

July 28, 2009
Approved 8-25-09

Proceedings of a regular meeting of the Board of Commissioners in and for the County of Menominee and the State of Michigan were held in the Carney-Nadeau School Cafeteria, Carney, Michigan.

Chairman Eichhorn called the meeting to order at 6:00 P.M. followed by the Pledge of Allegiance.

A call of the roll indicated that the following Commissioners were present/absent:

Present: Coms. Anderson, Eichhorn, Furlong, Lang, and Peterson.

Absent: None

Chairman Eichhorn called for public comment. Public comment was made by:

Ray Charlier County person

There was no other public comment.

Moved by Com. Peterson, supported by Com. Anderson to approve the agenda as presented. Motion was approved, 5-0.

Moved by Com. Anderson, supported by Com. Lang to approve the June 23rd and June 26th 2009 board minutes. Motion was approved, 5-0.

Department head reports: Pat Cheski – Friends of the library book sale

Moved by Commissioner Anderson, supported by Com. Peterson to approve the Emergency Management Performance Grant for wage reimbursement funding. Motion approved 5-0.

Moved by Com. Lang, supported by Com. Anderson to approve Resolution 09-15 ~ U.P. Area Agency on Aging 2010-2012 Multi-year plan for services to the elderly. Motion approved, 5-0.

Moved by Com. Furlong, supported by Com. Anderson to approve the West-Central U.P. Regional Community Corrections Program grant application. Motion was approved, 5-0.

Moved by Com. Furlong, supported by Com. Peterson to allow the Committee of the Whole and County Board packets to be scanned and put on the Menominee County Website for the public to view prior to the scheduled meetings, providing no Attorney Client Privilege information is included. Motion approved 5-0.

Moved by Com. Anderson, supported by Com. Peterson allowing Menominee County Health Department ~ Alcohol & Other Drug Services (AODS) to relocate their office to the Stephenson Annex Building. Any increase in costs to the annex for housing staff members will be covered by the Health Department. Motion approved 5-0.

Moved by Com. Furlong, supported by Com. Peterson to approve Resolution 09-16 ~

Authorizing Investments of County Funds and Approving County Investment Policy as revised from Jan. 2009 to allow the County to be in compliance with the Governmental Accounting Standards Board (GASB) 40 Guidelines. Motion approved 5-0.

Moved by Com. Furlong, supported by Com. Anderson to approve the ballot language of the 9-11 operating surcharge as written. (*For the period beginning on July 1, 2010 and continuing through the month of June in the year 2016, shall Menominee County be authorized to assess a monthly surcharge of up to \$2.20 (not to exceed \$2.20) on the monthly billings of landline, wireless and voice over internet protocol service suppliers within the geographic boundaries of Menominee County to be used exclusively for the funding of 9-1-1 emergency telephone call answering and dispatch services within Menominee County, including facilities, equipment and operations?*) Motion approved 5-0.

Moved by Com. Anderson, supported by Com. Peterson to hire Attorney David Stoker to work with County Administration to negotiate employee contracts. Motion approved 5-0.

Chairman Eichhorn selected Janis Linderoth to be appointed to represent Menominee County in the Upper Peninsula State Fair Authority for a term of 3 years: 8-1-2009 to 7-31-2012. Chairman Eichhorn further recommended that the member is authorized to receive mileage allowance at the IRS rate and is authorized to receive meeting fees in the amount of \$50.00 per meeting. Moved by Com. Furlong, supported by Com. Anderson to appoint Janis Linderoth to represent Menominee County on the Upper Peninsula State Fair Authority for a term of 3 years: 8-1-2009 to 7-31-2012. The member is authorized to receive mileage allowance at the IRS rate and is authorized to receive meeting fees in the amount of \$50.00 per meeting. Motion approved 5-0.

Moved by Com. Furlong, supported by Com. Peterson to approve payment of the Commissioner Per Diems and Expenses as recently submitted. Motion was approved, 5-0.

Moved by Com. Peterson, supported by Com. Anderson to approve the miscellaneous bills as paid on June 11 & 26, 2009 in the amount of \$138,500.87. Motion was approved, 5-0.

Moved by Com. Anderson, supported by Com. Peterson to go into closed session to consider an attorney-client privileged correspondence dated July 7, 2009, received from our attorney in connection with the case of *Jason Lauzer, Kathleen McNeely and Michael P. Lyons v Menominee County Board of Commissioners, Gary Eichhorn, Garry Anderson, and Dick Peterson*, Case No. M-09-12727-AW pending in the Menominee County Circuit Court pursuant to Section 8(h) of the Open Meetings Act since information subject to attorney-client privilege is exempt from disclosure under Section 13(g) of the Freedom of Information Act. Prosecuting Attorney Dan Hass, Interim Administrator Mike Erdman and Clerk Mike Jasper were allowed to attend the closed session. Motion approved by roll call vote 5-0. Closed session started at 6:20 PM.

Moved by Com. Lang, seconded by Com. Peterson to return to open session at 6:47 P.M. Motion approved by roll call vote 5-0.

Moved by Com. Anderson, supported by Com. Peterson to amend the agenda to allow motion (to accept/reject Plaintiffs' settlement offer in the matter of *Jason Lauzer, Kathleen McNeely and Michael P. Lyons v Menominee County Board of Commissioners, Gary Eichhorn, Garry Anderson, and Dick Peterson*, Case No. M-09-12727-AW pending in the Menominee County Circuit Court, pursuant to which, Plaintiff, Jason Lauzer, will resign from his appointments on the Menominee County Parks & Recreation Board AND Menominee County Planning Commission in return for a payment in the amount of \$20,000 to Plaintiffs, with all other volunteer appointments to remain as appointed by the Menominee County Board of Commissioners at its November 25, 2008 meeting.) to be placed on the agenda. Motion to amend the agenda approved by roll call vote 5-0.

Moved by Com. Peterson, supported by Com. Anderson to reject Plaintiffs' settlement offer in the matter of *Jason Lauzer, Kathleen McNeely and Michael P. Lyons v Menominee County Board of Commissioners, Gary Eichhorn, Garry Anderson, and Dick Peterson*, Case No. M-09-12727-AW pending in the Menominee County Circuit Court, pursuant to which, Plaintiff, Jason Lauzer, will resign from his appointments on the Menominee County Parks & Recreation Board AND Menominee County Planning Commission in return for a payment in the amount of \$20,000 to Plaintiffs, with all other volunteer appointments to remain as appointed by the Menominee County Board of Commissioners at its November 25, 2008 meeting. Motion approved by roll call vote 5-0.

Moved by Com. Anderson, supported by Com. Peterson to amend the agenda to allow the motion (to accept/reject Plaintiffs' settlement offer in the matter of *Jason Lauzer, Kathleen McNeely and Michael P. Lyons v Menominee County Board of Commissioners, Gary Eichhorn, Garry Anderson, and Dick Peterson*, Case No. M-09-12727-AW pending in the Menominee County Circuit Court, pursuant to which, Plaintiff, Jason Lauzer, will resign from his appointment on the Menominee County Parks & Recreation Board in return for a payment in the amount of \$10,000 to Plaintiffs, with Plaintiff, Kathleen McNeely to retain her appointment on the Menominee County Library Board.) to be placed on the agenda. Motion to amend the agenda approved by roll call vote 5-0.

Moved by Com. Lang, supported by Com. Furlong to accept Plaintiffs' settlement offer in the matter of *Jason Lauzer, Kathleen McNeely and Michael P. Lyons v Menominee County Board of Commissioners, Gary Eichhorn, Garry Anderson, and Dick Peterson*, Case No. M-09-12727-AW pending in the Menominee County Circuit Court, pursuant to which, Plaintiff, Jason Lauzer, will resign from his appointment on the Menominee County Parks & Recreation Board in return for a payment in the amount of \$10,000 to Plaintiffs, with Plaintiff, Kathleen McNeely to retain her appointment on the Menominee County Library Board. Motion failed by roll call vote 2-3. Coms. Anderson, Eichhorn and Peterson voted nay.

Com. Anderson moved, Com Lang supported to place all Miscellaneous Boards/Committees/Commission Reports on file. Motion was approved 5-0.

By consensus the Board agreed to place the following items on August Committee of the Whole agenda: Alternate health plans; Menominee Business Development Corporation appointment; Federal funding monies; and central purchasing.

Chairman Eichhorn called for public comment. Public comments were made by:

Connie Armbrust

Not approving settlement

There was no other public comment.

Com. Anderson moved, Com. Peterson supported to adjourn at 7:00 P.M. Motion was approved 5-0.

Gary Eichhorn, Chairman

Mike Jasper, County Clerk

