

**MINUTES
ISABELLA COUNTY
BOARD OF COMMISSIONERS
FEBRUARY 18, 2014**

The Isabella County Board of Commissioners was called to order at 7:00 p.m., by Chairperson George Green in the Commission Chambers on the above date.

The Pledge of Allegiance was led by Chairperson George Green.

Roll was called with the following Commissioners present: George Green, John Haupt, Roger Trudell, Jim Horton, James Moreno, David Ling and Frances Lichtman

Commissioners Absent: None

Also present were: Isabella County Administrator/Controller Margaret McAvoy; Isabella County Prosecutor Risa Scully; Isabella County Clerk Minde` B. Lux and Deputy Clerk Brenda Young.

APPROVAL OF AGENDA:

Chairperson George Green asked if there were any additions or deletions to the Agenda. It was moved by Commissioner Lichtman supported by Commissioner Haupt to approve the agenda as presented. Motion Carried.

GENERAL PUBLIC COMMENTS:

Ken Smylie, 6870 W Shore Drive, Weidman and Treasurer for the Lake of the Hills Association in Weidman asked the Board if they knew of any ordinances that could be used against a property owner who built their basement approximately 10 years ago and have left it open and unsafe to the general public. Chairperson Green instructed Mr. Smylie to contact Sherman Township Zoning and to speak to Richard Schmidt.

PRESENTATIONS AND SPECIAL REPORTS:

A. Administrator/ Controller's Report: Isabella County Administrator/Controller Margaret McAvoy reported that employment openings for an Equalization Director, Deputy Director as well as a Material Recovery Facility Director are posted on the County website.

The Administrator/Controller spent a day with Cadillac Insurance reviewing the services they offer to County employees.

The EVIP documents have been submitted to the State of Michigan.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

1. Human Rights Commission:

Chairperson's request for nominations for one opening on the Human Rights Commission. One application was received from Kevin Dunn. It was moved by Commissioner Ling and supported by Commissioner Haupt to appoint Kevin Dunn to the Human Rights Commission for the remainder of a 2 year term ending September 1, 2014. Motion Carried

2. Parks and Recreation:

Chairman's request for nominations for one opening on the Parks and Recreation Commission for the remainder of a three year term ending 12/31/2015 or until a successor is appointed. Applications were received from Craig Clingan, Kerri Hansen, Mark Little, and Douglas White. Commissioner Trudell nominated Douglass White. Commissioner Moreno nominated Craig Clingan. Chairperson Green asked for nominations three times. It was moved by Commissioner Ling and supported by Commissioner Haupt to close nominations. Chairperson Green asked for a roll call vote: Clingan: Haupt, Moreno, Lichtman, Ling and Green. White: Trudell, Horton. Craig Clingan was declared appointed.

3. Parks and Recreation:

Chairman's request for nominations for one opening on the Parks and Recreation Commission for the remainder of a three year term ending 12/31/2015 or until a successor is appointed. Applications were received from Craig Clingan, Kerri Hansen, Mark Little, and Douglas White. Commissioner Trudell nominated Douglass White. Commissioner Haupt nominated Kerrie Hansen. Chairperson Green asked for nominations three times. It was moved by Commissioner Ling and supported by Commissioner Haupt to close nominations. Chairperson Green asked for a roll call vote. White: Lichtman, Trudell, Horton, Ling and Green. Hansen: Haupt, Moreno. Douglas White was declared appointed

MINUTES:

It was moved by Commissioner Moreno, supported by Commissioner Lichtman to accept and place on file the February 04, 2014 regular board meeting minutes as presented.

COMMITTEE REPORTS

Finance and Administration Committee:

1. February 14, 2014 Routine Personnel Items:

It was moved by Commissioner Trudell and supported by Commissioner Lichtman to accept and place on file the February 14, 2014 Routine Personnel Items as presented.

See a copy of Routine Personnel Items on page 13A of the Official Minutes.

2. Claims List:

It was moved by Commissioner Lichtman and supported by Commissioner Trudell to accept and place on file the February 14, 2014 Claims List in the amount of \$66,238.07. The motion carried with 7 yeas and 0 nays. Yeas: Commissioners Green, Haupt, Trudell, Horton, Moreno, Ling and Lichtman.

See a copy of the Claims List on page 13B of the official minutes.

3. Direct Pay List:

It was moved by Commissioner Trudell and supported by Commissioner Lichtman to accept and place on file the January 2014 Direct Pay List in the amount of \$4,406,935.86. The motion carried with 7 yeas and 0 nays. Yeas: Commissioners Green, Haupt, Trudell, Horton, Moreno, Ling and Lichtman.

See a copy of the January 2014 Direct Pay List on page 13C of the official minutes.

4. February 14, 2014 Finance and Administration Committee meeting minutes:

It was moved by Commissioner Lichtman and supported by Commissioner Trudell to accept and place on file the January 31, 2014 Finance and Administration Committee meeting minutes. Motion Carried.

Criminal Justice and County Affairs Committee:

1. February 11, 2014 Criminal Justice and County Affairs Committee meeting minutes:

It was moved by Commissioner Haupt and supported by Commissioner Ling to accept and place on file the February 11, 2014 Criminal Justice and County Affairs Committee meeting minutes.

Motion Carried.

Human Resources and Public Works Committee:

1. Consumers Energy Electric Estimate:

It was moved by Commissioner Moreno and supported by Commissioner Horton to accept and approve the January 13, 2014 estimate from Consumers Energy for the Coldwater Park electric distribution line extension in the amount of \$17,900.00. The motion carried with 7 yeas and 0 nays. Yeas:

Commissioners Green, Haupt, Trudell, Horton, Moreno, Ling and Lichtman.

2. Declaration of Restrictive Covenant:

It was moved by Commissioner Horton and supported by Commissioner Moreno to submit to the Michigan Department of Natural Resources and the Declaration of Restrictive Covenant for the property previously used and known as the Sanitary Landfill. Motion Carried.

3. An Agreement between Isabella County, the City of Mt Pleasant, Union Township and the Friends of the Dog Park.

It was moved by Commissioner Moreno, and supported by Commissioner Horton to approve entering into an agreement between the County of Isabella, the City of Mount Pleasant, Union Township and the Friends of the Dog Park for the purpose of constructing an off leash dog area and to authorize a payment of \$5,000.00 upon completion of the project.

Isabella County Parks and Recreation Director SueAnn Kopmeyer explained the Dog Park and how the Isabella County Parks and Recreation was asked to contribute funding to the creation of the Dog Park.

Richard Gruss, Parks Commissioner does not support spending \$5,000 on the Dog Park.

Mary McDonald, 5875 N Nottawa Rd, Farwell resident questioned what will happen when there is a dog fight and who will maintain the park. She believes it is opening a can of worms.

Lynn Simons, 304 E High St., Mt Pleasant resident and member of Friends of the Dog Park. She stated that three surveys have shown the majority of the respondents were in support of a dog park. The park will provide an opportunity to partner with other local units of government.

Commissioner Moreno stated that he is in favor of the creation of the dog park. No general funds will be used, it is a sign of collaboration with other local governments.

Commissioner Green asked about fees.

Ken Hoffmeister, Deerfield Township resident and member of Friends of the Dog Park explained that policies are still being developed. The current plan includes a nominal fee to be paid in order to gain access to the Dog Park via a key fob. Vaccination information will be acquired by the City when the fee is paid. The user will also sign some sort of liability waiver. The key fob will track who and when a user is at the Dog Park. He also pointed out that there are over 30 communities in the State of Michigan that have successful Dog Parks. Rules and regulations are crucial to successful dog parks.

Commissioner Green asked about enforcing regulation. Mr. Hoffmeister stated that if police are necessary then the police will be dispatched. There may also be an arbitration board created consisting

of a member from the City, Union Twp and Friends of the Dog Park. Any disagreements or altercations can be monitored and arbitrated by this board.

Commissioner Horton discussed his concerns with the contract language. He does not believe that the Union Township and the City of Mt Pleasant will sign this agreement.

Commissioner Ling reiterated that the Dog Park will be an asset to the community. A nominal \$5,000 shows that the County is supportive of the creation of a Dog Park. He believes that both Union Township and the City will be supportive of the contract. The contract is to follow the letter of the law since the County cannot donate to a 5013c organization without receiving something in return. The funds come from a source that is not the general fund and not out of the Parks general budget. Commissioner Ling would like language changes to the contract to reflect the changes Horton suggested.

Commissioner Lichtman asked for a letter from Mr. Fisher stating he is in support of using the donated funds in this manner. Commissioner Lichtman questioned that since the Friends of the Dog Park stated that the fees will be the same regardless of residence so how is the contract actually giving the County something? As well as questioning if it is ethical and legal to use a donation given to the County Parks system in the City Parks system?

Commissioner Ling pointed out that the County attorney drew up the contract so it is likely legal. He also stated that he believes the donated funds are designed to enhance the park operations of the County. Commissioner Haupt stated he talked to people at Deerfield Township and Broomfield Township meetings and neither of those groups is in support of a Dog Park.

Commissioner Lichtman would like to wait to vote until Isabella County Parks and Recreation Director SueAnn Kopmeyer gets a letter stating Mr. Fisher's support.

Isabella County Administrator/Controller Margaret McAvoy explained that the contract was written by the County's law firm. It was written to cover state statute and to protect the interests of the County. The motion carried with 4 yeas and 3 nays. Yeas: Commissioners Horton, Moreno, Ling and Lichtman. Nays: Trudell, Green, Haupt.

February 12, 2014 Human Resources and Public Works Committee meeting minutes:

It was moved by Commissioner Horton and supported by Commissioner Moreno to accept and place on file the February 12, 2014 Human Resources and Public Works Committee meeting minutes. Motion Carried.

Intergovernmental Affairs Committee: Commissioner Ling reviewed the most recent Intergovernmental Affairs meeting. The Material Recovery Facility collaboration was discussed as was DDA and TIFA's.

Unfinished Business: None

New Business: None

General Public Comments: None

Closed Session:

It was moved by Commissioner Lichtman and supported by Commissioner Trudell to go into a closed session to discuss a written legal opinion and consider the purchase or lease of real property. The motion

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carried with 7 yeas and 0 nays. Yeas: Commissioners Green, Haupt, Trudell, Horton, Moreno, Ling and Lichtman.

It was moved by Commissioner Lichtman and supported by Commissioner Trudell come out of closed session. The motion carried with 7 yeas and 0 nays. Yeas: Commissioners Green, Haupt, Trudell, Horton, Moreno, Ling and Lichtman.

It was moved by Commissioner Trudell and supported by Commissioner Lichtman to approve and place on file the minutes from February 18, 2014 closed session. Motion Carried.

It was moved by Commissioner Horton and supported by Commissioner Haupt to clarify that the Isabella County Board of Commissioner's April 16, 2013, appointment of Miklos Ferber to fill a vacancy on the Isabella County Road Commission was only to fill a vacancy only until a successor is elected at the November 2014 general election, and qualifies for office, as expressly provided in the Michigan Election Law MCL 168.269.

Chairperson Green called for a roll call vote. The motion carried with 5 Yeas and 2 Nays. Yeas: Haupt, Trudell, Horton, Moreno, Green Nays: Ling, Lichtman. Motion Carried.

Announcements:

Council of Governments will meet tomorrow at 7pm at the City of Mt Pleasant.

Adjournment:

It was moved by Commissioner Lichtman supported by Commissioner Haupt to adjourn to the call of the Chair at 9:55 p.m.

Motion Carried.