied is estimated to raise \$3,452,164 in the first year?"

This proposed millage language has been prepared by Civil Counsel. The distribution of this additional millage will be spelled out in a memorandum of agreement between the City of Midland, City of Coleman, Village of Sanford, and the Midland County Road Commission. The City of Midland will be the final signature on the agreement after the City Council Meeting on May 21, 2012. Thus, we recommend approval of this language and the placement of the ballot question on the August 2012 primary election, contingent upon the approval of the Memorandum of Agreement being adopted by City Council on May 21<sup>st</sup> 2012. In the event City Council does not approve the agreement, the County Clerk is authorized to withdraw this language from the August ballot.

Respectfully submitted,  
S/James H. Geisler, Chairperson  
S/James Leigeb  
S/Howard G. Schoenherr  
Finance Committee

Motion by Commissioner Geisler to adopt.  
Motion Carried by Roll Call.  
Public Comment: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS: SCHOENHERR, LEIGEB, KEENAN, GEISLER, BRADLEY, MCQUAID, BONE.  
NAYS: NONE.  
ABSENT: NONE.

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8  
THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE PROPOSED 2012 BUDGET CALENDAR FOR THE BUDGET PROCESS.

June 11, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners                      Agenda Item: 62-5-12F

Lady and Gentlemen:

We your Finance Committee have reviewed the 2013 budget calendar. The proposed calendar complies with MCL 141.422, et.seq. as amended, the state law regulating budgets for local units of government, and is in accordance with County Policy 304.1, County Budget Policy, which was approved on December 7, 2010.

The Finance Committee recommends approval of the following Budget Calendar for the 2013 budget process:

June 22, 2012 Elected Officials/Department Heads submit budget requests to the Administrator/Controller.

September 17, 2012 Administrator/Controller recommended budget is assembled and transmitted to Elected Officials/Department Heads and the Board of Commissioners.

November 6, 2012 Board of Commissioners adopts general appropriations resolution and budget.

Respectfully submitted,  
S/James H. Geisler, Chairperson  
S/James Leigeb  
S/Howard G. Schoenherr  
Finance Committee

Motion by Commissioner Geisler to adopt.  
Motion Carried by Roll Call.  
Public Comment: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS: LEIGEB, KEENAN, GEISLER, BRADLEY, MCQUAID, BONE.  
NAYS: NONE.  
ABSENT: SCHOENHERR.

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9  
THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE LETTER OF INTENT BETWEEN THE COUNTY OF MIDLAND, BOYCE HYDRO POWER LLC AND THE SANFORD LAKE PRESERVATION ASSOCIATION.

June 11, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners Agenda Item: 34-3-12F

Lady and Gentlemen:

We your Finance Committee recommend approval and the forwarding of the "Letter of Intent" drafted by Legal Counsel to be signed by Mr. Lee W. Mueller of Boyce Hydro Power and Mr. David E. Kepler, Guaranteed by the Sanford Lake Preservation Association.

Respectfully submitted,  
S/James H. Geisler, Chairperson  
S/James Leigeb  
S/Howard G. Schoenherr  
Finance Committee

Motion by Commissioner Schoenherr and Commissioner Geisler to adopt.  
Motion Carried by Roll Call.  
Public Comment: None.  
Commissioner Discussion: To Amend Letter of Intent.

ROLL CALL

YEAS: KEENAN, GEISLER, BRADLEY, MCQUAID, SCHOENHERR, LEIGEB, BONE.  
NAYS: NONE.  
ABSENT: NONE.

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MIDLAND COUNTY BOARD OF COMMISSIONERS  
REQUESTS, PETITIONS AND COMMUNICATIONS  
May 15, 2012

64-5-12

CONSIDERATION OF THE ACCEPTANCE OF COMMISSIONER BRADLEY'S RESIGNATION TO DISTRICT #6,  
ACCEPTANCE OF THE PROPOSED PROCESS FOR AN APPOINTMENT OF NEW COMMISSIONER TO FILL  
DISTRICT #6.  
May 15, 2012

To the Honorable Chairman and Members of the Board of Commissioners  
Agenda Item: 64-5-12BOC

Ladies and Gentlemen:

I recommend the approval of the request from the County Clerk to start the following  
process to seek an appointment for the vacant District #6 County Commissioner:

County Clerk to publish an ad seeking applicants in the Midland Daily News on Sunday, May  
20, 2012 and to be run at total of three times by Friday, May 25, 2012.

The deadline for receiving any applications and/or resumes, Wednesday, May 30, 2012.

The County Clerk to review eligibility of applicants and release to the Board of  
Commissioners on Thursday, May 31, 2012.

The Board of Commissioners will interview all applicants at their regular meeting on June  
5, 2012.

