

The Regular Meeting of the Hillsdale County Board of Commissioners convened on May 10, 2022 at the Board of Commissioners Room, 33 McCollum Street, Suite 210, Hillsdale, Michigan.

Commissioner Wiley called the meeting to order at 9:00 a.m. Prayer and the Pledge of Allegiance to the United States of America by Commissioner Schmitt

<u>ROLL CALL:</u>	<u>DISTRICT</u>	<u>PRESENT:</u>	<u>ABSENT:</u>
	1	Doug Ingles	
	2	Kathy Schmitt	
	3	Mark Wiley	
	4	Brad Benzing	
	5	Brent Leininger	

AGENDA:

1. Call to Order
2. Prayer & Pledge by Commissioner Schmitt
3. Public Comment
4. Consent Agenda:
 - Review/Correction/Approval of Regular Meeting Minutes of April 26, 2022
 - Review & Correction/Approval of Special Meeting Minutes of April 27, 2022
 - 22-067: Payroll, Payables, Transfers – April 2022
 - 22-068: Classification Change and Wage Increase for David Black
 - 22-069: Approval for the Proposal to Install 800 MHz Contingent on Millage Levy
5. Correspondence – Listed
6. Regular Agenda
7. Standing Order:
 - 9:10 a.m. Shamar Herron, Executive Director, Michigan Works! Southeast and Misty Shulters, Deputy Director, Sandy Vallance and Tom Robinson 2020 Michigan Works! Southeast Annual Report
8. Committee Reports:
 - A. HUMAN SERVICES – BRENT LEININGER**
 - B. PUBLIC SAFETY/JUDICIARY – BRAD BENZING**
 - 22-070: Resolution Authorizing Bonding and Millage Election for 800 MHz Radio System Project Bond Proposal and Certifying Ballot Language
 - C. FACILITIES/TECH/ECON DEVELOPMENT – DOUG INGLES**
 - Discussion: Road Commission Discussion
 - D. BUDGET – KATHY SCHMITT**
 - E. CHAIRPERSON’S REPORT/MANAGEMENT & PERSONNEL – MARK WILEY**
9. Public Comment
10. Additional Business
11. Adjournment

Present: Kelley Mapes, Steve Lanius, Martin Taylor, Alice Britton, Stephenie Kyser, Bob Eichler, Anne Fike, Sandy Vallance, Misty Shulters, Shamar Herron, Joyce McLain, Clem McClain, Shannon Clevenger, Terry Vear, Lisa Wallace and Karla Adams.

Under Public Comment, Karla Adams commented on the use of ARPA Money, the radio towers, a letter to the Board of Health regarding an accident with their van and an accident that was not reported with a Road Commission vehicle.

Terry Vear expressed her disappointment in not having the Senior Center named on the Senior Millage Proposal and asked that the Board amend the wording today.

C/Leininger moved to approve the Consent Agenda with the removal of Resolution 22-069 and placing it under Public Safety. Second by C/Ingles. Vote unanimous. CARRIED

C/Benzing moved to approve the Regular Agenda with the addition of a Closed Session at around 10:00 a.m. for Attorney/Client Privilege. Second by C/Leininger. Vote unanimous.

CARRIED

9:10 a.m. Shamar Herron, Executive Director, Misty Shulters, Deputy Director and Sandy Vallance all from Michigan Works! Southeast reviewed their 2020 Michigan Works! Southeast Annual Report with the Board.

9:17 a.m. Chris Myers entered.

9:25 a.m. Laura Rahe entered.

9:43 a.m. Mr. Herron finished and exited along with Ms. Shulters and Ms. Vallance.

C/Leininger gave an update on items under his committee.

C/Benzing moved to approve Resolution 22-069: Accepting the proposal for a countywide simulcast system MPSCS Add On from Motorola as well as the proposal from ROE-COMM., Inc. for Unication Fire Pagers totaling \$9,963,517.00 contingent on the approval of a millage levy by the qualified electors of Hillsdale County for this purpose not to exceed .76 mills for a period of ten years. Second by C/Ingles. There was much discussion. Roll Call Vote: C/Ingles – Yes, C/Schmitt – No, C/Wiley – Yes, C/Benzing – Yes, C/Leininger – No. Vote: 3-Yes, 2-No.

CARRIED

9:53 a.m. Mr. & Mrs. McLain exited.

C/Benzing moved to approve Resolution 22-070: The wording and authorization to place the issue of funding for the 800MHz Radios on the August 2, 2022 ballot. Second by C/Ingles. There was a very lengthy discussion. Roll Call Vote: C/Schmitt – Yes, C/Wiley – No, C/Benzing – Yes, C/Leininger – No, C/Ingles – Yes. Vote: 3-Yes, 2-No.

CARRIED

10:01 a.m. Andrew Brege entered.

10:25 a.m. recess.

10:30 a.m. back in session.

10:31 a.m. C/Leininger moved to go into Closed Session pursuant to MCL 15.268(h), to discuss material exempt from disclosure, more particularly a written legal opinion from the County's attorney, which is exempt pursuant to MCL 15.243(1)(g), and pursuant to 15.268€ to discuss the litigation strategy regarding pending litigation with our attorney in the matter of Anthony Hart v. Hillsdale County, et al, Eastern District of Michigan Case No. 16-CV-10253, as discussion in open session would be detrimental to the financial position of the County with regard to out litigation and settlement position. Second by C/Benzing. Roll Call Vote: C/Wiley – Yes, C/Benzing – Yes, C/Leininger – Yes, C/Ingles – Yes, C/Schmitt – Yes. Vote: 5-Yes, 0-No.

CARRIED

11:05 a.m. back in Regular Session.

C/Leininger moved to follow the advice and recommendation of counsel with regard to settlement strategy in the pending litigation Hart v. Hillsdale County, et al, pending in the Eastern District Court of Michigan. Second by C/Schmitt. Roll Call Vote: c/Benzing – Yes, C/Leininger – Yes, C/Ingles – Yes, C/Schmitt – Yes, C/Wiley – Yes. Vote: 5-Yes, 0-No.

CARRIED

C/Wiley asked Shannon Clevenger from LifeWays to explain to the Board what their agency is considering doing with their current building. Ms. Clevenger stated that they have been doing preliminary research in how they can remodel in order to be more inviting.

C/Ingles gave an update on items under his committee.

C/Ingles moved to authorize the signing and the required \$5,000.00 match for the National Center for State Court Space Study Agreement. Second by C/Schmitt. Roll Call Vote: C/Leininger – No, C/Ingles – Yes, C/Schmitt – Yes, C/Wiley – Yes, C/Benzing – Yes. Vote: 4-Yes, 1-No.

CARRIED

C/Ingles moved to allow the Facilities Director to seek bids for the HVAC System at the Friend of the Court Building. Second by C/Schmitt. Vote: 4-Yes, 1-No (C/Leininger)

CARRIED

C/Ingles moved to set a Public Hearing on June 28, 2022 at 10:30 a.m. to take comments regarding the Board of Commissioners absorbing the Hillsdale County Road Commission. Second by C/Leininger. Roll Call Vote: C/Ingles – No, C/Schmitt – No, C/Wiley – No, C/Benzing – No, C/Leininger – No. Vote: 0-Yes, 5-No.

FAILED

C/Schmitt gave an updated on items under her committee.

C/Wiley gave an update on some items of interest.

Under Public Comment, Terry Vear addressed the Board regarding naming the Hillsdale County Senior Services Center in the Senior Millage proposal. She then requested a meeting in order to update the contract that the Center has with the County.

Kelley Mapes questioned the Boards Bid Policy and why there was not a third bid or a letter stating why there wasn't a third bid in regards to the 800MHz. She also questioned why the bids were not on the website.

Karla Adams echoed Ms. Mapes and questioned why they were not following their own policy.

Lisa Wallace stated that although she agrees that we need the upgrade to the county's radio system; she doesn't feel it should be put on the taxpayers to pay for it.

Bob Eichler questioned C/Schmitt's vote on the Resolution to place the millage request on the ballot. He also asked if the county was going to require masks again. He also accused the Chairman of overriding the other Commissioners.

Under Additional Business, C/Schmitt addressed the question about her vote. She stated that at a Township Meeting last night it was made very clear to her that the voters have the right to decide.

C/Benzing addressed the question regarding a third bid. He stated that the only other vendor that could submit a bid for the 800MHz Radio System was shown to have issues.

C/Leininger stated that although Region 2 Area Agency on Aging will be paying for their new building out of their fund balance. He voted no. He stated that they could remodel their current building and used the left over money for services.

C/Ingles responded to Mr. Eichler in regards to the Chairman. He stated that Commissioner Wiley is one vote and cannot override any other Commissioners

C/Wiley stated that a committee will be meeting with Ms. Vear in order to update the contract.

12:12 p.m. adjournment by call of the Chair.

Mark E. Wiley, Chair
Board of Commissioners

Marney M. Kast,
County Clerk