

WEDNESDAY, May 11, 2016

PRESENT: Comm. Stimpson, Bolton, Collins, Driskill, Knoblauch, Lapham, Tillotson, Wittenbach, and Bales.

ABSENT: None

Also Present: Scott Merillat, Beth Hunt, Jenny Escott, Dennis Pelham (The Telegram), Marilyn Woods, Stan Wilson, Burke Castleberry, Kim Murphy, Martin Marshall, Carolyn Bater, Dave Aungst, Jason Schnaidt, Jenna Gonzales (WLEN), Dan Swallow, and Roxann Holloway.

The meeting was opened with an invocation and the Pledge of Allegiance.

Comm. Bolton moved to approve the minutes from the April 13, 2016, meeting, Comm. Knoblauch seconded. Motion CARRIED.

Communications were read.

Copi Valdiviez, from United Way, could not attend today's meeting. He did provide information on United Way tour of success and an invitation to the Annual Meeting on Tuesday, June 21<sup>st</sup>.

Scott Merillat, Lenawee County Road Commissioner, presented the 2015 Road Commission Annual Report.

Comm. Bolton moved to accept the report as presented (report on file), Comm. Wittenbach seconded. Motion CARRIED.

Comm. Tillotson moved to approve the agenda, with the addition of the Airport Resolution that was removed from the Consent Agenda, Comm. Knoblauch seconded. Motion CARRIED.

Comm. Driskill moved to approve the following Consent Agenda, Comm. Wittenbach seconded. Motion CARRIED by a Unanimous Roll Call.

Consent Agenda:

## **RESOLUTIONS**

### **2) HOUSE BILL 5578 TRIBUNAL REQUIREMENTS**

**RES#2016-013**

#### **RESOLUTION IN SUPPORT OF**

**WHEREAS**, property tax is the primary source of revenue for local municipalities, counties, and schools in the State of Michigan and it is vital that property tax be fair and as uniformly applied as permitted under the Constitution; and

**WHEREAS**, the General Property Tax Act defines true cash value as the usual selling price, the price that a typical buyer would pay for property given its location and condition; and

**Whereas**, certain "Big Box" retailers have utilized a valuation approach in their appeals that incorporates deed restricted and vacant or "Dark" store buildings that result in much lower

values than for similar properties in surrounding states and effectively distorts Michigan's property tax system, and

**WHEREAS**, House Bill 5578 sponsored by the Rep. David Maturen and co-sponsored by a bipartisan group of 27 other House members is designed to close the "Dark Store" loophole that has cost local governments more than \$100 million since 2013; and

- HB 5578 sets up a fair and equitable system of property review by requiring the Tax Tribunal to consider all methods of assessing property; and
- HB 5578 enforces current law by clarifying that Tax Tribunal members must independently evaluate the parties' stipulation as to any valuation method or issue; and
- HB 5578 limits the use of deed restrictions to prevent the Dark Store technique of using vacant, restricted properties, for the purpose of artificially lowering value; and
- HB 5578 details in law the four-part tests that appraisers use to determine the highest and best use of property; and
- HB 5578 is consistent with state law defining a property's "true cash value; and
- HB 5578 bill does not impose any new requirements on assessors or appraisers.

**THEREFORE, BE IT RESOLVED** in order to ensure public confidence where the assessment system and appraisal practice come together in the Tax Tribunal, the Lenawee County Board of Commissioners fully support House Bill 5578; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to Governor Snyder, Representatives Jenkins and Roberts, Senator Zorn, and the other 82 county governments.

