

Ionia County Board of Commissioners  
**Tuesday, November 12, 2019**  
Regular Meeting  
3:00 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, Chris Bredice, Larry Tiejema, Scott Wirtz, Jack Shattuck and David Hodges

**Members absent:** Jim Banks

**Others present:** Elisabeth Walden, Ken Bowen, Evan Sasiela, Jim Valentine, Bill Hendrian, Dale Parus, Paul Spitzley, Dick Pohl, Brian Simon, Jack Elliott, Al Almy, Mike Blood, Deb Thalison, Patty Loosemore, Ken Olson, Janet Olson, Dennis Sitzler, Lacey Bull, Diane Adams, Alison Batchelder, Ruth Ross, Jill Renucci, Jerry Renucci, Wes Shafer, Stephanie Fox and Janae Cooper

**Approval of Agenda**

The Chair noted the following additions to the Agenda: Add Item T. Application for Community Mental Services Board. Moved by Bredice, supported by Shattuck to approve the Agenda as Amended. Motion carried by voice vote.

**Public Comment**

Jack Elliott commented on the Board having no transparency. Elliott commented that the October 28<sup>th</sup> Agenda was presented differently than other Agendas as the Resolution was not listed on the Agenda. Elliott additionally stated that there is no law authorizing a County Administrator and that the Board needs to review the law before doing a resolution.

Dick Pohl addressed the Board stating that they do not follow Robert's Rules of Order and that they need to take a class on it. Pohl stated that what they did to his wife Dorothy was not proper, it was rude and uncalled for. Pohl commented that the attorney should have kept the Board on the straight and narrow and that the attorney does not know Robert's Rules of Order as well.

**Action on Consent Calendar**

A. Approval minutes of the previous meeting(s)

Moved by Tiejema, supported by Sharp to table approving the October 28, 2019 Special Meeting minutes to the November 26, 2019 Regular Board meeting. Motion carried by voice vote.

The Board reviewed the October 22, 2019 Meeting minutes and the October 22, 2019 Closed Session minutes.

Hearing no objections, Chair Hodges declared the Consent Calendar approved.

### **New Business**

- A. Moved by Shattuck, supported by Wirtz to approve the Maintenance Plan Agreement between Applied Imaging and Ionia County Health Department and authorize the signature of Ken Bowen, Health Officer. Motion carried by voice vote.
- B. Moved by Tiejema, supported by Sharp to approve Amendment 1 of the Agreement between Michigan Department of Health and Human Services FY 19/20 and Ionia County Board of Commissioners on behalf of Ionia County Health Department and authorize the signature of Ken Bowen, Health Officer. Motion carried by voice vote.
- C. Moved by Bredice, supported by Shattuck to approve the CPBC Budget Amendment. Motion carried by voice vote.
- D. Moved by Shattuck, supported by Sharp to renew the agreement between Kent County Health Department and Ionia County Health Department for Regional Perinatal Care System Quality Improvement Initiative, and authorize the signature of Ken Bowen, Health Officer. Motion carried by voice vote.
- E. Moved by Tiejema, supported by Wirtz to approve Amendment #1 to Medical Direction, Administrative Program Consultation Services Agreement between Ingham County and the County of Ionia and authorize the signature of David Hodges, Ionia County Board of Commissioners Chair. Motion carried by voice vote.
- F. Moved by Shattuck, supported by Tiejema to approve the Four-Year Terms Resolution. The motion passed 5-1 by the following roll call vote: Yes - Bredice, Sharp, Shattuck, Tiejema, Chair Hodges; No - Wirtz. The Resolution is as follows:

## **IONIA COUNTY BOARD OF COMMISSIONERS**

### **SUPPORTING PASSAGE OF LEGISLATION TO ADOPT 4-YEAR TERMS FOR COUNTY COMMISSIONERS**

**#19-011**

**WHEREAS** Public Act 261 of 1966 promulgated that the length of terms for the new county commissioners shall be concurrent with that of state representatives, as specified in Article IV, section 3 of the Michigan Constitution; and

