

"Menominee – Where the best of Michigan begins"

MENOMINEE COUNTY BOARD OF COMMISSIONERS

*Menominee County Courthouse
839 10th Avenue
Menominee, Michigan 49858-3000*

*Brian R. Bousley - County Administrator
Sherry DuPont - Administrative Assistant
Telephone: (906) 863-7779 or 863-9648
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EXECUTIVE COMMITTEE Of the Menominee County Board of Commissioners

~ A Quorum of the Board may be present ~

DATE: Thursday, February 14, 2013
TIME: 4:00 PM (CST)
PLACE: Menominee County Courthouse, Administration Office

*******AGENDA*******

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Approval of Previous Minutes
January 18, 2013
6. Public Comment *(statements, not debate; limited to 5 minutes per person on agenda items only)*
7. Department Head Reports/Comments
8. Business
 - a. 2nd Review of the Menominee County By-Laws, Board Rules, County Policies and Charters of Standing Committees
 - b. Discussion of Hiring Freeze
 - c. Discussion of Traveling Freeze
9. Public Comment *(limited to five minutes)*
10. Adjournment

*Bernie Lang Charlie Meintz - Chairperson Larry Schei - Vice Chairperson James Furlong
Doug Krienke John Nelson Chris Plutchak Gerald Piche Jan Hafeman*

Menominee County Executive Committee Meeting Minutes

January 18, 2013

~~~~~DRAFT~~~~~

The Executive Committee of the Menominee County Board met on Jan. 18, 2013 at 3:00 PM at the Menominee County Courthouse, Administrative Office. Present at the meeting were Com. Charlie Meintz, Com. John Nelson, Com. Chris Plutchak and Administrative Asst. Sherry DuPont.

**Also Present:** Com. Jerry Piche, Com. Larry Schei, Dan Hass, Diane Lesperance, Penny Mullins, & Tom Cheski

**Agenda:** the agenda was approved by Com. Plutchak and supported by Com. Nelson 3/0

**Previous Meeting Minutes:** Meeting Minutes from April 3, 2012 were approved by Com. Meintz supported by Com. Plutchak 3/0

**Public Comment:** P. Mullins, reminds the commissioners to speak up so everyone can hear.

**Department Head Reports/comments:** None

**Business:** Review of the Menominee County By-laws, Board Rules, County Policies and Charters of standing committees: **Meintz:** We came here today to look over the bylaws and make changes due to a new nine member board vs a five member board. I spoke to Dan Hass about the fractions throughout the bylaws. I'm concerned about the way the fractions will affect the bylaws. Jan Hafeman contacted me and felt there should be something in the bylaws about back to back meetings and coms. getting paid for them. Page 8 ~ R91-10. Past practice was to pay for only one meeting. **Add:** A commissioner shall not receive payment for two meetings when the 2<sup>nd</sup> meeting is consecutive, unless the combined meeting time exceeds 4 hours. **Nelson:** Article 5, (Page 3) specifically states that the county board can not schedule a meeting at a place that serves alcohol. **Dan Hass:** OK, **add:** Alcoholic beverages at any County Board meeting are strictly prohibited. No county board meetings will be held at any establishment which serves alcoholic beverages. Article 5 Section 2 (1&2) **Nelson,** questions whether two members will still be acceptable now that we have a nine member board. All concur that two members is acceptable to call a special meeting. Also, 3a...one fifth and one third...what is the intent? **Hass:** This is in the statute (MCL 46.3a) so it has to stay as it is in the bylaws. **Nelson:** Article VI: Questions whether all committee members receive meeting fees and/or mileage. Since Commissioners receive meeting fees and other members don't, we should clear this up. **Meintz:** When this policy went into place, I was not in favor of it at that time. The volunteers do a lot of work in the county. Dan Hass suggested that we could satisfy both ends and pay the volunteers at a different rate than the county

board. **Nelson:** we should look at this so we're consistent throughout the county. Dan Hass suggests the board look at every committee and see how their funded, and if they reimburse for members attending. **Nelson:** I just want to clear up that the board is included in this paragraph. With the exception of the county board members, members are not paid. **Change to:** All non county board members, appointed by the Menominee county board of commissioners are considered "volunteers" and will not be compensated for meeting fees. Mileage allowance shall be provided at the IRS rate per mile. **Nelson:** Article VII, again we have 4/5 fraction in there. Does that make a difference? **Meintz:** Maybe we should clarify the fractional use. Under Voting, page 1 of the bylaws. "Fractions divided unevenly will be rounded, .5 or greater is rounded up, below .5 is rounded down. **DuPont:** Clerical errors, this was at first supposed to be approved on April 3, 2012. But it was actually approved on April 24, 2012, so anything dated April 3, 2012 will be changed. All Coms. concur. **Meintz:** Committee Assignments, I brought this up last year that the commissioners NOT be paid for all "Regular" county board meetings and would only be paid for committee and special meetings. Because of the salary received already. It would have saved the county about \$9,000. We should present this to the board. With nine members, the duties are spread out more. **Nelson:** page 10, R91-16 – that makes no sense. If there's a family emergency, we may be gone. I don't see any reasoning behind it. I understand that it is not 100% followed. If I come down, I'll bring my report, but I won't come down just to drop it off. **Plutchak:** Isn't there some software on the ipads that will allow us to send the reports via email? **DuPont:** No, there is no software on the ipads to allow this. But I could send a fillable electronic copy to coms. and they could fill it in and send it back via email. You could take a picture of your filled out paper and email the picture. **Meintz:** The initial intent of this was to keep things on a timeline. **Nelson:** I understand the timeline. But what if a situation arises and someone's gone...**DuPont:** then that's where R91-14 will come into play. **Plutchak:** I would think 30 days after the meeting will be alright. **Nelson:** the "Last" day of the following month...will work. All commissioners concur. **Nelson:** Disposal of property: (page 25) "what's considered property?" **DuPont:** Anything purchased with County money. **Nelson:** Is it anything purchased with county funds or anything held by a county dept. What do you mean by being held by a county dept. **Nelson:** We have three dogs purchased by the sheriff dept.; one goes into retirement, like Gracie. Is that considered county property? The disposal process is not correct. We can't just say here, it's your dog, you keep her, it's the right thing to do, but it's not spelled out here. I think maybe the disposal could be at some discretion of the board. (Page 13) The chief fiscal officer is authorized to dispose of any county asset less than \$500 in value by soliciting bids for purchase of the asset. **Nelson:** Should we show a human side to this and enter in an exemption? The dogs were purchased with donated funds. Yes, but their under sheriff dept. control. **DuPont:** The dogs are considered an employee of the county. How can we tell an employee at retirement where they should go? **Nelson:** Is the dog considered an employee? If it is, then I guess we don't have an issue. If it gets hurt, does it fall under the liability insurance? **Dan Hass:** We can add an exception for the dogs. **Meintz:** That dog is a companion not just a working tool. **ADD:** Exception: in the case of working dogs; upon decommission, the dog handler has first right to the dog. Page 24, is the 2/3 vote also ok there? Emergent action items...**Hass:** it should be emergency actions, not emergent. If there is an emergency action that needs to be added to the Com. of the Whole agenda, a 2/3 vote (of present commissioners) is needed to add it to the agenda. It would still have to be added to an agenda at a regular county board meeting for approval. **Meintz:** Committee of the Whole meetings,

now that we have nine members, we should look at whether we still have the finance and personnel meetings as a committee of the whole. It's going to cost more money.

**Dan Hass:** My advice to the board is, when you have a committee meeting where there are three members, my recommendation is other board members not show up. What will happen is people forget about the rules and start talking, it doesn't look good.

**Nelson:** Ipads, we don't have bylaws on these. Information can be sent on these that is not open to the public. Is this potential for a violation of the open meetings act? **Hass:** Could be. If you're sending emails back and forth, what do you think about this? What do you think about that? Then yes, we could have an open meetings violation. **John:** Well we got an email from Brian, not discussed and he is supporting something. **Hass:** He's a non-voting member. **DuPont:** Brian is your County Administrator. He is the person who you all should be coming to for questions. He is simply stating his recommendation to you. You vote on it how you want. A lot of time Brian is asked "in meetings" his opinion. **Nelson:** Yes, that's in public, but this is not in public. We'll have to come up with something to add into the bylaws in reference to the ipads. Check with other counties and research how they are handling bylaws for their ipads.

**Public Comment:** Tom Cheski – I agree with you on the dogs, It's the handler's dog, he should have first right to the dog.

**Adjournment:** Move by Com. Nelson, supported by Com. Plutchak to adjourn the meeting at 4:55 PM

COUNTY OF MENOMINEE  
GENERAL APPROPRIATIONS ACT - 2012/2013

A resolution appropriating monies and adopting the 2012/2013 Menominee County Budget including: The General Fund, Special Revenue, Debt Service and Internal Service Fund Budgets. It is intended that this resolution comply with requirements of Public Act 621 of 1978.

It being the finding and opinion of the Menominee County Board of Commissioners:

The Menominee County Board of Commissioners has had under consideration the taxes for the local units of government and the needs of various County Departments.

The Menominee County Board of Commissioners after considerable deliberation has recommended adoption of the budgets and reports attached and made a part of this appropriations act.

In recognition of the above listed findings and opinion:

The Menominee County Board of Commissioners hereby resolves to adopt the attached 2012/2013 Budget, levy tax rates of the General Fund 7.0612 mills, Senior Citizens .6000 mills, and Road Patrol 1.7950 mills, and appropriate monies from the various County revenues to authorize expenditures in accordance with the various fund expenditures.

The Board further resolves that an appropriation is not a mandate to spend, but shall limit the amount which may be spent for such purposes as are defined by the Board of Commissioners and which shall be limited to the 2012/2013 fiscal year. All Non-General Fund Department Fund Balances at year-end are to be considered the initial allotment under the budgetary appropriation for the new fiscal year. If a department contends that part of the department's unexpended balance is either obligated or otherwise restricted, it will be incumbent upon that department to demonstrate the obligation or restriction to the satisfaction of the Menominee County Board of Commissioners.

The Board further resolves that all County Elected Officials and Department Heads shall abide by all County Board policies, rules and procedures, as adopted and amended by the Board and that these budgeted funds are appropriated contingent upon compliance with these policies, rules and procedures.

Be it further resolved, that the approved Position Allocation List contained in the Budget shall limit the number of employees who can be employed, and no funds are appropriated for any position or employee not on the Approved Position List. Further, there may be a need to increase or decrease various portions of the budget and/or impose a hiring freeze and/or impose layoffs due to unforeseen

financial changes; therefore, the Board of Commissioners may, from time to time, change the approved Position Allocation List and/or impose a hiring freeze. The County's 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 Position Allocation List.

Be it further resolved, that in the event the Board imposes a hiring freeze and vacancies occur during the existence of that hiring freeze, the vacancies shall be considered, and hereby declared to be vacated positions and shall not be refilled, except by specific Board authorization. Further, the existence of a hiring freeze that may be imposed by the Board of Commissioners shall be, and is hereby declared to be a contingency on the expenditure of the budgeted funds, as well as on the approved Position Allocation List.

Be it further resolved, that certain positions contained in the Position Allocation List which are supported in some part by a grant, cost sharing, reimbursement, or some other source of outside funding are only approved contingent upon the County receiving the budgeted revenues. The Department Head shall immediately notify the Administrator in the event outside funding is not received or the County is notified that it will not be received, and said positions shall be considered not funded and removed from the approved Position Allocation List.

Running a County is similar to running a business. In order to insure that the taxpayer's money is wisely spent and that accountability of allotted funds in each department is used for the purpose they were originally allocated the Board further resolves that there will be no line item transfers in any department budget without approval of the Menominee County Board.

Running this County as a business may require the Board to investigate transferring services or duties to private sources. Should it be deemed to provide substantial savings to the County the Board reserves the right to do so and remove funds and terminate employees from any department effected by such transferring of services or duties.

Should duties now held in one department be deemed by this Board to be better suited within another department this Board will reserve the right to transfer any funds and employees from the Position Allocation List between departments effected.

The County Treasurer shall provide, monthly, a report of actual vs. budgeted revenues and expenditures together with trial balances for all funds held in the name of Menominee County.

The County Administrator shall provide a quarterly projection of year-end revenues and expenditures for the County's General, Park, Road Patrol and Law Library Funds and others as directed by the

Menominee County Board of Commissioners.

Any County Department, agency, board, commission or unit whatsoever and any organization public or private which accepts a county appropriation shall do so subject to inspection and/or audit by the Menominee County Board or its designee. The Board, or its designees, shall have access for the purpose of audit and examination, to any and all books, documents, papers and records of the recipient organization.

The Board further resolves that the budget may be amended as conditions indicate upon the recommendation of the Menominee County Board of Commissioners provided the budget remains in a balanced state, and further authorizes the County Treasurer to make certain budget transfers as required to maintain positive balances in all Funds. Such transfers shall be subject to subsequent approval of the Board of Commissioners.

I, Marc Kleiman, Clerk of the County of Menominee, State of Michigan, do hereby certify that the above stated Appropriations Act was taken under consideration at the Special Meeting of the Menominee County Board of Commissioners, and the following action was taken. It was moved by Commissioner Jasper and seconded by Commissioner Lang, and carried by the following vote that the resolution be passed.

AYES: 5  
NAYS: 0  
ABSENT: 0

Sworn to me on the 26<sup>th</sup> day of September, 2012

  
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Marc Kleiman, Clerk  
COUNTY OF MENOMINEE