### 3) 9-1-1 SURCHARGE

**RES#2016-014**

**WHEREAS**, under MCL 484.1714 (1)(g) the State 9-1-1 Committee is required to provide notice to communication providers of the 9-1-1 surcharges in Michigan; and

**WHEREAS**, this includes the counties' 9-1-1 operational surcharge, the state 9-1-1 surcharge, and the monthly prepaid surcharge; and

**WHEREAS**, surcharge guidelines set by the State of Michigan are:

- Counties may raise or lower their surcharge collection amount once annually.
- Modifications to the surcharge collection amounts go into effect on July 1, of each year.
- Counties requesting to raise their current surcharge, not to exceed voter approved cap, must do so by commissioner resolution.
- Resolutions must be to the State by May 15<sup>th</sup>.
- The service supplier may retain 2% of the approved county 9-1-1 surcharge to cover the supplier's costs for billings and collections.
- Lenawee County's surcharge is currently set at \$1.18.
- Lenawee County's surcharge cap was set by voter approval on May 3, 2016 at \$3.00 to assess a monthly surcharge of up to 16%, (with all operational surcharges not to exceed \$3.00 per month) of the lesser of \$20.00 or the highest monthly flat rate for basic single-party telephone service within the geographic boundaries of Lenawee County, beginning July 1, 2016 and continuing through June 30, 2021.
- The revenue thus generated is to be distributed exclusively for the financing of equipment, facilities and all other operational costs of the Lenawee County 911 Emergency Telephone Answering and Dispatch System.

**THEREFORE BE IT RESOLVED** that the Lenawee County Board of Commissioners hereby determines the Lenawee County 9-1-1 Surcharge shall be adjusted to \$3.00 from July 1, 2016 through June 30, 2021; and

**BE IT RESOLVED** that the appropriate Lenawee County Officials are hereby authorized to sign the necessary documents on behalf of the county and make the necessary budget adjustments to complete this action.

**4) LENAWEЕ TRANSPORTATION CORP REVISED AGREEMENT NO 2012-0116 RES#2016-015**  
**AUTHORIZATION NO P19/R1 -FY 2016 SECTION 5311 OPERATING ASSISTANCE**

**WHEREAS**, the Lenawee County Board of Commissioners has made known its intent to provide public transportation service; and

**WHEREAS**, the Lenawee County Board of Commissioners has contracted with the Lenawee Transportation Corporation to provide that transportation service; and

**WHEREAS**, a Project Authorization had been proposed which provided FY 2016 Section 5311 Operating Assistance for such service, effective October 1, 2015 and expiring September 30, 2016, based on 18.5% of the estimated eligible costs; and

**WHEREAS**, this project authorization included partial funding for the year, approximately 46% of the 18.5% of the estimated eligible costs which is \$35,910, and had been approved; and

**WHEREAS**, the maximum amount to be paid will not exceed 18.5% of the audited costs and if funds are insufficient to reimburse at 18.5% of the audited costs, a new reimbursement percentage will be calculated for all agencies; and

**WHEREAS**, a Revised Project Authorization has been proposed to increase the operating assistance funds by \$55,232; and

**NOW THEREFORE, BE IT RESOLVED** that the Lenawee County Board of Commissioners does hereby approve the Revised Agreement No 2012-0116, Authorization No P19/R1 for FY 2016 Section 5311 Operating Assistance.

**BE IT RESOLVED** that the monies from the grant be given to Lenawee Transportation in accordance with the terms of the Authorization No P19/R1; and

**BE IT FURTHER RESOLVED** that the Lenawee County Board of Commissioners authorizes the Chairman, David Stimpson and County Clerk, Roxann Holloway to execute Authorization No P19/R1 for and on behalf of Lenawee County.

**4) LENAWEЕ TRANSPORTATION CORPORATION RES#2016-015**  
**APPROVAL / ACKNOWLEDGEMENT RESOLUTION AMERICAN DISABILITY ACT COMPLAINT POLICY**

**WHEREAS**, the Lenawee County Board of Commissioners has made known its intent to provide public transportation service; and

**WHEREAS**, the Lenawee County Board of Commissioners has contracted with the Lenawee Transportation Corporation to provide that transportation service; and

**WHEREAS**, An American Disability Act complaint policy has been developed for Lenawee Transportation in its administration and management of the transit system; and

**WHEREAS**, the Michigan Department of Transportation has received and reviewed our policy; and

**NOW THEREFORE, BE IT RESOLVED** that the Lenawee County Board of Commissioners approves the American Disability Act (ADA) complaint policy.