**WHEREAS** the scope of duties of a county commissioner has greatly increased in the last century — road patrols, indigent defense, mental health treatment and substance abuse prevention programming, solid waste pick-up and disposal, food and water supply safety, park operations, economic development efforts, emergency management and response; and

**WHEREAS** Michigan is one of only five states in the United States that provides for exclusively two-year terms for county commissioners; and

**WHEREAS** all other county and township elected officials in Michigan are elected to terms of at least four years; and

**WHEREAS** the position of county commissioner is a highly complex oversight role that requires years to master; and

**WHEREAS** legislation to amend state law to enact four-year terms has been filed in the form of House bills 4937-98 and Senate Bills 504-505; and

**WHEREAS** the Michigan Association of Counties supports the legislation as introduced;

**THEREFORE, BE IT RESOLVED that IONIA COUNTY** supports House Bills 4937-38 and Senate Bills 504-505 to enact four-year terms for county commissioners.

**Adopted this 12 day of November, 2019**

Moved by Shattuck, supported by Wirtz to approve the agreement between MSUE and Ionia County. Motion carried by voice vote.

Moved by Wirtz, supported by Bredice to approve the Fiscal Year 2020 Drug Treatment Court Grant. Motion carried by voice vote.

Moved by Shattuck, supported by Bredice to approve the annual contracts for the 8<sup>th</sup> Circuit Adult Drug Treatment Court with the State Court Administrative Office for the fiscal year of 10/01/2019 - 09/30/2020. The documents must be submitted through DocuSign. Motion carried by voice vote.

- G. Moved by Tiejema, supported by Sharp to approve the annual contract for the 8<sup>th</sup> Circuit Swift and Sure Sanctions Probation Program with the State Court Administrative Office for the Fiscal Year of 10/1/2019 - 09/30/2020. The documents must be submitted through DocuSign. Motion carried by voice vote.
- H. Moved by Wirtz, supported by Shattuck to approve and accept the 2020 Community Corrections grant and approve service contracts with providers as presented. Motion carried by voice vote.
- I. Moved by Tiejema, supported by Bredice to approve the Amended Resolution to Dissolve Road Commission with the noted changes. Tiejema stated to change to wording in paragraph 12 from “terminated” to “extended through the end of the year” and add the wording “as a transition measure” to paragraph 13. The motion carried 5-1 by the following roll call vote: Yes - Bredice, Wirtz, Sharp, Tiejema, Chair Hodges; No - Shattuck. Shattuck stated that he was not able to attend the October 28<sup>th</sup> meeting and that he was never in favor of this. The Resolution is as follows:

IONIA COUNTY BOARD OF COMMISSIONERS

**AMENDED 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 # 19-012**

WHEREAS, the Ionia County Board of the Commissioners on October 28, 2019 passed Resolution No. \_\_\_ dissolving the Ionia County 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; and

WHEREAS, the Board of Commissioners desires to amend the previously adopted Resolution No. \_\_\_, which transferred the powers, duties, and functions provided by law for the Ionia County Board of Road Commissioners to the Ionia County Board of Commissioners by adding (1) clarification of the assets of the Road Commission to be acquired by the County, and (2) recognition of the union exclusive representative and the union contract; and

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 Road 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 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.

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.

