

THURSDAY, NOVEMBER 12, 2020

PRESENT: Comm. Stimpson, Bales, Bolton, Collins, Jenkins-Arno, Knoblauch, Lapham, Tillotson, and Wittenbach

ALSO PRESENT: James Goetz, Shelly Delong, Scott Holtz, Burke Castleberry, Dmitriy Shapiro (The Daily Telegram), Jennifer Ambrose, Jenny Escott, Martin Marshall, Kim Murphy, Rebecca Borton, and Bob Behnke

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

Comm. Collin moved to approve the minutes from the October 14, 2020, meeting, Comm. Knoblauch seconded. Motion CARRIED.

Comm. Tillotson moved to accept the agenda as presented, seconded by Comm. Collins. Motion CARRIED.

Comm. Stimpson called for the Public Hearing on the 2021 Budget to be opened at 1:35 P.M.

Motion by Comm. Tillotson to open the public hearing, seconded by Comm. Collins. Motion CARRIED.

There were no public comments.

Comm. Wittenbach moved to close the public hearing at 1:36 P.M., Comm. Bolton seconded. Motion CARRIED.

Equalization Director Shelly Delong presented the 2020 Apportionment Report.

Comm. Knoblauch moved to approve the Apportionment Report and authorizing the levy, Comm. Wittenbach seconded. Motion CARRIED by a Unanimous Roll Call Vote.

Comm. Collins moved to approve the following consent agenda items, Comm. Wittenbach seconded,

Board Appointments:

The following appointments are CONFIRMED.

Lenawee Transportation Corporation

Nathan Owen, City of Adrian

9/23

Burt Fenby, At Large

9/23

Lenawee County Planning Commission

Dale Witt, Tecumseh

12/23

Bruce Nickel, Onsted

12/23

Robert Behnke, Education Representative

12/23

Land Bank Authority

Lynne Punnett, Housing Representative

12/23

Jessica Sattler, Community Development

12/23

Jim Palmer, Realtor

12/23

Labor Negotiations: The tentative agreements covering 2021, 2022, and 2023 with the Government Employees Labor Council (GELC) and the United Steelworkers unions are APPROVED.

Medical Benefits Waiver: The Medical Benefits Waiver to opt out of Public Act 152 of 2011 (MCL 15.568) is APPROVED.

2021 LENAWEЕ COUNTY GENERAL APPROPRIATIONS ACT

RES#2020-029

WHEREAS Public Act 621 of 1978, titled "The Uniform Budgeting and Accounting Act" provides for a system of uniform procedures to guide the preparation and execution of budgets in all local units of government in Michigan; and

WHEREAS the Act requires the legislative body of each local unit to pass a general appropriations measure in compliance with provisions of the Uniform Budgeting and Accounting Act, as the method of adopting its budget; and

WHEREAS the County Board has deliberated upon the budget, presented it for public hearing and received and reviewed comments from the public and from County officials;

NOW THEREFORE the Lenawee County Board of Commissioners resolves:

Section 1. Appropriation

The 2021 General Fund Budget, comprised of revenues and expenditures in the amount of **\$31,044,943** as specified in the attached 2021 General Fund Budget document, is hereby adopted and made part of this resolution. Authorization for expenditure of the various appropriations is hereby granted; provided that such expenditures are in compliance with this resolution, applicable County policies and State law.

"Appropriation" as used in this resolution shall mean the designation of funds to be used for a specific purpose including the operation of a County department, agency or office; and the allocation to an agency, board, commission, department or other entity whose expenditures and revenues are not accounted for through the General Fund.

Section 16(1) of the Uniform Budgeting and Accounting Act requires that the legislative body of each local unit pass a general appropriations act for certain designated funds.

These funds and their adopted budgets include:

NON-GENERAL FUND BUDGETS

FUND	Total Exp Budget
208 Parks	37,572
211 AG Committee	12,000
214 Sobriety Court	213,704
215 Friend of the Court	309,500
216 Caseload Assistance	21,000
217 Enhanced Treatment Court	103,300
218 Adult Drug Treatment Court	244,307
221 Health Department	3,605,676
FUND	Total Exp Budget
223 Lenawee Transportation	327,498

230	Drug Testing Facility	85,080
232	Solid Waste	64,600
234	Lenawee Local Emergency	10,000
236	Criminal Justice Comm Allocation	29,500
245	Public Improvement	10,000
251	Drain Commission	2,269,807
252	MCF Millage	647,000
253	Indigent Defense	1,391,203
254	Survey/Remonumentation	68,461
255	Land Bank	39,750
256	Register of Deeds Automation	100,000
257	Concealed Pistol Licensing	91,033
258	Disaster Contingency	100
260	Mobile Data Terminal	49,500
261	911 Service	3,204,386
262	Hard Labor	24,192
263	Marine Law Enforcement	23,350
264	Local Corrections Officer Training	20,029
265	Drug Law Enforcement	5,050
266	Law Enforcement	8,500
269	Law Library	27,469
273	Comm Oriented Police Serv	20,972
274	Homeland Security	96,794
280	Secondary Road Patrol	93,758
286	Veteran Service	60,824
287	Housing Rehabilitation	35,000
292	Child Care - Maurice Spear Campus	4,653,415
293	Veterans Relief	314,646
296	Department on Aging	4,500,230
297	Child Care - Dept of Human Services	831,000
298	Lilley	15,500
299	Other Special Revenue	25,000

Section 2. Approved Millage Rate

As provided in MCL 141.436 Section 16(2), the Truth in Budgeting Act; the Board of Commissioners approves the following 2021 millage rates: County Operating 5.4000; Lenawee Medical Care Facility Special .1896; Department on Aging Special .75; and Veterans Relief .0000; or the maximum allowable millage after applicable millage reduction under MCL 211.34d.

Section 3. Appropriation Not a Mandate to Spend

The various appropriations specified in the budget represent the maximum authorization to incur expenditures for the purposes specified. It is expected that all elected and appointed County officials shall exercise necessary judgment in the use of appropriated funds in order to achieve the objectives of their program with minimum expenditures.

Section 4. Allotment of Appropriation

When financial circumstances warrant, the Board may adopt a schedule for allotting the annual appropriation contained within the budget on a periodic basis of no less than one calendar quarter. Under this provision, the authorization to spend the annual appropriation provided in the budget shall be limited to the time limits and amounts established in such schedule. No elected or appointed official shall cause obligations to be incurred against, and no payment shall be made from, an appropriation in excess of the limits provided in the schedule.

Section 5. Limit on Obligation and Payments

No elected or appointed County official shall cause an obligation to be incurred against, and no payment shall be made from, any appropriation unless there is sufficient unencumbered balance in the appropriation or allotment. Any obligation incurred or payment authorized in violation of this resolution shall be void and any payment so made illegal. Expenditures made in violation of this resolution shall be subject to the penalties specified in P.A. 621 of 1978, titled the Uniform Budgeting and Accounting Act.

The power to authorize agreements binding the County rest with the Board of Commissioners, unless some other statutory agreement exists or the Board of Commissioners specifically authorize elected officials to sign certain contracts within established guidelines, that are not otherwise prohibited by statute. Moreover, as part of the County's budgetary and appropriations policies the Board of Commissioners may require that the County be named as an additional insured on contractor's insurance policies along with a copy of the contractor's insurance policies and copy of the contractor's licenses be kept on file with the County Administrator.

Each claim against the County shall be approved and signed by the elected or appointed County official responsible for expenditure of the appropriation and shall specify the fund, appropriation account and the activity number assigned in the Budget in accordance with the State Accounting Classification System. Such claims shall be submitted on a timely basis as prescribed in the Accounts Payable Policies & Procedure. Claims against the County shall be approved by the Board. In no case shall money be drawn from the County treasury except as properly authorized in the pursuance of an appropriation provided for in the budget and no expenditures shall be charged directly to any contingent or general account.