**FURTHER BE IT RESOLVED** that the Lenawee County Board of Commissioners authorizes the Chairman of the Board to sign the Acknowledgement of the aforementioned policy.

**APPROVAL OF COMMITTEE ACTIONS**

**Rules & Appointments (05/10/16)**

**Lenawee District Library Board:** Appoint Judy Bays to the Lenawee District Library Board, with term to expire in December, 2016.

**Tuition Reimbursement Policy:** Approve the Tuition Reimbursement Policy:

Date of Adoption: September 12, 2007

Date of Amendments: March, 2016; May, 2016

### **Introduction and Purpose**

The Lenawee County Tuition Reimbursement Program is designed to encourage and assist employees in furthering their educational qualifications and professional development in subjects and fields which are directly related to the County's operations, activities and objectives, and which will improve their job performance by providing reimbursement for a portion of their educational expense.

### **Administration**

The Tuition Reimbursement Program is administered by the Lenawee County Administrator in accordance with the parameters described herein. The Administrator shall establish guidelines and directives supplemental to this policy as may be necessary to ensure fair and equitable distribution of tuition reimbursements, to provide sufficient reserves to meet reimbursement commitments and to maintain the overall integrity of the Tuition Reimbursement Program.

### **Eligibility Requirements**

Any employee who is eligible for benefits with the County may apply for tuition reimbursement. In order to be eligible, courses and/or degree programs must be related to an employee's current or probable future position with Lenawee County. In addition, courses must be taken at accredited educational institutions before or after work hours. In order to receive reimbursement, applicants must be employed both when the tuition reimbursement application is filed and when reimbursement is issued. Employees on leave of absence without pay and part-time non-eligible employees, for example, are not eligible for this benefit. Reimbursements cannot be paid to individuals after the date of separation from the County.

Employees shall not be reimbursed for course work fully reimbursed or paid by tuition payment support from other sources, such as, but not limited to, scholarships, fellowships, veteran's educational benefits, Federal, State, Local educational grants or any other form of tuition support.

Eligible applicants receiving a portion of the tuition costs requested from other sources, but less than the maximum amount of reimbursement allowable under this policy, are eligible for County reimbursement of the difference between the other sources' payment and the maximum reimbursement allowable under this policy, up to but not exceeding the total cost of tuition.

**Caution:** Application for and/or acceptance of Lenawee County Tuition Reimbursement by an employee not eligible for employee benefits or reimbursed or paid by other sources may be considered a misappropriation of County funds and cause for disciplinary action up to and including dismissal from County employment.

### **Course work Eligibility**

Course work shall be limited to programs offered by universities, colleges, business schools, trade schools and school systems only approved by a State Board of Education and accredited by the primary, nationally recognized accrediting association for each type of institution. The

applicant shall provide documented evidence that his or her school meets this requirement on request of the Lenawee County Administrator. Course work in non-degree programs that leads to licensure or certification for use in employment with the County will also be accepted.

No reimbursement will be allowed for course work taken on work time for which the employee is being compensated by the County. Course work taken while the employee is on annual leave (vacation) may be reimbursable if in accord with other provisions of this policy.

Work Relatedness: Course work should be directly related to the applicant's present job, approved by their respective standing committee and department head, and directed towards improving the applicant's knowledge and performance on the job, or related to probable future County employment. Probable future County employment shall be defined as a position or positions the employee is likely to be transferred to or promoted to, based on reasonable evidence in the applicant's employment history and/or County experience with employees. The applicant must identify the job he/she chooses to work toward and one likely to be achieved on the Tuition Reimbursement Application.

Course work not directly related to the employee's present or probable future County employment, but required for a degree which is related to present or probable future County employment shall qualify for reimbursement within the intent of this policy. The applicant may be required to provide reasonable evidence that the non-related coursework cannot be substituted by related coursework to achieve the same degree.