**BE IT FURTHER RESOLVED, that the transfer or all the powers, duties, and functions includes all assets of the Ionia County Road Commission including but not limited to: property, equipment, furniture, cash, investments and any contributions, payments, refunds, funds surplus or equity to which the dissolved board of county road commissioners may otherwise be entitled by virtue of its participation in a group self-insurance pool formed under section 5 of 1951 PA 35, MCL 124.5.**

**BE IT FURTHER RESOLVED, that the Ionia County Board of Commissioners hereby confirms that it will recognize through the expiration of the July 31, 2021 contract term, the existing collective bargaining agreement with the General Teamsters Local Union No. 406 affiliated with the International Brotherhood of Teamsters and recognize the Teamsters Local Union No. 406 as the collective bargaining representative of the General Unit.**

- J. Moved by Tiejema, supported by Sharp to approve the Amended Resolution for Elected Officials Salary to reflect the 2020 Budgeted Amount. Motion carried 6-0 by the following roll call vote: Yes - all. The Resolution is as follows:

**AMENDED RESOLUTION TO ADOPT THE  
2020 IONIA COUNTY GENERAL APPROPRIATIONS ACT  
#19-013**

**WHEREAS**, the Uniform Budgeting and Accounting Act ("UBAA"), Public Act 621 of 1978, as amended, requires that each local unit of government adopt a balanced budget for all required funds; and,

**WHEREAS**, The County Administrator has received input from officials responsible for providing mandated services to determine serviceable levels and the funds to sustain such levels, and has reported these requests to the Board of Commissioners acting as Committee-of-the-Whole along with recommended funding levels; and,

**WHEREAS**, The Ionia County Board of Commissioners ("Board") has examined the requests and recommendations and has taken into consideration the fact that there are certain required functions of county government or operations that must be budgeted at a serviceable level in order to provide statutory and constitutionally required services and programs.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Treasurer is hereby directed to collect 4.6326 mills for the County's general operations, which may be subject to future amendment based on changes in the Headlee Millage Reduction Fraction and finalized Taxable Values.

**BE IT FURTHER RESOLVED**, that this budget reflects a reasonable allocation of available resources to the various County departments, boards, and agencies, and allows for all mandated services, programs, and activities, including the courts and the constitutional and statutory offices, to be performed at and above reasonable, necessary, and serviceable levels.

**BE IT FURTHER RESOLVED**, that the appropriations for the General Fund and Special Revenue Funds are adopted at the Fund level, and that the amounts indicated in the accompanying detail are hereby appropriated from the appropriate funds of the County of Ionia according to the activities and accounts contained in that detail, incorporated herein by reference, and that such appropriations shall be restricted in accordance with board policies to the purpose described in the title of the accounts specified in the detail and by the provisions of this Act (program summaries are provided for information only).

**BE IT FURTHER RESOLVED**, that the following restrictions and obligations shall apply to these appropriations and anyone who accepts funds pursuant to this Act or otherwise incurs expenditures in expectation of County funding shall be deemed to have agreed to these restrictions and obligations:

1. All terms in this Act shall have the meaning assigned to them by the Uniform Budgeting and Accounting Act. The term "budgetary center" includes all courts and offices of the courts receiving funds through this General Appropriations Act.

2. The County Administrator shall serve as the Chief Administrative Officer and the Fiscal Officer, as defined in the UBAA.

3. All budgetary centers receiving funds herein shall abide by the UBAA and the Uniform Chart of Accounts referenced therein. Each administrative officer in charge of a budgetary center shall promptly provide the Fiscal Officer with all information that the Fiscal Officer considers necessary and essential to the preparation of a County budget for the ensuing fiscal period.

4. The amounts appropriated herein shall be paid from the County Treasury at the time and in the manner provided by law, in this Act, and other applicable policies or resolutions of the Board, whether enacted to date or subsequently adopted.

5. Expenditures and revenues shall be recorded and reported in the manner provided by law. Fees and other money received by budgetary centers shall be forwarded promptly to the County Treasurer and credited to the appropriate County Fund, except as otherwise provided by this Act or by any other resolution or policy of the Board.

