

The Regular Meeting of the Hillsdale County Board of Commissioners convened on September 27, 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 Benzing.

<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 Benzing
3. Public Comment
4. Consent Agenda:

Review & Correction/Approval of Regular Meeting Minutes of September 13, 2022
22-112: Payment to MMRMA: 07/01/2022 through 07/01/2023
22-113: Payment to MGT of America Consulting, LLC

5. Correspondence – Listed
6. Regular Agenda
7. Standing Order:

9:10 a.m. Matt Word, Drain Commissioner and Kyle O’Meara, Associate with Fahey, Schultz, Burzych and Rhodes – Lake LeAnn Property Transfer

8. Committee Reports:

- A. PUBLIC SAFETY/JUDICIARY – Brad Benzing**
- B. FACILITIES/TECHNOLOGY/ECON DEVELOPMENT – Doug Ingles**
- C. BUDGET – Kathy Schmitt**
22-114: Approval of Dam Property Transfer and Easement – Drains
Discussion: Budget Update
- D. HUMAN SERVICES – Brent Leininger**
- E. CHAIRPERSON’S REPORT/MANAGEMENT & PERSONNEL – Mark Wiley**

9. Public Comment
10. Additional Business
11. Adjournment

Present: Anthony Ciaramitaro, Matt Word, Kyle O’Meara, Stephenie Kyser, Mr. and Mrs. McLain, Shannon Clevenger and Bob Eichler.

C/Schmitt moved to approve the Consent Agenda. Second by C/Benzing. Vote: 4-Yes, 0-No, 1-Absent.
CARRIED

9:05 a.m. Derek Ringman entered.

C/Schmitt moved to approve the Regular Agenda with the addition of two Closed Sessions, one when the attorney arrives and the other after the Chairperson’s Report. Second by C/Ingles. Vote: 4-Yes, 0-No, 1-Absent.
CARRIED

9:09 a.m. Matt Word, Drain Commissioner and Kyle O’Meara, Attorney presented the Board with a Resolution to transfer the property around the Lake LeAnn Dam to the County to ensure that the Drain Commission will always have access. They would also grant an easement to the Lake Association regarding the bike path and other recreational activities. There was some discussion.

C/Schmitt moved to approve Resolution 22-114: To acquire property and grant easement Lake LeAnn Lake Level. Second by C/Benzing. Roll Call Vote: C/Wiley – Yes, C/Benzing – Yes, C/Leininger – Absent, C/Ingles – Yes, C/Schmitt – Yes. Vote: 4-Yes, 0-No, 1-Absent.
CARRIED

9:27 a.m. Mr. Word, Mr. O’Meara and Mr. Ciaramitaro exited.

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

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

Derek Ringman reviewed the August Budget Variances with the Board.

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

C/Wiley gave an update on items of interest.

10:11 a.m. Andrew Brege entered.

10:24 a.m. C/Benzing moved to go into Closed Session pursuant to MCL 15.268(e) to discuss the litigation and settlement strategy regarding pending litigation with our attorney in the matter of Herrera vs Hodshire, et al, pending in the Western District of Michigan, as discussion in open session would be detrimental to the financial position of the County with regard to our litigation and settlement position. Second by C/Schmitt. Roll Call Vote: C/Benzing – Yes, C/Leininger – Absent, C/Ingles - Yes, C/Schmitt – Yes, C/Wiley – Yes. Vote: 4-Yes, 0-No, 1-Absent.
CARRIED

10:45 a.m. back in Regular Session.

C/Ingles moved to accept the advice of counsel. Second by C/Benzing. Vote: 4-Yes, 0-No, 1-Absent.
CARRIED

10:47 a.m. C/Schmitt moved to go into Closed Session to discuss Attorney/Client privilege information. Second by C/Ingles. Roll Call Vote: C/Leininger – Absent, C/Ingles – Yes, C/Schmitt – Yes, C/Wiley – Yes, C/Benzing – Yes. Vote: 4-Yes, 0-No, 1-Absent.
CARRIED

10:55 a.m. back in Regular Session.

C/Benzing moved to accept the attorney's advice regarding Hart vs County of Hillsdale et al, US District Court case number 16-CV102853. Second by C/Schmitt. Vote: 4-Yes, 0-No, 1-Absent.
CARRIED

Under Public Comment, Stephenie Kyser, County Treasurer addressed the Board regarding whether or not she should be using the SEIU Contract or the Employee Handbook through the end of the year. There was some discussion and it was the consensus of the Board to seek legal counsel regarding this matter.

11:09 a.m. adjournment by call of the Chair.

Mark E. Wiley, Chair
Board of Commissioners

Marney M. Kast,
County Clerk