Section 6. Transfer & Purchases

Transfers of any unencumbered balance, or any portion thereof, of any appropriation to any other appropriation may not be made without amendment of the General Fund Budget by regular action of the County Board of Commissioners. An elected or appointed County official responsible for an appropriation may, within the limits of the total appropriation, transfer funds between line items; except that funds may not be transferred between a salary line item and any non-salary line item, nor may such official create a staff position, alter salaries, or purchase equipment without prior authorization of the Board of Commissioners. Purchase of supplies, vehicles, service and equipment shall be in compliance with County purchasing policies adopted by the County Board of Commissioners. Establishment of salary levels and adjustments thereto shall be made as authorized in the adopted County personnel policies and negotiated labor contracts.

Section 7. administrator Contingency

The Administrator is authorized to approve expenditures using the Administrator Contingency in single amounts not to exceed \$10,000 and make necessary budgets adjustments to reflect those expenditures. Such expenditures will be tabulated and reported to the Board of Commissioners prior to year-end.

Section 8. Review of Financial Accounts

On at least a monthly basis, the County Administrator shall review the status of expenditures and revenues as compared to the adopted budget, and shall report the findings to the Board, noting areas in which there are significant variations with the budget and providing recommendations where appropriate. A monthly status report of revenues and expenses shall be provided as appropriate to elected and appointed County officials by the Administrator.

Section 9. Balances Reduced to Zero

As soon as practical after the start of the County fiscal year, the County Administrator shall examine each appropriation account for the following funds to determine whether a balance of County funds remains from the preceding fiscal year in excess of the budgeted balance and shall report the findings to the Board: Parks Commission, Agriculture Committee, Health Department, Drain Commission, Marine Law Enforcement, Central Dispatcher, Law Library, County Library, Department of Human Services, Child Care Maurice Spear Campus, Child Care Department of Human Services and County Airport. If an excess cash balance of County funds is found in any such account, the County Board may reduce the appropriation to that account by the amount of the cash balance in excess of the budgeted anticipated balance, or any portion thereof, and transfer that amount to the General Fund Contingency Account.

Elected and appointed officials are responsible for maintaining expenditures within the limits of an appropriation as provided in this resolution. Should it become apparent to the official that the rate of expenditures of the appropriation shall exhaust that appropriation before the end of the budget period or allotment period, the official shall immediately take steps to reduce the rate of expenditures. The official may request a supplemental appropriation from the County Board of Commissioners, who may in its discretion approve or deny the request.

Whenever it is reported to the County Board of Commissioners that actual and probable revenues in any fund may be less than the estimated revenues upon which appropriations from such fund were based, the Board of Commissioners shall take such actions which in its sole discretion are deemed necessary to prevent expenditures from exceeding available revenues for the current fiscal year. Such actions may include reductions or adjustments in periodic allotments and appropriations for any or all appropriations, implementation of hiring freezes, layoff of personnel, renegotiation of labor contracts, and elimination of capital outlays and equipment purchases; provided, however, that all elected and appointed officials shall be given the opportunity for review and comment on any proposed action prior to its adoption.

Resolution #2020-029 is ADOPTED.

RED MILL POND LAKE LEVEL PRELIMINARY STUDY EXPENSE

RES#2020-030

WHEREAS, pursuant to Part 307 of Act 451, Public Acts of Michigan, 1994, as amended (“Part 307”), the Lenawee County Circuit Court, (i) by order dated January 28, 2013 (the “Lake Level Order”), established the normal lake levels of the Red Mill Pond impoundment in the City of Tecumseh and the Township of Tecumseh in the County of Lenawee; and (ii) by further order dated March 18, 2013, confirmed the boundaries of the Red Mill Pond Lake Level Special Assessment District (the “District”) for the purpose of maintaining the normal lake levels of the Red Mill Pond impoundment; and