6. Each budgetary center shall limit expenditures within the appropriations authorized herein and shall not attempt to expend funds at a rate which will eventually result in a deficit in any account without prior approval of the Board, except as otherwise provided by law. All expenditures of county funds and other funds under the control of any budgetary center shall be expended only for the purposes attached to the accounts and within the various policies of the Board, including any applicable collective bargaining agreements, and personnel policies that are approved by the Board of Commissioners. The County of Ionia shall only be responsible for the payment of purchases made in accordance with the provisions of MCLA 46.13b, Act 58 of 1909, the UBAA, and any policies or resolutions of the Board, whether enacted to date or subsequently adopted.

7. No overtime shall be paid without advance approval of the Board. Where a budgetary center has been given an overtime line item, the administrator for that budgetary center shall have the authority to approve overtime within the budgetary limits set by the Board within this Act, or subsequent amendments to this Act. If the total amount of overtime in any given month exceeds 1/12<sup>th</sup> of the amount allocated, the administrator for that budgetary center shall submit to the Board of Commissioners in writing a detailed report outlining why overtime for that month exceeded 1/12<sup>th</sup> of the allocation.

8. Only essential travel will be permitted as stated in the County Personnel Policy and the County Travel Policy. Conferences must be in the best interest of the County. The County will not reimburse employees for the expenses incurred by the employee's spouse or family members attending a conference.

9. All memberships and dues shall be paid out of the appropriate budgetary center.

10. Court-related consultants (expert witnesses), jurors, witnesses, and attorney fees, have been placed in established budgetary centers. Approval of all expenditures related to these accounts shall remain with the appropriate court in accordance with the limits set for appropriations as authorized in this Act and any subsequent amendment to this Act.

11. The County Administrator shall be authorized to transfer appropriations between line items within an activity upon request of an activity administrator under the following limitations:

A. Funds may not be transferred from supplies and services to wages and benefits for the purpose of creating permanent positions.

B. Such transfers shall be reported in writing to the Board of Commissioners.

12. The County Administrator shall be authorized to transfer appropriations among activities within a fund upon the request and/or with the written consent of the activity administrators allocating and receiving the funds, according to the following limitations:

A. Funds may not be transferred from supplies and services to wages and benefits for the purpose of creating permanent positions.

B. No activity shall allocate or receive more than \$10,000 in any transfer.

C. Such transfers shall be reported in writing to the Board of Commissioners.

13. The County Administrator shall be authorized to make year-end transfers among activities or funds or with such amounts that may be available in the Contingency of the General Fund, as may be necessary to insure that activities or funds do not end the fiscal year in a deficit condition. All such transfers shall be recorded in the official financial records of the County through the normal accounting process. The County Administrator shall consult with and receive written approval from the Chairman and the Vice-Chairman of the Board of Commissioners before authorizing year-end transfers, and shall submit in writing a record of the transfers to the Board of Commissioners.

14. The Personnel Allocations contained in this budget shall limit the number of permanent full time equated (FTE) employees who can be employed, and no funds are appropriated for any position not listed in the Personnel Allocations. In addition, the job position titles, pay classifications, and full time equated designations for each position are deemed to be the correct classifications and are hereby incorporated

into the Personnel Allocations, and any modification of employment classifications may be done only through authorization by the Board of Commissioners.

15. The Board of Commissioners reserves the right to change the Personnel Allocations and the County Elected Officials and County Department Heads shall abide by whatever changes are made by the Board of Commissioners, if any, relative to the approved positions and the number of employees stated in the Personnel Allocations. When a position becomes vacant, it shall not be filled without the express authorization of the Board of Commissioners.

16. Positions that are listed under Personnel Allocations that are supported by grant, cost sharing, reimbursement, or some other source of outside funding are only approved contingent upon the County receiving the budgeted revenues. Upon notification that budgeted funding of a position shall not be received, the elected official or department head shall immediately notify the County Administrator, who shall notify the Board of Commissioners, and that position shall be immediately removed from the Personnel Allocations once the outside funding has been exhausted.

17. Line item appropriations that represent the estimated costs of operating the Ionia County trial courts are contingent upon reimbursements to Ionia County by the State of Michigan in accordance with MCLA 600.151(b).

