

Ionia County Board of Commissioners
Monday, October 28, 2019
Special Meeting - Road Commission Discussion
Ionia Commission on Aging Building
6:00 p.m.

Chair Hodges called the meeting to order and led with the Pledge of Allegiance.
Commissioner Sharp gave the Invocation.

Members present: Georgia Sharp, Jim Banks, Chris Bredice, Larry Tiejema,
Scott Wirtz and David Hodges

Members absent: Jack Shattuck

Others present: Jack Elliott, Brian Simon, Dennis Sitzer, John Piercefield,
Blaine Lowetz, Austin White, Gordon Fyan, Bernie Ardis, Bob
Hammond, Patty Loosemore, Alison Batchelder, Jason
Lucier, Scott Peterson, Molly Peterson, Dan Thomas, Wendy
Thomas, Paul Spitzley, Janet Olson, Ken Olson, Kevin
Wadkins, Chuck Minkley, Bob Scheurer, Jim Patrick, Morgan
Prescott, Makayla Noon, Karen Banks, Nick Bowerman, Lindi
Wilson(?), Evan Sasiela, Gordon Love, Stephanie Fox and
Janae Cooper

Approval of Agenda

Moved by Sharp, supported by Wirtz to approve the Agenda as presented. Motion
carried by voice vote.

Public Comment

Jack Elliott commented on lack of education and knowledge.

New Business

- A. Road Commission Discussion - Chair Hodges inquired to the public as to how
many people present here are the drivers. He reassured them that they are not
going to lose their jobs; he doesn't think much will change for them. Chair
Hodges asked for comments from the Board of Commissioners.

Sharp stated that she initially had her own thoughts and feelings on the
positions. She appreciates the input she has received from everyone.
Sharpfurther commented that she has a responsibility to the citizens of Ionia
County and that she is comfortable with her final decision. She has thoroughly
researched and examined the situation.

Tiejema advised that he is known as the "numbers guy." He has done his own independent research on road funding. He is a township auditor and sees how the cost goes higher than the support. He is concerned about the pension. The roads need to be kept up for everyone. Tiejema suggested moving into an Advisory Board and would be in favor of it, but he is not against the way it already is.

Chair Hodges gave a recap of Road Commission Manager Dorothy Pohl's Corrective Action Plan. He advised that in the next 15 years Pohl proposes to put somewhere between \$1.3 and \$2.3 million of road funding into the pension fund, including other chunks of money if they become available. Chair Hodges issued as well as opinion of the experts he has spoken to feel that throwing money into the pension will not solve the problem. Citizens will be paying twice; this plan would benefit the pension plan and the employees but not the citizens, who would pay dearly. Chair Hodges voiced that Pohl will be retiring in 1-3 years. Chair Hodges proposed to bring the Road Commission into the County as a department. Combining the Road Commission with the County would also bring the current Road Commission pension funding up from 36% to 56% per MERS.

Pohl commented that the County will still have to file a waiver and a plan with the State of Michigan.

Chair Hodges stated the downside to this is that this would bring down the County's pension fund from 86% funded to 56% funded.

Chair Hodges stated that forming an Advisory Board would allow more flexibility. He suggested they could hold their first meeting following the November 12 Board Meeting. The 13-member Advisory Board would consist of:

- The five sitting Road Commissioners as they have the credibility and respect of the employees.
- Then, three County Commissioners--Tiejema, because he is a CPA, Shattuck because he is the prior liaison between the Board of Commissioners and the Road Commission, and Wirtz because he is the current liaison between the Board of Commissioners and the Road Commission
- Then, the three City Managers--Jason Eppler from Ionia because he is a pension expert, John Niemela from Belding because he has 17 years' experience with Road Commissions and Tutt Gorman from Portland because he is a lawyer
- One Township Supervisor
- One Citizen-at-Large

The Advisory Board would then be broken down into three sub-committees:

- Pensions-chaired by Jason Eppler
- Advisory Board-chaired by Larry Tiejema
- Infrastructure-chaired by Belding City Manager John Niemela

Chair Hodges further proposed that all land owned and not currently used by the Road Commission should be sold with the funds put towards the pension. He said that there should be a wage-study conducted for the employees. The County Board would lean-manage and cut the fat. The Board would conduct interviews to collect input. This would benefit both the employees and the residents of Ionia County. This would do away with the same old, same old and would put together an amazing team. Chair Hodges stated that we can go back to the "old" way if the citizens want to. He further noted that anytime there is change there is stress. Chair Hodges stated that a Resolution has been prepared.