WHEREAS, by resolution adopted on March 14, 2012, the Lenawee County Board of Commissioners (the “County Board”) confirmed the appointment of the County Drain Commissioner as the “delegated authority” within the meaning of Part 307 (the “Delegated Authority”) to take such actions as are necessary to maintain said normal lake levels; and

WHEREAS, in accordance with Section 30722 of Part 307, the Delegated Authority has caused an inspection to be made of the Tecumseh Dam at Red Mill Pond (the “Dam”) every third year from the date of the Lake Level Order; and

WHEREAS, the dam safety inspection report for 2020, referred to in a letter from the Michigan Department of Environment Great Lakes, and Energy to the Lenawee County Drain Commissioner, dated April 29, 2020, disclosed the necessity for maintenance or repair of the Dam; and

WHEREAS, following receipt of said letter, the Lenawee County Drain Commissioner distributed a request for proposals to conduct a preliminary engineering study of the Dam to determine necessary maintenance and/or repair to the Dam; and

WHEREAS, Section 30722 of Part 307 provides that if an inspection discloses the necessity for maintenance or repair, the Delegated Authority may spend not more than \$10,000 annually for such maintenance or repair, or more than \$10,000 annually with the approval of the County Board; and

WHEREAS, the proposals received indicate an estimated cost for the preliminary engineering study of \$30,000; and

WHEREAS, it is anticipated that following the preliminary engineering study the District will acquire and construct improvements to the Dam (the “Project”) and issue its tax-exempt bonds to finance all or part of the cost of the Project, including the cost of the preliminary engineering study, in anticipation of the collection of an equal amount of special assessments to be levied against benefiting property in the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LENAWE:

1. Pursuant to Section 30722 of Part 307, the County Board hereby approves the expenditure by the Delegated Authority of an amount more than \$10,000 to the extent necessary to pay the cost of the preliminary engineering study.
2. All resolutions and parts of resolutions, insofar as the same may be in conflict with the provisions of this resolution, be and the same hereby are rescinded.

Resolution #2020-030 is ADOPTED.

Motion to approve the consent agenda CARRIED by a Unanimous Roll Call Vote.

Comm. Wittenbach reported from the Information Technology/Equalization Committee.

Comm. Bolton reported from the Rules & Appointments Committee.

Comm. Collins reported from the Criminal Justice Committee.

Comm. Knoblauch reported from the Physical Resources Committee.

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

Comm. Knoblauch moved to approve October 15 – November 5, 2020, total vouchers for payment in the amount \$4,096,850.37 with the general fund’s portion being \$369,836.68, Comm. Wittenbach seconded. Motion CARRIED.

Comm. Wittenbach reported from the Parks Commission.

Comm. Bales reported from the Road Commission.

Comm. Lapham reported from the Department of Health and Human Services.

Comm. Lapham reported from the Lenawee Department of Aging.

Comm. Knoblauch reported from the Solid Waste Coordinating Committee.

Comm. Bales reported from the Airport Commission.

Comm. Bolton reported from Michigan Works.

Comm. Tillotson reported from the CMHPSM.

Comm. Knoblauch reported from the Michigan Township Association.

Comm. Knoblauch reported from the Veterans Affairs Board.

Comm. Wittenbach reported from the Health Board.

Unfinished Business: There was no unfinished business.

New Business:

Current COVID statistics and conditions were discussed; Comm. Bolton stressed the importance of staying vigilant and safe.

Comm. Stimpson announced that the County will be conducting a townhall meeting regarding COVID status in the near future.

Bob Behnke congratulated elected officials and provided a brief update on conditions of the local schools. He commended the Health Department and is grateful for the additional COVID testing site; however, testing appointments filled up very quickly and suggested additional sites be opened.

Admin. Marshall announced that the Christmas tree has arrived and will be lit next week.

Comm. Collins moved to adjourn at 2:10 P.M. Comm. Bolton seconded. Motion CARRIED.

Rebecca Borton, Deputy Clerk

David Stimpson, Chair