18. If a budgetary center employs at any time fewer employees than the maximum specified for the appropriate account in this Act, unexpended appropriations in an amount identified with the unfilled position(s) by payroll records shall immediately and automatically revert to General Fund Contingency, unless otherwise authorized by the Board without limitation, or by the County Administrator under the following limitations:

A. Temporary full-time or part-time positions or overtime may be allocated by the County Administrator at the request of a department head as long as the funds are available within a department's wage line item. Any such positions shall be considered employees as determined by IRS regulations and, as such, shall be paid by the County through the normal payroll process.

19. Contracts for goods or services must be authorized for signature by the Board of Commissioners in accordance with Board Policy. All such contract negotiations shall be coordinated with the County Administrator. No expenditure of funds for such contracts shall take place until the Board of Commissioners has authorized contract signatures.

20. Salaries established for the following elected county officials are deemed to be the total salary for each official and inclusive of any statutory fees, per diems, or other payments.

Prosecuting Attorney	\$ 95,628
Sheriff	\$ 85,608
Clerk	\$ 58,801
Treasurer	\$ 58,801
Drain Commissioner	\$ 58,801
Register of Deeds	\$ 58,801

21. The County Administrator is hereby authorized to execute transfers from one fund to another that are specifically allocated in this General Appropriations Act or any amendments thereof that are adopted by the Board of Commissioners.

**BE IT FURTHER RESOLVED**, that funds earmarked within the General Fund Designated Fund (102) shall not be expended without specific authorization from the Board of Commissioners and approval for the release of those funds by the County Administrator, with the following exception: the County Administrator is authorized to expend up to \$10,000 from any item in which funds were earmarked by the Board of Commissioners as long as the expenditure is consistent with the intent for which the funds were earmarked. Such authorization shall be reported to the Board of Commissioners, and must be made in accordance with relevant policies adopted by the Board of Commissioners, including but not limited to the County Purchasing Policy.

**BE IT FURTHER RESOLVED**, that revenue received by the County under Public Acts 106 and 107, 1985, (Convention Facility Tax revenue) shall not be used to reduce the County's operating millage as defined by P.A. 2, 1986. In accordance with P.A. 2 of 1986, 50 percent of the actual Convention Facility Tax revenue not used to reduce the County's operating tax rate shall be appropriated to substance abuse agencies as recommended by the appropriate Substance Abuse Advisory Council appointed by the Board of Commissioners, with the remaining revenues to be deposited into the County's General Fund.

**BE IT FURTHER RESOLVED**, that revenue received from the County under Public Act 264 of 1987, (Health and Safety Fund Act) shall not be used to reduce the County's operating millage, and that 12/17<sup>th</sup> of the actual Health and Safety Fund Act revenue not used to reduce the County's operating tax rate shall be appropriated to the Ionia County Health Department, with the remaining revenues to be deposited into the County's General Fund.

**BE IT FURTHER RESOLVED**, that the Board of Commissioners authorizes the following individuals or appointed boards to incur obligations and expend funds from the so mentioned Special Revenue Funds:

Commission on Aging Board for the Commission on Aging Fund  
Soldiers and Sailors Relief Board for the Soldiers and Sailors Relief Fund  
Central Dispatch Advisory Board for the Central Dispatch Fund  
Chief Circuit Court Judge and Friend of the Court for the Friend of the Court Fund  
Board of Commissioners for all other Special Revenue Funds

except that in recognition of the fact that the Ionia County General Fund is ultimately responsible for balancing all deficit funds, expenditures from the aforementioned funds shall occur with the following limitations:

1. In the event that it becomes apparent that the actual and probable revenues from all sources expected by a Fund are less than the estimated revenues, including applicable surplus, upon which expenditures are based, the managing board or individuals responsible for the Fund shall be required to cause the total expenditures to not exceed the total of revised estimated revenues. Any such anticipated reduction in revenue shall be reported to the Board of Commissioners in writing as soon as it becomes apparent that such a reduction will occur.