Commissioners to vote on and appoint Commissioner for District #6 at a Special Board of  
Commissioners Meeting on June 6, 2012, if more than one applicant applies.

Respectfully submitted,  
Howard G. Schoenherr  
District #1  
Midland County Board of Commissioners  
Motion by Commissioner Schoenherr to approve.  
Motion Carried by roll call.  
Public Comment: None.  
Commissioner Discussion: None.

ROLL CALL

YEAS: GEISLER, BRADLEY, MCQUAID, SCHOENHERR, LEIGEB, KEENAN, BONE.  
NAYS: NONE.  
ABSENT: NONE.

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62-5-12

FINANCE DIRECTOR REQUESTS APPROVAL OF PROPOSED BUDGET CALENDAR FOR THE PREPARATION OF  
THE 2013 COUNTY BUDGET. THE 2012 COUNTY BUDGET PROCESS FOR FINAL APPROVAL.

REFERRED TO THE FINANCE COMMITTEE.

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63-5-12

GEOGRAPHIC INFORMATION SYSTEMS COORDINATOR REQUESTS APPROVAL OFFERING THE DEVELOPED  
MOBILE APPLICATION FOR APPLE AND ANDROID "SMART" MOBILE DEVICES TO MOBILE STORES  
WHERE THESE APPLICATIONS CAN BE ACQUIRED FOR NO COST.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.

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64-5-12

COUNTY CLERK REQUESTS APPROVAL TO FILL THE SOON-TO-BE VACANT DISTRICT #6, CREATED BY COMMISSIONER BRADLEY, ON THE BOARD OF COMMISSIONERS.

ACTED ON PREVIOUSLY IN THIS SESSION.

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65-5-12

SHERIFF REQUESTS APPROVAL OF AN UPGRADE AND MODIFICATION TO J POD DUE TO THE ADDITION OF 24 BEDS AND MONITORING OF AREA WILL BE NEEDED, ACCEPTANCE OF RECEIVED BIDS AND AWARDING OF BID AND THE NEEDED FUNDING FOR THIS PROJECT.

REFERRED TO THE FINANCE AND ADMINISTRATION AND OPERATIONS COMMITTEE.

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OLD BUSINESS - NONE.

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NEW BUSINESS

Motion by Commissioner Schoenherr, supported by Commissioner Keenan to bring one (1) item of New Business to the floor.

Motion Carried by Voice.

May 15, 2012

To the Honorable Chairman and  
Members of the Board of Commissioners

Lady and Gentlemen:

I recommend accepting Commissioner Bradley's resignation as the Vice-chair of the Board of Commissioners. I further recommend that the Board of Commissioners elect today, May 15, 2012 a new Vice-Chair and that newly elected Vice-Chair is to take the seat immediately and to perform all the required duties of this Officer.

Respectfully submitted,  
S/James Geisler  
Midland County Board of Commissioners  
District #5

Motion by Commissioner Geisler to approve.

Motion carried by roll call.

ROLL CALL

YEAS: BRADLEY, MCQUAID, SCHOENHERR, LEIGEB, KEENAN, GEISLER, BONE.  
NAYS: NONE.  
ABSENT: NONE.

NOMINATIONS OF VICE-CHAIRMAN:

Motion by Commissioner Keenan, supported by Commissioner Geisler to appoint Commissioner Schoenherr to the position of Vice-Chairman of the Board of Commissioners.

Motion carried by Voice.

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Pursuant to a motion by Commissioner Schoenherr and supported by Commissioner Keenan and with the corresponding passage by voice vote a closed session of the Board of Commissioners was declared at 10:35 a.m. for the purpose of discussing Attorney Opinion in accordance with MSA 4.1800 (18), Section 8 (e) .  
Motion carried by Voice.

Motion by Commissioner Schoenherr, supported by Commissioner Leigeb to return to Open Session at 11:45 a.m.  
Motion carried by Voice.

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COMMISSIONER COMMENTS

SCHOENHERR - Thanked all for support in selecting him vice-Chair.  
LEIGEB - Spoke re: moving departments to the 4<sup>th</sup> Floor of CSB.  
KEENAN - Spoke re: his surprise that not more are running for Office for Ronnie and Jim's positions.  
GEISLER - No comment.  
BRADLEY - Spoke re: Road Commission Millage.  
MCQUAID - No Comment.  
BONE - Thanked Commissioner Bradley for his service.

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COMMISSIONER MEETING(S) SCHEDULE

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MOTION TO ADJOURN:  
Motion by Commissioner Keenan to adjourn.  
Motion carried by voice.

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MEETING IS ADJOURNED UNTIL JUNE 5, 2012 9:00 A.M. TO MEET IN A REGULAR 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 Midland County Board of Commissioners