### **Reimbursement Procedure**

Completion of the application form and meeting the application filing requirements, as well as receipt and grades filing deadlines, is the sole responsibility of the applicant. Applications requesting tuition reimbursement should be filed prior to the starting date of class to confirm reimbursement. Applications will be accepted up to thirty (30) days beyond the starting date of class but under such circumstances reimbursement cannot be guaranteed. All applications submitted will be approved on a first come, first serve basis to the extent funding is available. *The employee is urged to protect their investment by confirming reimbursement before the class starts and before they have committed their own funds.*

Grades and tuition receipts must be submitted to the Lenawee County Administrator no later than sixty (60) days after the last meeting of the class as noted on the application for reimbursement, except a grade of "I" or incomplete will not be considered for any reimbursement until after successful completion. It is still necessary, however, to submit the incomplete grade within the sixty (60) day period to keep your application active. Also, if for any reason you cannot submit your grades within the filing time frame, e.g., computer error, notify the Lenawee County Administrator in writing as soon as possible, stating the reason for the delay. Failure to meet this filing deadline may result in disqualification for reimbursement.

Applicants may be required to submit with each application a full description of the course(s) for which reimbursement is requested. The published catalogue description or other official description provided by the educational institution are required for this purpose.

Each application for tuition reimbursement must be approved by the employee's department head and respective standing committee as being relevant to the applicant's present or probable future County employment or as otherwise provided above. Applications not approved shall be returned to the employee by the department head prior to the starting date of the course or no

later than five (5) working days after receipt of the application with a written explanation of why approval was not granted.

Applications for reimbursement must be approved by the Lenawee County Administrator to assure that the application is complete and in accord with the provisions of this policy that an adequate course description has been provided and that sufficient funding is available to meet the reimbursement request. Applications approved by the Lenawee County Administrator will be acknowledged by forwarding to the employee a copy of the "Reimbursement Payment Authorization Form". Applications not approved shall be returned to the employee within ten (10) working days following the respective standing committee meeting date, with a written explanation of why the coursework was not approved.

Applicants changing classes after original approval must notify the Lenawee County Administrator in writing stating the reason for change and submitting a description of the course for which reimbursement is requested. Changes from coursework already approved may invalidate reimbursement approval if the substitute coursework cannot be related to the employee's present or probable future County employment or as otherwise provided in this policy.

### **Course Work Documentation**

Only original reimbursement documents can be accepted by the County Administrator. Original applications, tuition payment receipts and grades or other original proof of successful class completion must be submitted to the Administrator's office to complete a tuition reimbursement transaction. Employees who wish original documents returned should forward the original documents along with a duplicate copy. Original documents will be returned only if they are accompanied by a legible duplicate copy. Coursework documentation shall be maintained with the employee's reimbursement records.

Applicants will be reimbursed for the tuition, books, and fees up to 50% of the cost of the class. Applicants are required to submit proof of tuition payment. Institutional tuition payment receipts serve this purpose best, although cancelled tuition payment checks are an acceptable substitute.

Applicants are required to submit proof of successful completion of coursework before reimbursement payment can be authorized. Successful completion is defined as attaining a minimum grade of C (equivalent to 2.00 grade on a scale of 4.00). Course withdrawals or failures are not reimbursable. Institutional grade reports serve this purpose best. A letter from the applicant's course teacher or instructor, on institutional letterhead, verifying successful completion, is an acceptable substitute.

### **Reimbursement Limitations**

Reimbursement request approvals are contingent upon the availability of funds. Should funding become insufficient to meet reimbursement requests due to increased demand, budget cutbacks or for any other reason, reimbursements will be processed on a first come first served basis. Public Act 621 of 1978, the Uniform Budgeting Act, prohibits spending in excess of budgeted amounts.

Tuition will be reimbursed for no more than two (2) courses each session, nor four (4) courses annually. Employees who apply for and who receive tuition reimbursement shall receive same in the form of a loan to be excused by the County as follows:

1. The obligation to repay the loan shall be excused at the rate of twenty (20%) percent per year for each year of employment with the County by the employee following the date of reimbursement by the County.

2. If the employee terminates employment with the County before working five (5) years from the date of the loan, the amount outstanding will become immediately due and payable. Such amount outstanding will be deducted from the employee's final paycheck. Outstanding amounts in excess of the employee's final paycheck are due within 30 days of termination.