2. Managing boards or individuals shall not increase expenditures beyond those appropriated without prior approval of the Board of Commissioners, even if it becomes evident that revenues, plus available surplus, are exceeding estimated amounts and such additional expenditures could feasibly be made.

3. Employment contracts shall not become effective until first reviewed and approved by the Board of Commissioners. All employment contract negotiations shall be coordinated with the County Administrator, who shall serve as the lead negotiator for all contract negotiating teams.

**BE IT FURTHER RESOLVED**, that this Act shall become effective January 1, 2020. The Board may amend this Act at any time and any appropriation made hereunder may be increased or decreased at the Board's discretion.

K. Moved by Bredice, supported by Tiejema to approve the Resolution to transfer the Road Commission MERS to the County of Ionia. Motion carried 6-0 by the following roll call vote: Yes – all. The Resolution is as follows:

**JOINT TRANSFER AGREEMENT  
BETWEEN**

**IONIA COUNTY ROAD COMMISSION  
IONIA COUNTY, AND  
MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN  
19-014**

This Agreement between the Ionia County Road Commission ("CRC"), an entity established pursuant to Michigan Public Act 283 of 1909, with an address of 170 East Riverside Dr., Ionia, MI 48846, the County of Ionia, Michigan ("County"), with an address of 101 West Main St., Ionia, MI 48846, and the Municipal Employees' Retirement System of Michigan ("MERS"), a statutory public corporation with an address of 1134 Municipal Way, Lansing, Michigan, 48917 (each a "Party" and together, the "Parties") provides for the transfer of assets and liabilities attributable to the CRC's MERS defined benefit plan for active, terminated and retired CRC employees and beneficiaries from the CRC to the County, to be provided and administered through the County's MERS defined benefit plan.

**WHEREAS**, the County, by its Board of Commissioners and pursuant to its authority under Michigan Compiled Laws Section 224.6(7), resolved on October 29, 2019, to dissolve the CRC and to assume all operations necessary to maintain the roads employing the same staff as previously employed by the CRC, and

**WHEREAS**, the employment of the current CRC active employees enrolled in the CRC's MERS defined benefit plan Employee Division 01 will be transferred from the CRC to the County, and the County will enroll those employees in the MERS defined benefit program sponsored by the County as an independent MERS participating municipality, effective November 1, 2019; and

**WHEREAS**, deferred vested and non-vested members, retirees and beneficiaries based on membership in CRC's MERS defined benefit plan Employee Division 01 will also be included in the MERS defined benefit program sponsored by the County as an independent MERS participating municipality, effective November 1, 2019; and

**WHEREAS**, the CRC's Surplus division S 1, which holds additional employer contributions made voluntarily by the CRC to help fund its MERS defined benefit plan, will also be transferred to the County as a separate Surplus division; and

**WHEREAS**, the Parties wish to facilitate a smooth transfer of all pension rights and obligations from the CRC to the County;

**NOW, THEREFORE**, the Parties mutually agree as follows:

1. The CRC and the County hereby authorize and direct MERS to transfer from the CRC's MERS defined benefit plan to the County's MERS defined benefit plan division established for this purpose all of the CRC's MERS defined benefit plan reserves, records, assets and liabilities, effective November 1, 2019.
2. Following the transfer described in paragraph 1, the County, as successor in interest to the CRC, shall be exclusively responsible for all liabilities, payments and reporting obligations to MERS arising from employment with the CRC, and the CRC shall have no further liability, payment or reporting obligations to MERS.
3. Effective November 1, 2019, the County will provide the employees transferred from the CRC to the County (who are identified in Exhibit A to this Agreement), and such future County employees enrolled in the County's MERS defined benefit plan employee division to be established for this purpose the

following MERS' defined benefit plan, as more fully set forth in the MERS Adoption Agreement to be executed between MERS and the County, which is incorporated herein by reference:

