

IONIA COUNTY BOARD OF COMMISSIONERS

October 9, 2018

Regular Meeting

3:00 p.m.

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

Members present: David Hodges, Larry Tiejema, Jim Banks, Brenda Cowling-Cronk, Georgia Sharp Scott Wirtz and Jack Shattuck

Members absent: Jim Banks

Others present: Ken Bowen, Charlie Noll, Deb Thalison, Robert Rose, Jack Elliott, Brian Simon, Chris Bredice, Mark Jewell, Dale Miller, Elisabeth Walden, Stephanie Fox and Janae Cooper

Approval of the Agenda

The Chair noted the following addition to the agenda: Item M. Under New Business to acknowledge PA 116's. Moved by Cowling-Cronk, supported by Hodges to approve the agenda as amended. Motion carried by voice vote.

Public Comment

Jack Elliott commented on Due Process and illegal search and seizure.

Action on the Consent Calendar

- A. Approve minutes of the previous meeting(s)

The Chair declared the Consent Calendar as approved.

New Business

A. Moved by Tiejema, supported by Cowling-Cronk to enter into a Public Hearing at 3:06 p.m. for the 2019 Budget Hearings. The Public Hearing commenced with the following roll call vote: yes - all. The Board opened up the floor for public comments. Jack Elliott commented on the Judges' salaries. Commissioner Tiejema commented that the county's major source of revenue is 60-70% being property taxes and that unless property values go up or we found another resource of money or employees may have to be let go. Moved by Cowling-Cronk, supported by Tiejema, to close the Public Hearing at 3:10 p.m. Motion carried by voice vote.

B. Moved by Tiejema, supported by Cowling-Cronk to adopt the 2019 Budget Resolution by the following roll call vote: yes - all. The Resolution is as follows:

18-011
RESOLUTION TO ADOPT THE
2019 IONIA COUNTY GENERAL APPROPRIATIONS ACT

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 1/12th 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 1/12th 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	\$ 94,683
Sheriff	\$ 84,767
Clerk	\$ 58,213
Treasurer	\$ 58,213
Drain Commissioner	\$ 58,213
Register of Deeds	\$ 58,213

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 12/17th 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, 2019. The Board may amend this Act at any time and any appropriation made hereunder may be increased or decreased at the Board's discretion.

C. Moved by Tiejema, supported by Wirtz to approve the Commission on Aging Budget Amendment. Motion carried by voice vote.

D. Moved by Tiejema, supported by Wirtz to approve the request for signature on the FY 2018 Contract Amendment 61.54-FY18.4, between the Ionia County Commission on Aging and the Area Agency on Aging of Western Michigan (AAAWM); Ionia County Administration would then send the contract back to

AAAWM and a copy back to Ionia County Commission on Aging. Motion carried by voice vote.

E. Moved by Cowling-Cronk, supported by Sharp to adopt the Drain Office Full Faith & Credit Resolution McClelland Drain with Eaton County. The Resolution was adopted by the following roll call vote: yes - all. The Resolution is as follows:

18-012

At a regular meeting of the Board of Commissioners of the County of Ionia held on October 9, 2018.

PRESENT: David Hoges, Larry Tiejema, Brenda Cowling-Cronk, Scott Wirtz, Georgia Sharp and Jack Shattuck

ABSENT: Jim Banks

The following resolution was offered by Cowling-Cronk and supported by Georgia Sharp

RESOLUTION RE: Bliss and McClelland Intercounty Drain Bonds, Series 2018

WHEREAS, proceedings have been taken by the Drainage Board for the Bliss and McClelland Intercounty Drain for improvements to the Bliss and McClelland Intercounty Drain (the "Project") pursuant to a petition filed with the Ionia County Drain Commissioner under the provisions of Chapter 8 of the Drain Code of 1956, as amended (the "Drain Code"); and

WHEREAS, in order to defray the cost of the Project, the Drainage Board is expected to authorize and provide for the issuance by the Bliss and McClelland Intercounty Drain Drainage District (the "Drainage District") of bonds (the "Bonds") in the aggregate principal amount of not to exceed \$900,000, bearing interest at a rate not to exceed 6.0% per annum, and maturing not later than June 1, 2034, in anticipation of the collection of an equal amount of special assessments against property and public corporations (including the County of Ionia) in the Counties of Ionia and Eaton in the Drainage District, said special assessments to be duly confirmed as provided in the Drain Code; and

WHEREAS, 85% of the cost of the Project has been apportioned by the Drainage Board to the County of Ionia (the "County") and 15% of such cost has been apportioned by the Drainage Board to the County of Eaton; and

WHEREAS, the Drainage Board deems it advisable and necessary to obtain from this Board a resolution pledging the limited tax full faith and credit of the County on the Bonds to the extent of special assessments assessed against property and public corporations in the County; and

WHEREAS, the Project is necessary to protect and preserve the public health and it is in the best interest of the County that the Bonds be sold.