Reimbursement rates shall be determined by the County Board of Commissioners in conjunction with the annual budget process as authorized in the adopted General Appropriations Act.

**Reimbursement Not Allowed**

There shall be no tuition reimbursement for seminars, conferences or other programs normally covered by a department's budget provision for travel and conference. There shall be no tuition reimbursement for any coursework, seminars, conferences or other educational programs from the Tuition Reimbursement Account for employees pursuing course work toward a Master's Degree, PhD, or equivalent advanced degree.

Only costs directly related to the course taken are eligible for reimbursement. Costs may include books, lab fees, and other fees directly related to, and required of, the course taken.

The cost of such items included under tuition payment shall be deducted from tuition reimbursement, if not already excluded by the applicant in their reimbursement request.

For further information, contact the Lenawee County Administrator.

**Personnel/Ways & Means (05/10/16)**

**Printing & Purchasing Department request:** Approve the reclassification of Printing Tech III (NU7516) to Shipping Receiving Clerk II (NU7519), Printing Tech II (NU7516) to Printing Tech III (NU7519), and title changes within Printing and Purchasing as presented.

**District Court request:** Approve the paygrade change of the District Court Judicial Secretary and the Certified Court Recorder as presented.

**HB 5578 Tribunal Requirements:** Approve resolution #2016-013.

**County Financial Position:** Create a three person workgroup/subcommittee to be appointed by the chair, for the purpose of reviewing and preparing a financial plan; potentially working with a ballot consultant.

**9-1-1 Surcharge:** Approve resolution #2016-014.

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Comm. Collins moved to adopt the following proclamation, Comm. Bolton seconded,

"NATIONAL POLICE OFFICERS WEEK"

**PRO#2016-004**

**WHEREAS**, In 1962 President Kennedy proclaimed May 15<sup>th</sup> of each year to be “National Peace Officers Memorial Day” and has designated week this date falls within as “National Police Week”, and,

**AND WHEREAS**, On May 16<sup>th</sup>, 2016 a Memorial Ceremony will be at 11:00 am, held at Oakwood Cemetery where the citizens of Lenawee County will remember and honor the ultimate sacrifice that the following 8 Lenawee County Officers have made:

Adrian City Police Officers Dennis Lyons and Bobby Williams,  
Clayton Village Constable Richard Teske,  
Lenawee County Sheriff Deputy Stanley Hoisington,

MI State Troopers Calvin Jones, Dugald Pellot, Rodger Adams, and Byron Erickson  
In addition, we honor all the 20,790 Officers who gave the ultimate sacrifice during the discharge of their duty from our community and nationwide, with 560 from the State of Michigan since 1791.

**AND WHEREAS**, We also pray for the safety and protection of all 900,000 plus sworn Law Enforcement Officers being vigilant throughout our County and great nation despite over 1.16 million violent crimes committed each year.

**AND WHEREAS**, The citizens of Lenawee County desire to honor the valor, service and dedication of its own Law Enforcement Officers who are our guardians of life and property, defenders of the individual rights to be free people, warriors in the war against crime, and dedicated to the preservation of life, liberty and the pursuit of happiness.

**AND WHEREAS**, On May 16<sup>th</sup> we humbly request that flags throughout the County be flown at half-staff to commemorate “Law Enforcement Officer Memorial Day” and to honor those who are serving our County.

**NOW, THEREFORE BE IT RESOLVED** that the Lenawee County Board of Commissioners, does hereby proclaim the week of May 15<sup>th</sup> through May 21<sup>st</sup>, 2016, as “**LENAWEE COUNTY POLICE OFFICER WEEK**” and calls upon the citizens in the community to especially honor those and their families who have given the ultimate sacrifice and show our sincere appreciation and support for the police officers of Lenawee County by deed, remark, and attitude. We call upon all our citizens to make every effort to express their thanks to our men and women who make it possible for us to leave our homes and families in safety each day and to return to our homes knowing they are protected by men and women willing to sacrifice their lives, to guard our loved ones, property, and government against all those who violate the law, and,

***IN MEMORY OF MANY, IN HONOR OF ALL.***

***May we never take for granted the footprints they gave us to live and learn by.***

***Rest easy on heavens streets. You’ve done your time in hell.***

Motion CARRIED by a Unanimous Roll Call Vote.