Banks moved to adopt the Resolution.

Lynn Mason objected as the public never had a chance to speak on the plan. Pohl objected as well.

Chair Hodges stated that they (Mason and Pohl) can speak after the Resolution is read.

County Attorney Gordon Love read the Resolution aloud.

The motion was supported by Sharp.

Discussion took place by the Board of COMmissioners.

Tiejema commented that the last statement on page 1 was overboard; he could not support it. Continuity is needed and it is not wise to remove the executive head at the beginning.

Bredice said that he needed to hear from the public before voting.

Lynn Mason, former Ionia County Commissioner addressed the Board. She stated that in a prior meeting the Board of Commissioners said that MERS made the mistake, but now what MERS says is acceptable. Mason questioned Attorney Love as to his involvement in the other four counties in which Road Commissions were dissolved. Mason commented that the Board is making a huge mistake to remove a person with 27 year's experience who is also a CPA. She stated that it was disrespectful. Mason commented further on the taking of a Commission run through the state to

an Advisory Board--what happens if something goes wrong? And lastly, she commented about the length of the Resolution, it feels like the Board has been talking about this out of public meetings.

Al Almy stated that he mostly agrees with Lynn Mason. He stated that this is despicable. Almy expressed that Stephanie Fox knows squat about the Road Commission and she is totally incapable of running it-she could learn it over time. It is a terrible mistake to fire Dorothy (Pohl). He commented that the best government is small government; a bureaucracy is being created. Almy voiced suspicion of discussion taking place amongst the Commissioners and whether the actions have been kept within the Open Meetings Act. Almy commented on the tremendous workload that the Board of Commissioners is placing upon themselves and that it is a terrible mistake making the Road Commission a part of the County advising to the Board of Commissioners. There is a plan in place and it will work. He also expressed his disappointment in firing Dorothy (Pohl) this way.

Jack Elliott inquired as to why the Resolution wasn't sent out with the Agenda? He commented that you cannot take 27 years of experience and dump it onto Stephanie Fox. Elliott commented that the County is already in financial trouble and we are now taking on another area that is in trouble.

Bob Dunton commented that he is in complete accord with the previous speakers this evening.

Scott Clark, Road Commission Union Steward, told the Board that their job is to represent the taxpayers, and the taxpayers are saying not to dissolve the Road Commission.

Hodges responded to Clark, stating that he has been to five township meetings and they are questioning as to what the Board of Commissioners are waiting for (in regards to dissolving the Road Commission)?

Clark responded that if Dorothy (Pohl) says it going to work, then it's going to work. His money is on her (Pohl).

Banks addressed the Chair to call the question.

The Resolution was adopted 5-1 by the following roll call vote: Yes - Sharp, Banks, Bredice, Wirtz, and Chair Hodges. No - Tiejema. The Resolution is as follows:

RESOLUTION DISSOLVING THE BOARD OF ROAD COMMISSIONERS AND TRANSFERRING ALL OF ITS POWERS, DUTIES AND FUNCTIONS TO THE IONIA COUNTY BOARD OF COMMISSIONERS, AND CREATING A ROAD DEPARTMENT

RESOLUTION # 19-010

WHEREAS, Public Acts 14 and 15 of 2012 authorize a county board of commissioners, with an appointed board of county road commissioners, to transfer the powers, duties and functions by majority vote of those elected and serving to the county board of commissioners; and

WHEREAS, Section 9 of Public Act 14 requires that a county board of commissioners conduct at least two (2) public hearings on whether to transfer the powers, duties, and functions of the board of county road commissioners before adopting such a resolution; and

WHEREAS, public hearings were held on September 17, 2019 and September 24, 2019; and

WHEREAS, the Ionia County road system has been under the jurisdiction of the Ionia County Road Commission for many years. However, after careful consideration of all aspects of the Ionia County Road Commission as a separate legal entity, it is apparent that it is time to change the way the Road Commission is managed and operated; and

WHEREAS, with the authority provided by Public Acts No. 14 and 15 of the Public Acts of 2012, Ionia County is able to bring the road commission under the umbrella of the Ionia County government and stabilize the road agency and bring about consistency of operations and policies throughout Ionia County government.

THEREFORE BE IT RESOLVED, pursuant to the authority established in Public Acts No. 14 and 15 of the Public Acts of 2012, the Ionia County Board of Commissioners hereby transfer the powers, duties, and functions provided by law for the Ionia County Board of Road Commissioners to the Ionia County Board of Commissioners effective immediately.