- 2.0% multiplier (no maximum)
- 10-year vesting
- 5-year Final Average Compensation
- 9.00% employee contribution
- F55/30 Unreduced Early Retirement
- E2 2.5% COLA for future retirees
- Normal Retirement age 60
- Covered by Reciprocal Retirement Act

4. Nothing in this Agreement shall be interpreted in any way as diminishing the obligations of the County under Michigan Compiled Laws Section 224.6(7), as successor in interest for all purposes with respect to the CRC, and the County hereby affirms it shall be responsible for all obligations of the CRC.

5. This Agreement embodies the entire understanding of the Parties and all of the terms and conditions with respect to the matters discussed in this Agreement; it supersedes and annuls any and all other or former agreements, contracts, promises, or representations, whether written or oral, expressed or implied, made by, for, or on behalf of either Party and it may not be amended, altered, superseded, or otherwise modified except in writing signed by both Parties.

6. Failure by any Party to enforce any provisions of this Agreement will not be deemed a waiver of those rights.

7. The Party representatives executing this Agreement warrant that they are the duly authorized representatives of the respective entities designated below and are fully empowered to execute this agreement on behalf of the respective Parties.

8. This Agreement shall be construed in accordance with the laws of the State of Michigan. Any disputes arising out of this Agreement will be brought in the Circuit Court for the County of Eaton, State of Michigan.

9. If any provision of this Agreement is for any reason held to be invalid or unenforceable, the provision will not affect any other provision of this Agreement, but this Agreement will be construed as if the invalid and/or unenforceable provision had never been contained in the Agreement.

10. The effective date of this Agreement will be the date on which the last Party signs this Agreement. The Parties agree that this Agreement may be executed in counterparts, each of which will be deemed to constitute an executed original, even though not all signatures may appear on the same counterpart.

11. Upon the resolution of each of the governing bodies of the County and the CRC, which resolutions are incorporated herein, and the execution of this Agreement by each Party, this Agreement shall become effective upon its filing with MERS.

- L. Moved by Wirtz, supported by Sharp to adopt the MERS Road Department Adoption Agreement. Motion carried by voice vote.
- M. Moved by Shattuck, supported by Bredice to approve the MERS Adoption Addendum. Motion carried by voice vote.
- N. Moved by Bredice, supported by Sharp to approve the Resolution Establishing Authorized Signatories for MERS. Motion carried 6-0 by the following roll call vote: Yes –all. The Resolution is as follows:

RESOLUTION ESTABLISHING AUTHORIZED SIGNATORIES FOR MERS CONTRACTS AND  
SERVICE CREDIT PURCHASE APPROVALS

19-015

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Plan Document, as each may be amended.

This resolution applies to reporting unit(s) # 3408 of the participating municipality listed below.

**WHEREAS**, Ionia County \_\_\_\_\_ ("Employer") is a participating municipality with the Municipal Employees' Retirement System of Michigan ("MERS") and has adopted one or more retirement, insurance, investment or other post-employment benefit products administered by MERS;

**WHEREAS**, MERS requires signatures of an authorized representative of the Employer to execute contracts with MERS, the entry of which is authorized by the governing body and permitted under the applicable MERS Plan Document(s);

**WHEREAS**, the Employer wishes to designate certain job position(s), the holder(s) of which may sign MERS' contracts relating to the adoption, amendment and termination of MERS' products, and defined benefit service credit purchase approvals on behalf of Employer to implement decisions and actions of the governing body;

**WHEREAS**, this Resolution is not intended to apply to MERS forms or any other MERS document except as specifically mentioned herein;

Therefore, the Governing Body resolves:

The holders of the following job position(s) are hereby *Authorized Officials* that can sign: (1) MERS Adoption Agreements, Resolutions, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the Employer with respect to Employer's participation in any MERS-administered product and any amendments and addendums thereto, and (2) MERS Defined Benefit service credit purchase approvals:

1. County Administrator

Optional additional job positions:

This Resolution may be revoked in writing or amended by the Governing Body at any time, provided that it will not be effective until such writing or amended Resolution is received by MERS. The Governing Body agrees that MERS may rely upon this Resolution as conferring

signing authority upon the holders of the above job position(s) to bind Employer with respect to MERS.