Comm. Driskill reported from the Human Services Committee.

Comm. Collins reported from Criminal Justice Committee.

Comm. Tillotson reported from the Physical Resources Committee.

Comm. Tillotson reported from the Personnel/Ways & Means Committee.



Comm. Tillotson moved to adopt the following resolution, Comm. Bolton seconded,

1) **AIRPORT / MDOT CONTRACT NO. 2016-0301**

**RES#2016-012**

**AUTHORIZATION RESOLUTION**

**WHEREAS**, the process of developing and upkeep of the Lenawee County Airport with federal and state financial assistance requires the execution of sponsor contracts for approved projects between the Lenawee County Board of Commissioners, Adrian, Michigan and the Michigan Department of Transportation, Lansing, Michigan, and

**WHEREAS**, the Lenawee County Board of Commissioners shall enter into sponsor contracts (full text on file) for specific development/upkeep projects at the Lenawee County Airport for the purposes of obtaining aid.

**THEREFORE, BE IT RESOLVED** that the Chairperson of the Lenawee County Board of Commissioners, David Stimpson is hereby authorized and directed to execute said sponsor contracts on behalf of the County of Lenawee, Michigan, and the County Clerk is hereby authorized to impress the official seal to attest said execution.

**MDOT CONTRACT NO.** 2016-0301 referred to herein shall be attached

**PROJECT DESCRIPTION:** Land Acquisition costs for Parcels 68 (Roth), 71 (Goldsen), and 72 (Schalter) – Land.

Federal Share \$1,300,000.00

Maximum DEPARTMENT Share \$72,222.00

SPONSOR Share, \$72,223.00

Estimated PROJECT COST, \$1,444,445.00

Motion CARRIED by the following Roll Call Vote: YEAS (8) Comm. Bales, Bolton, Collins, Driskill, Knoblauch, Lapham, Stimpson, Wittenbach. NAYS (1) Comm. Tillotson.

Comm. Tillotson reported from the Accounts Payable Committee.

April 14, 2016 - Comm. Tillotson moved to approve total vouchers for payment in the amount \$1,632,238.70 with the general fund's portion being \$427,375.63, Comm. Wittenbach seconded, Motion CARRIED.

April 28, 2016 - Comm. Tillotson moved to approve total vouchers for payment in the amount \$3,909,425.38 with the general fund's portion being \$315,519.84, Comm. Knoblauch seconded, Motion CARRIED.

Comm. Wittenbach reported from Parks & Recreation Committee.

Comm. Driskill reported from the Road Commission.

Comm. Wittenbach reported from the Department of Human Services.

Comm. Lapham reported from the Department on Aging.

Comm. Knoblauch reported from the Solid Waste Committee.

Comm. Driskill reported from the Airport Commission.

Comm. Bolton reported from Michigan Works.

Comm. Driskill reported from MTA.

Comm. Knoblauch reported from the Veterans Affairs Committee.

Comm. Wittenbach reported from the Health Board.

Comm. Wittenbach reported from MAC-Economic Development.

Comm. Tillotson shared his concerns regarding the EPA and Army Corp. of Engineers' implementation of regulations for defined waters of the U.S. He requested that the Administrator's Office prepare a resolution for next month's meeting.

Dan Swallow, the new Tecumseh City Administrator, introduced himself to the commissioners and shared a few upcoming events in Tecumseh City.

Comm. Knoblauch shared an email he received that indicated that the Washtenaw County Commissioners passed a resolution opposing the Dover-Nexus Pipeline.

Comm. Tillotson moved to adjourn at 2:35 P.M., Comm. Driskill seconded, Motion CARRIED.

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Roxann Holloway, County Clerk

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David Stimpson, Chair