BE IT FURTHER RESOLVED, that effective immediately the Ionia County Board of Road Commissioners is dissolved pursuant to the provisions in Public Acts 14 and 15 of the Public Acts of 2012.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners hereby absorbs the functions of the Ionia County Road Commission into County government operations by establishment of the Ionia County Road Department effective immediately.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners will adopt a budget for the Ionia County Road Department at an appropriate funding level.

BE IT FURTHER RESOLVED that the Employment Agreement for Managing Director Services entered into by the Ionia County Board of Road Commissioners is terminated effective immediately, the County Administrator being the County's manager of all County Departments and Operations per MCL 46.11(o).

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners delegates Ionia County Road Department personnel decisions and operations oversight to County Administration.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners hereby establishes the Road Department Advisory Board consisting of twelve members. The Road Department Advisory Board shall make recommendations to the Ionia County Board of Commissioners regarding the Ionia County Road Department.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners authorizes the County Administrator to investigate and recommend to the Board of Commissioners appropriate liability and workers' compensation insurance coverage for the Ionia County Road Department.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners will review all existing contractual obligations entered into by the Ionia County Board of Road Commissioners, and take all necessary action, if any.

BE IT FURTHER RESOLVED, that the Ionia County Road Department shall be subject to all County policies, which undergo review and modification as indicated and necessary.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners directs the County Administrator to ensure that all unfunded pension and post-employment benefit obligations from the Ionia County Road Commission are tracked separately from the County's unfunded pension and post-employment benefit obligations and such obligations are paid out through appropriate road funds, so that such obligations do not become liabilities of the County's General Fund.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners shall utilize funding from the 2018 Road Millage for its intended purpose.

Jerry Renucci inquired as to what this means for the employees.

Chair Hodges stated that the Road Commission will now meet and they should let him know if they are no longer interested in being a Road Commissioner.

Renucci inquired as what the end result is now for the retirees?

Chair Hodges responded that pensions are protected by the Constitution. The County will protect the pension and save money for the roads.

Lynn Mason asked if the Board of Commissioners will cut salaries.

Chair Hodges stated that the Advisory Board is to meet on November 12th.

Sharp commented that the Road Commission Healthcare is underfunded as well, but it is more secure now.

Wendy Thomas inquired if Stephanie Fox will be in charge until a new Director is hired. Thomas commented that the retirees think they are going to lose their benefits; she voiced that she is surprised and ashamed.

Tiejema commented that he was a "no" vote because there are other management issues in which continuity is needed.

Jack Elliott commented that there is a problem with the math; the County Board has been making mistakes since the county finance was taken away from Barb Trierweiler when she was Clerk. Finances were accurate under Barb (Trierweiler).

Molly Peterson inquired as to what is happening with Dorothy (Pohl).

Pohl inquired if the County would be paying her severance and leave time.

Chair Hodges said that it needs to be discussed.

Molly Peterson inquired, in regards to what she has read in the newspaper, as to how Stephanie Fox will treat them? Will Fox ask for a raise?

Chair Hodges advised Peterson not to believe everything you read in the newspaper. He additionally commented that they Board is just trying to get the pension taken care of.

David Armentrout inquired if the Road Commission Millage disappears now that the Road Commission has been dissolved.

Attorney Love fielded the question responding that the County now becomes the successor; the Road Millage will transfer to the County.

Mason asked Attorney Love to answer if he was involved in the other counties who lost their road commissions.

Attorney Love stated that the firm has advised on procedures.

Renucci inquired as to what this means for office help.

Ken Gasper stated that he was disappointed that the Board of Commissioners jumped through all of these hoops to get rid of Dorothy (Pohl). He stated that people did not have time to review the Resolution; no one heard a thing after the Public Hearings. What about the employees, Gasper inquired.

Sharp stated that this was never targeted at Dorothy (Pohl). Sharp asked where the autonomy of the Road Commission came from? Sharp said that there was no transparency.

John Piercefield, Sebewa Township Supervisor asked if Pohl's services could be retained.

Tiejema said that the Advisory Board should work with her (Pohl).

Mason commented that this is a done deal; it has been voted on.

Almy commented on Sharp's comment about no transparency. Almy stated that each year the Road Commission presents an Audit Report to the Board of Commissioners.

Mason questioned that as Commissioner's don't you have a right to any document at any time?

Tiejema stated no, they do not have a right to demand it.

Mason stated that she does not see a lack of transparency.

Renucci asked if this change was taking place today. He said it would make more sense to take over in January. This is poor timing.

Jack Elliott commented on the poor condition of the roads in other counties who have dissolved their Road Commissions.

Janet Olson asked the Board as to who awards a contract that is out for bid and will be on the Agenda two days from now.

Paul Spitzley stated that he has a \$1 million contract that needs to be signed. Who signs it?

Pohl inquired about the October 30th payroll approval and who will approve it. Who will sign the employee's checks?

Banks commented that the Board has heard opinions and that all of the questions cannot be answered tonight. He stated that a group could be formed and that they could come back before the County Board.

Piercefield inquired as to whether there could be an addendum to the Resolution to retain Dorothy (Pohl) until the end of the year?

Banks commented on contradicting resolutions.

Scott Peterson stated that Dorothy (Pohl) thinks a lot of her people.

Wendy Thomas commented that the Board is dealing with their livelihood.

Molly Peterson stated that Pohl cares about her people.

Sharp made a motion to go into Closed Session to discuss the matter.

Attorney Love stated that the Board could not enter into Closed Session as there is no Opinion to discuss.

Banks commented about now hurrying to do something we haven't had time to discuss. There are some real questions and he advised to set up a committee immediately to discuss.

Chair Hodges asked the Board as to what they want to do.

Tiejema asked to table the matter.

Attorney Love commented that there was nothing to table.

Wendy Thomas asked if the Road Commission employees were going to get paid.

Wirtz asked if the Resolution can be amended.

Moved by Tiejema to amend the Resolution to December 31, 2019 instead of immediately and omit terminates contract of the Director. Supported by Banks. Banks commented that the purpose of the motion is to keep the current Director in force and to work out a transition plan. The Proposed Amended Resolution is as follows:

IONIA COUNTY BOARD OF COMMISSIONERS

RESOLUTION DISSOLVING THE BOARD OF ROAD COMMISSIONERS AND TRANSFERRING ALL OF ITS POWERS, DUTIES AND FUNCTIONS TO THE IONIA COUNTY BOARD OF COMMISSIONERS, AND CREATING A ROAD DEPARTMENT

**RESOLUTION # 19-010
Amendment #1**

WHEREAS, Public Acts 14 and 15 of 2012 authorize a county board of commissioners, with an appointed board of county road commissioners, to transfer the powers, duties and functions by majority vote of those elected and serving to the county board of commissioners; and

WHEREAS, Section 9 of Public Act 14 requires that a county board of commissioners conduct at least two (2) public hearings on whether to transfer the powers, duties, and functions of the board of county road commissioners before adopting such a resolution; and

WHEREAS, public hearings were held on September 17, 2019 and September 24, 2019; and

WHEREAS, the Ionia County road system has been under the jurisdiction of the Ionia County Road Commission for many years. However, after careful consideration of all aspects of the Ionia County Road Commission as a separate legal entity, it is apparent that it is time to change the way the Road Commission is managed and operated; and

WHEREAS, with the authority provided by Public Acts No. 14 and 15 of the Public Acts of 2012, Ionia County is able to bring the road commission under the umbrella of the Ionia County government and stabilize the road agency and bring about consistency of operations and policies throughout Ionia County government.

THEREFORE BE IT RESOLVED, pursuant to the authority established in Public Acts No. 14 and 15 of the Public Acts of 2012, the Ionia County Board of Commissioners hereby transfer the powers, duties, and functions provided by law for the Ionia County Board of Road Commissioners to the Ionia County Board of Commissioners effective immediately.

BE IT FURTHER RESOLVED, that effective immediately the Ionia County Board of Road Commissioners is dissolved pursuant to the provisions in Public Acts 14 and 15 of the Public Acts of 2012.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners hereby absorbs the functions of the Ionia County Road Commission into County government operations by establishment of the Ionia County Road Department effective immediately.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners will adopt a budget for the Ionia County Road Department at an appropriate funding level.

BE IT FURTHER RESOLVED that the Employment Agreement for Managing Director Services entered into by the Ionia County Board of Road Commissioners is terminated effective December 31, 2019 immediately, the County Administrator being the County's manager of all County Departments and Operations per MCL 46.11(o).

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners delegates Ionia County Road Department personnel decisions and operations oversight to County Administration.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners hereby establishes the Road Department Advisory Board consisting of twelve members. The Road Department Advisory Board shall make recommendations to the Ionia County Board of Commissioners regarding the Ionia County Road Department.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners authorizes the County Administrator to investigate and recommend to the Board of Commissioners appropriate liability and workers' compensation insurance coverage for the Ionia County Road Department.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners will review all existing contractual obligations entered into by the Ionia County Board of Road Commissioners, and take all necessary action, if any.

BE IT FURTHER RESOLVED, that the Ionia County Road Department shall be subject to all County policies, which undergo review and modification as indicated and necessary.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners directs the County Administrator to ensure that all unfunded pension and post-employment benefit obligations from the Ionia County Road Commission are tracked separately from the County's unfunded pension and post-employment benefit obligations and such obligations are paid out through appropriate road funds, so that such obligations do not become liabilities of the County's General Fund.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners shall utilize funding from the 2018 Road Millage for its intended purpose.

Banks called the question.

Motion failed by the following roll call vote: 3-3, with Bredice, Wirtz and Chair Hodges voting no.

Elliott commented to vote to get rid of the Resolution until the next meeting.

Moved by Wirtz to extend to January 1, 2019 and not remove the second paragraph. Wirtz rescinded his motion.

Moved by Bredice to just remove the word "terminate" from the Resolution.

Pohl questioned the Board of Commissioners as to who she would report to without a Board as she is not autonomous.

Supported by Wirtz. Motion carried 5-1 by the following rollcall vote:

Yes - Banks, Bredice, Wirtz, Sharp, Chair Hodges.

No - Tiejema

The Resolution is as follows:

IONIA COUNTY BOARD OF COMMISSIONERS

RESOLUTION DISSOLVING THE BOARD OF ROAD COMMISSIONERS AND TRANSFERRING ALL OF ITS POWERS, DUTIES AND FUNCTIONS TO THE IONIA COUNTY BOARD OF COMMISSIONERS, AND CREATING A ROAD DEPARTMENT

RESOLUTION # 19-010

Amendment #2

WHEREAS, Public Acts 14 and 15 of 2012 authorize a county board of commissioners, with an appointed board of county road commissioners, to transfer the powers duties and functions by majority vote of those elected and serving to the county board of commissioners; and

WHEREAS, Section 8 of Public Act 14 requires that a county board of commissioners conduct at least two (2) public hearings on whether to transfer the powers, duties, and functions of the board of county road commissioners before adopting such a resolution; and

WHEREAS, public hearings were held on September 17, 2019 and September 24, 2019; and

WHEREAS, the Ionia County road system has been under the jurisdiction of the Ionia County Road Commission for many years. However, after careful consideration of all aspects of the Ionia County Road Commission as a separate legal entity, it is apparent that it is time to change the way the Road Commission is managed and operated; and

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stabilize the road agency and bring about consistency of operations and policies throughout Ionia County government.

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BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners will adopt a budget for the Ionia County Road Department at an appropriate funding level.

BE IT FURTHER RESOLVED that the Employment Agreement for Managing Director Services entered into by the Board of Ionia County Road Commissioners is terminated effective December 31, 2019.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners delegates Ionia County Road Department personnel decisions and operations oversight to County Administration.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners hereby establishes the Road Department Advisory Board consisting of twelve members, three of whom shall be Ionia County Commissioners as appointed by the Board Chair, and nine members shall be filled with individuals as appointed by the Ionia County Board of Commissioners. The Road Department Advisory Board shall make recommendations to the Ionia County Board of Commissioners regarding the services to be provided by the Ionia County Road Department.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners authorizes the County Administrator to investigate and recommend to the Board of Commissioners appropriate liability and workers' compensation insurance coverage for the Ionia County Road Department.

BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners will review all existing contractual obligations entered into by the Ionia County Board of Road Commissioners, and take all necessary action, if any.

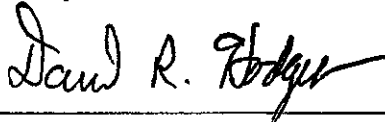
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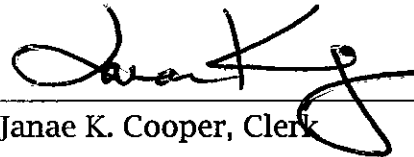
BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners shall utilize funding from the 2018 Road Millage for its intended purpose.

Adjourn

Moved by Wirtz, supported by Bredice to adjourn the meeting at 7:40 p.m. Motion carried by voice vote.



David Hodges, Chair



Janae K. Cooper, Clerk

Minutes approved on:

11-26-19