Adopted at a regular/special meeting of the Governing Body on November 12, 2019

- O. Moved by Bredice, supported by Sharp to approve the appointments of Jack Shattuck, Scott Wirtz, Larry Tiejema, Jason Eppler, Tutt Gorman, John Niemela, Chuck Minkley, Steve Nash, Ken Gasper, Nick Bowerman, Bob Dunton, Mike Blood and John Piercefield to the Road Department Advisory Board. Motion carried by voice vote.
- P. Moved by Wirtz, supported by Bredice to approve the Resolution for Exemption of the Publicly Funded Health Insurance Contribution Act. Motion carried 6-0 by the following roll call vote: Yes – all. Tiejema questioned hard caps. County Administrator Stephanie Fox provided an explanation. Bredice inquired as to what the Insurance Task Force is; Fox explained and further stated that other insurance options will be explored. The Resolution is as follows:

**RESOLUTION TO ADOPT THE EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT  
19-016**

**WHEREAS**, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by the Governor on September 24, 2011;

**WHEREAS**, the Act contains options for complying with the requirements of the Act,

**WHEREAS**, the three options are as follows:

1. “Hard Caps” Option – limits a public employer’s total annual health care costs for employees based on coverage levels, as defined by the Act;
2. “80%/20%” Option – limits a public employer’s share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
3. “Exemption” Option – a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

**WHEREAS**, the Ionia County Board of Commissioners has decided to adopt the annual Exemption option as its choice for compliance under the Act;

**NOW, THEREFORE, BE IT RESOLVED** the Ionia County Board of Commissioners’ of the County of Ionia elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year January 1, 2020 through December 31, 2020.

Adopted this 12<sup>th</sup> day of November, 2019

- Q. The Board acknowledged the application for appointment to the Community Mental Health Services Board.

### **Chairperson's Report**

Chair Hodges apprised the Board that Shattuck, Fox and himself met with the Road Commission Drivers and Mechanics last week. They received tours and were invited to ride along in the trucks. They have also met with the non-union personnel. Chair Hodges invited the other board members to tour a morgue in Big Rapids with him on November 20<sup>th</sup>. This is a potential autopsy location.

### **Commissioner Reports**

Sharp advised the Board that she attended a DHHS meeting last Thursday. DHHS was appreciative of what they received in the budget.

Bredice commented that it is time to start looking at the wage issue and employee health insurance issue.

Tiejema distributed a draft of the Road Commission Board of Directors By-laws and Rules of Procedure.

### **Administrator's Report**

Stephanie Fox, County Administrator stated that the Road Commission Liability Insurance has been transferred to the County. Fox advised the Board that Kyle Miller has resigned from the West Michigan Regional Planning Commission. Fox also thanked the Board for agreeing to opt-out of the hard-caps in 2020.

### **Public Comment**

Jack Elliott commented on the board not reading the law before passing resolutions and the County Administrator Position being unlawful.

Dale Parus, Ionia Community Library Director gave the Board an update on the Library Board's plans to put a proposition on the ballot for the August 4, 2020. The millage will be for a longer term to reduce the amount citizens would pay yearly.

Ruth Ross inquired as to when she could get a copy of the minutes from this meeting.

Julie Renucci requested a copy of the minutes from October 28<sup>th</sup>.

### **Adjourn**

Moved by Sharp, supported by Shattuck to adjourn the meeting at 4:23 p.m. Motion carried by voice vote.

---

David Hodges, Chair

---

Janae K. Cooper, Clerk

Minutes approved on: