

February 13, 2019

APPROVED on 2/26/19

Proceedings of a Regular Meeting of the Board of Commissioners in and for the County of Menominee and the State of Michigan were held at the Menominee County Annex, Stephenson, Michigan.

Chairman Piche 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: Commissioners: William Cech, Steven Gromala, Jan Hafeman, Larry Phelps, Gerald Piche, David Prestin and Larry Schei.

Absent: Commissioners: Larry Johnson Jr. and Bernie Lang (both excused).

Moved by Com. Hafeman, seconded by Com. Cech to approve the agenda. Motion was approved 7-0.

Moved by Com. Hafeman, seconded by Com. Cech to approve the minutes from the January 22, 2018 Regular County Board Meeting. Motion was approved 7-0.

Public Comment: None.

Presentations:

- Sheriff Marks – State of the Sheriff’s Office Address.
- Menominee County Sheriff, Menominee Police Department and Michigan State Police – Prosecuting Attorney Staffing.

Department Head/Elected Officials Reports:

- Rich Sexton, Emergency Services Coordinator – Gave the board an update on the issues in Menominee County with the snow and severe cold.
- Jason Carviou, County Administrator – Gave Administrator’s Report with updates and announcements. He also addressed the Veterans Grant, which we received \$57,917 from the State of Michigan. There are currently two bids out right now. One for Audit Services and one for Cleaning Services. He currently is reviewing a draft on the new Animal Control Ordinance. Jason is planning a Personnel Committee meeting and an Executive Committee meeting in the near future.

Action Items:

Moved by Com. Hafeman, seconded by Com. Cech to appoint Thomas Philipps to the position of Menominee County Emergency Services Coordinator. Motion was approved 7-0.

Moved by Com. Hafeman, seconded by Com. Gromala to approve Budget Amendments #1 (1-14) for Budget Year 2018/2019 as recommended by the Finance Committee. Motion was approved 7-0.

Moved by Com. Hafeman, seconded by Com. Phelps to approve Commissioner per diems and expenses as recently submitted. Motion was approved 7-0.

Moved by Com. Cech, seconded by Com. Hafeman to approve miscellaneous bills as paid on January 8 & 10, 2019 in the combined amount of \$72,825.12. Motion was approved 7-0.

Moved by Com. Hafeman, seconded by Com. Cech to approve miscellaneous boards/committees/commission reports on file in the office of the County Clerk. Motion was approved 7-0.

New Business (discussion only)

Personnel Items:

- a. None.

Building and Grounds/Parks Items:

- a. None.

Miscellaneous Items:

- a. Resolution 2019-06 ~ Resolution To Require A Report From The Menominee County Prosecuting Attorney. – Administrator Carviou discussed the resolution. There was a first draft and this draft (#2) is one that was revised by our attorney. There was discussion over the amount of days to give the Prosecuting Attorney to compile the report. There are also corrections that need to be made (changing the date to February 13th and striking the Michigan DNR from the list of agencies that made comments). After further discussion it was decided to give the Prosecuting Attorney 21 days. The consensus of the board is to move this item forward as an action item tonight at this meeting.

Moved by Com. Hafeman, seconded by Com. Gromala to make the approval of Resolution 2019-06 ~ Resolution To Require A Report From The Menominee County Prosecuting Attorney an action item at this meeting. Motion was approved by roll call vote 7-0.

Moved by Com. Cech, seconded by Com. Hafeman to approve Resolution 2019-06 ~ Resolution To Require A Report From The Menominee County Prosecuting Attorney. Motion was approved by roll call vote 7-0. (Attachment A)

- b. Resolution 2019-07 ~ Resolution To Adopt Monthly 9-1-1 Surcharge Within Menominee County. – Administrator Carviou explained that this is a resolution that the County approves each year. Moved by Com. Schei, seconded by Com. Cech to make the approval of Resolution 2019-07 an action item at this meeting. Discussion ensued and Administrator Carviou explained that there was not an urgency to approve the resolution at this meeting and it could just be placed on the next agenda as an action item. Com. Schei withdrew his motion. The consensus of the board is to move this item forward to the next meeting for approval.

Finance Items:

- a. Commissioner Per Diems and Expenses. – The consensus of the board is to move this item forward to the next meeting for approval.
- b. Miscellaneous bills as paid on January 24, 2019 in the amount of \$131,933.81. – The consensus of the board is to move this item forward to the next meeting for approval.

Misc. Boards/Committees/Commissions Reports:

- The consensus of the board is to move this item forward to the next meeting for approval.

Public Comment:

- Assistant Prosecuting Attorney Jeffrey Rogg – Commented on Resolution 2019-06 and how offended he was at this.

Commissioner Comment:

- Com. Hafeman – Thanked the Sheriff, State Police and City Police for their input.
- Com. Gromala – Commented on St. Thomas Aquinas School being in a vote to receive \$5,000.
- Com. Cech – Commented on Judge Hass’ request for additional help when he left the Prosecuting Attorney’s Office to become Probate Judge.
- Com. Schei – Welcomed Thomas Philipps as the new Emergency Services Coordinator.

Moved by Com. Schei, seconded by Com. Cech to enter into closed session under section 8(h) of the Open Meetings Act, to consider materials exempt from discussion or disclosure by state or federal statute, pursuant to section 13(1)(g) of the Freedom of Information Act, which exempts from public disclosure information or records subject to the attorney-client privilege in connection with Merkel v. Menominee County litigation. Members entering into closed session will be all nine Commissioners, Administrator Carviou, County Clerk Kleiman and Administrative Assistant DuPont. Motion was approved by roll call vote 7-0 at 7:55 p.m.

Returned to open session at 8:19 p.m.

Moved by Com. Hafeman supported by Com. Cech to approve the settlement agreement between William Merkel and Menominee County in the form recommended by the County’s attorneys Cohl, Stoker, and Toskey, and to direct counsel to proceed with all steps necessary to complete the settlement and dismissal of the case, including authorizing the County Board Chairman to sign the settlement agreement on the County’s behalf. Motion was approved by roll call vote 7-0.

Moved by Com. Hafeman, seconded by Com. Prestin to adjourn at 8:21 p.m. Motion was approved 7-0.

Gerald Piche, Chairman

Marc Kleiman, County Clerk