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

1. Pursuant to the authorization provided in Sections 132 and 276 of the Drairi Code, provided that the Bonds are issued within the parameters set forth above, the Ionia County Board of Commissioners, by a majority vote of its members elect, does hereby irrevocably pledge the full faith and credit of the County of Ionia for the prompt payment of the principal of and interest on the Bonds to the extent of special assessments against 'property and public corporations in the County, and does agree that in the event that property owners or public corporations in the County shall fail or neglect to account to the County Treasurer of the County of Ionia for the amount of any such special assessment installment and interest (in anticipation of which the Bonds are issued) when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary. The ability of the County to levy taxes to pay its share of the principal of and interest on the Bonds shall be subject to constitutional and statutory limitations on the taxing power of the County.

2. In the event that, pursuant to said pledge of full faith and credit, the County advances out of County funds, any part of the principal of and interest due on the Bonds, it shall be the duty of the County Treasurer, for and on behalf of the County, to take all actions and

proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. This resolution shall become effective only if the Board of Commissioners of the County of Eaton adopts a resolution substantially in the form of this resolution that pledges the limited tax full faith and credit of the County of Eaton to the payment of the principal of and interest on the Bonds when due to the extent of its apportioned share of the cost of the Project.

4. All resolutions and part of resolutions, insofar as the same may be in conflict with the provisions of this resolution, are hereby rescinded.

ADOPTED: Yeas: Hodges, Tiejema, Cowling-Cronk, Wirtz, Sharp and Shattuck

Nays: None

F. Moved by Tiejema, supported by Hodges to increase the part-time employee hours at the Animal Shelter to 29-30 hours per week. Motion carried by voice vote.

G. Moved by Cowling-Cronk, supported by Hodges to temporarily increase the part-time animal control officers on-call hours by 6 hours every other week. Motion carried by voice vote.

H. Moved by Tiejema, supported by Hodges to approve of the BCN Advantage Amendment to the Provider Group Affiliation Agreement between Blue Care Network of Michigan, Blue Care of Michigan, Inc., BCN Service Company and Ionia County Health Department and authorize the signature of Ken Bowen, Health Officer. Motion carried by voice vote.

I. Moved by Cowling-Cronk, supported by Sharp to approve 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.

J. Moved by Tiejema, supported by Wirtz to approve of the FY18/19 Prevention Services Contractual Agreement between Mid-State Health Network and Ionia County Health Department and authorize the signature of Ken Bowen, Health Officer. Motion carried by voice vote.

K. Moved by Cowling-Cronk, supported by Wirtz to amend L4029 Millage Report. Motion carried by voice vote.

L. Moved by Wirtz, supported by Hodges to accept the Terms and Conditions of the FY2019 Community Corrections Grant from the Michigan Department of Corrections. Motion carried by voice vote.

M. The Board acknowledged the following PA 116 Applications:

1. 18-002 FA
18-003 FA
18-004 FA
18-005 FA
18-006 FA
18-007 FA
18-008 FA for Timothy Brown.
2. 18-009 FA
18-010 FA for Frederick B. and Darlene A. Klahn Trust.
3. 18-011 FA for Geerlings Hillside Farms LLC.

Adminstrator's Report

Stephanie Fox stated that new website went live last week. Any changes are to be directed to the email address provided to department heads.

Fox thanked everyone for their help on the 2019 Budget.

Special Reports

Tiejema requested a legal opinion on the rights of a landowner vs. the Animal Shelter. Once a legal opinion is obtained the board could move forward with a more user-friendly policy. It was the consensus of the board to seek a legal opinion.

Sharp stated that she went to the Quarterly Township meeting yesterday.

Cowling-Cronk encouraged everyone to attend an ALICE training.

Public Comment

Jack Elliott requested that abbreviations be written out in the Agenda rather than using acronyms. Elliott also asked the Board to ask Julie Calley to submit a request for a legal opinion to the Attorney General's Office; it would be free of charge.

Ionia County Sheriff, Dale Miller, announced his retirement on December 8th. He submitted formal letters to the Board of his retirement. The Probate Court Judge, Prosecutor and Clerk will be charged with the duty of appointing a new Sheriff. Miller stated that his UnderSheriff, Charlie Noll, would be a great candidate.

The Board took a brief recess at 3:39 p.m. and resumed regular session at 3:53 p.m.

Chair Shattuck stated that Banks had the letter from the County Attorney, and that Banks was absent along with the Attorney therefore there were no grounds to go into Closed Session. The matter was delayed until the next Board Meeting.

Adjourn

Moved by Cowling-Cronk, supported by Wirtz, to adjourn the meeting at 3:56 p.m. Motion carried by voice vote.

Jack Shattuck, Chair

Janae K. Cooper County Clerk

Minutes approved on: