

**LAPEER COUNTY BOARD OF COMMISSIONERS**  
**Regular Board Meeting**  
**February 23, 2023**  
**9:00 A.M.**

Chairman Kohlman called the meeting to order at 9:03 a.m. in the Commission Chambers on the lower level of the County Complex Building. John Stahl opened the meeting with prayer. The Pledge of Allegiance was recited.

Present:	Tom Kohlman	District #1
	Gary Howell	District #2
	Kevin Knisely	District #3
	Brad Haggadone	District #4
	Truman Mast	District #5
	William Hamilton	District #6

Absent:	Bryan Zender	District #7
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**AGENDA**

The agenda and draft minutes from February 9, 2023 Regular Board Meeting were reviewed.

**56-2023**

Motion by Hamilton, supported by Mast, to accept the agenda with the addition of a proposed Resolution, and the deletion of a closed session. Motion carried.

**57-2023**

Motion by Haggadone, supported by Howell, to approve the February 9, 2023 Regular Board Meeting minutes, as presented. Motion carried.

**ELECTED OFFICIAL/DEPARTMENT HEAD UPDATES**

Sheriff McKenna acknowledged Sgt. Dan Wilkinson's recent promotion, and also introduced Deputy Anthony Wilkinson, who has recently joined the Lapeer County Sheriff Department staff, and administered the Oath of Office to Sgt. Wilkinson and Deputy Wilkinson.

**PUBLIC TIME** – 2 people spoke during public time.

**58-2023**

Motion by Howell, supported by Haggadone, to renew the contract with Alcohol Monitoring Systems, Inc (AMS) for a term of 36 months, at no additional cost to the County General Fund; and further, to authorize the Chair/Vice-Chair to sign said contract once Corporate Counsel has reviewed said document. Motion carried.

**59-2023**

Motion by Knisely, supported by Mast, to authorize the Sheriff's Department to purchase a new conference room table and cabinet, at a cost of \$3,869.95 (with shipping) from line item 207-301-730.000, at no additional cost to the County General Fund. Motion carried.

60-2023

Motion by Haggadone, supported by Knisely, to authorize the transfer of \$89,661.33, representing the 1<sup>st</sup> of three installments toward the annual allocation of \$268,984.00, from Lapeer County Community Mental Health Appropriations (101-990-999.222) to Lapeer County Community Mental Health Expenditures (222-990-695.010). Motion carried.

61-2023

Motion by Mast, supported by Howell, to authorize payment to Shifman Fournier, in the amount of \$1,485.00, for labor related legal services rendered through January 31, 2023, to be paid from line item 101-239-801.020. Motion carried.

62-2023

Motion by Haggadone, supported by Hamilton, to adopt the following Resolution:

**RESOLUTION #2023-R01**  
**By the Lapeer County Board of Commissioners**  
**HONORING the Michigan Association of Counties'**  
**125<sup>th</sup> Anniversary**

**WHEREAS,** Michigan's 83 county governments play a central role in the proper delivery of, and oversight for, critical public services for the state's approximately 10 million residents; and,

**WHEREAS,** Michigan county governments are led by Boards of Commissioners, who are elected from their local communities; and,

**WHEREAS,** the State Association of Supervisors of Michigan was formed by representatives of 16 counties on February 1, 1898, in the Senate chamber of the Michigan State Capitol in Lansing; and,

**WHEREAS,** the association's name was changed to the Michigan Association of Counties on July 17, 1969; and,

**WHEREAS,** the Michigan Association of Counties is the oldest association representing local governments in Michigan; and,

**WHEREAS,** 48 of Michigan's 83 counties have had at least one of their commissioners (or supervisors prior to 1968) serve as president of the association's Board of Directors; and,

**WHEREAS,** the association created the Michigan Counties Workers' Compensation Fund in 1979 to help county members provide workplace safety and injury insurance services to its employees; and,

**WHEREAS,** the association created the Michigan Association of Counties Service Corporation in 1986 to partner with service providers to help counties save money on everything from health insurance to telecommunications services; and,

(Resolution #2023-01 continued)

**WHEREAS,** the association hosts two major conferences every year to bring together county leaders for briefings on trending public policy issues and to hear from state newsmakers and others; and,

**WHEREAS,** the association's advocacy work in Lansing and beyond has advanced the interests of county governments and the residents they serve; and,

**WHEREAS,** no fewer than five association presidents have served or are serving in the Michigan Legislature in the 21<sup>st</sup> century, a testament to the culture of public service inculcated by the association.

**NOW, THEREFORE, BE IT RESOLVED,** that the Lapeer County Board of Commissioners of Lapeer, Michigan wishes to commend and honor the **Michigan Association of Counties on its 125<sup>th</sup> Anniversary** year.

Roll Call vote: Haggadone, aye; Hamilton, aye; Howell, aye; Knisely, aye; Mast, aye; Zender, absent; Kohlman, aye. 6 ayes, 1 absent. Motion carried.

63-2023

Motion by Mast, supported by Howell, to authorize the Probate/Family Court Office to fill one vacant full-time Probation Officer position (#59, PG 18) that has been vacant for longer than 6-months, at no additional cost to the County's General Fund. Motion carried.

64-2023

Motion by Mast, supported by Howell, to authorize the Sheriff's Department to fill his vacant appointed Undersheriff position (#122, PG S11) and to authorize the Sheriff to negotiate the step rate up to Step IV depending upon the candidate's extensive expertise, experience, and knowledge, and to be consistent with past practice that supervisory positions' hourly rate be higher than their subordinates, at no additional cost to the County's General Fund. Motion carried.

65-2023

Motion by Mast, supported by Hamilton, to authorize District Court to fill one full-time Court Clerk I position (#78, PG 14), due to the current employee transferring to another County Department, at no additional cost to the County's General Fund. Motion carried unanimously.

66-2023

Motion by Mast, supported by Hamilton, to reinstate the Emergency Management Coordinator position back under the County Controller/Administrator, and therefore, removing the corresponding stipend and Emergency Management responsibilities from the Executive Director of Central Dispatch; and further, to authorize the County Controller/Administrator to fill the full-time Emergency Management Coordinator position (#120, PG 18) and authorize negotiation of filling the position up to Step 2 depending upon the candidate's expertise and qualifications; and further, to approve the amended job description for said position. Motion carried.

67-2023

Motion by Mast, supported by Haggadone, to authorize Community Mental Health to fill one irregular part-time ABA Technician position (#744, PG 14) due to a recent resignation effective February 10, 2023, as well as any subsequent vacancy should an internal transfer or promotion occur, at no cost to the County's General Fund. Motion carried.

68-2023

Motion by Mast, supported by Hamilton, to authorize Community Mental Health to fill one regular part-time Case Manager position (#722, PG 18, BA Level, Children's Program), as well as any subsequent vacancy should an internal transfer or promotion occur, at no cost to the County's General Fund. Motion carried.

69-2023

Motion by Mast, supported by Haggadone, to authorize the County to offer LifeWorks, an Employee Assistance Program (EAP), through Madison for all eligible full-time County employees at no cost, effective March 1, 2023, where they can receive some (limited) no-cost, confidential help and resource referrals for a wide variety of needs and concerns such as: Alcohol or Drug Addictions; Anxiety; Childcare; Depression; Eating Disorders; Eldercare; Family Conflict; Financial or Legal Concerns; Marital Difficulties; Parenting Concerns; Problem Gambling; Relationship Problems; Stress Management; Virtual Fitness; and Identity Theft Protection Services; and further, that Administration place this information on the County's shared drive for the employees to access. Motion carried.

70-2023

Motion by Mast, supported by Haggadone, to amend the Table of Organization for Community Mental Health by eliminating the full-time Professional BA (formerly Employment Services Lead Staff position #619, PG 18) and add/create a new full-time BA Supervisor (Employment Services Supervisor position #TBD, PG 21, Bachelor Level), as well as any subsequent vacancy should an internal transfer or promotion occur, at no cost to the County's General Fund, and contingent upon union concurrence; and further, to approve the related job description for said position. Motion carried.

71-2023

Motion by Haggadone, supported by Hamilton, that effective February 23, 2023, to move Committee of the Whole Meetings to the second Thursday of the month and to move the Regular Board Meeting to the fourth Thursday of the month, and also move Personnel and Property [Committees] to the second Thursday of the month after the Committee of the Whole Meeting. Roll Call vote: Haggadone, aye; Hamilton, aye; Howell, aye; Knisely, aye; Mast, aye; Zender, absent; Kohlman, aye. 6 ayes, 1 absent. Motion carried.

72-2023

Motion by Howell, supported by Hamilton, to give the County Controller/Administrator the authority to act and approve payroll and accounts payable disbursements on a bi-weekly basis, with the understanding that the Audit Motions will be entered into the record at each Regular Board Meeting; and further, to authorize the County Controller/Administrator to authorize the filling of Personnel Requests for vacant budgeted positions, with the understanding that all requests for any changes to an existing position or newly created position must be placed on the Personnel Committee Agenda. Motion carried.

**Senior Programs Advisory Board**

Commissioner Howell noted that he has someone to represent District 2, but has not received the application yet.

**Valley Area Agency on Aging (VAAA)****73-2023**

Motion by Knisely, supported by Haggadone, to appoint Willa Talley to serve on the Valley Area Agency on Aging (VAAA) Board of Directors, for an un-expired term ending December 31, 2023. Motion carried.

**Community Health Services Board****74-2023**

Motion by Haggadone, supported by Mast, to re-appoint Donna Shelton, to serve on the Community Mental Health Services Board, for a three-year term ending March 31, 2026. Motion carried.

**75-2023**

Motion by Howell, supported by Haggadone, to re-appoint Tom Kohlman, to serve on the Community Mental Health Services Board, for a three-year term ending March 31, 2026. Motion carried.

**76-2023**

Motion by Mast, supported by Hamilton, to appoint Cheryl Howell to serve on the Community Mental Health Services Board, for a three-year term ending March 31, 2026. Motion carried.

**77-2023**

Motion by Hamilton, supported by Knisely, to adopt the following Resolution:

**Lapeer County Board of Commissioners  
2023-R02**

**Resolution to Instruct our Representatives to Oppose All Firearms Control  
Legislation**

**23 February 2023**

**WHEREAS**, the Constitution of the United States, ratified on the 21<sup>st</sup> day of June, 1788, declares in Article VI section 2, "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.";

**WHEREAS**, the people of the United States are guaranteed the right to keep and bear arms without any legislative infringement, under the Constitutional authority of Amendment II, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.";

(Resolution 2023-R02 continued)

**WHEREAS**, the people of the State of Michigan recognize that the blessings of freedom come from our Almighty God according to the Preamble of the Constitution of the State of Michigan, "We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.";

**WHEREAS**, the people of the State of Michigan have the inherent, inalienable right to hold all political power in the State of Michigan according to the Constitution of the State of Michigan, Article I, Section 1. "All political power is inherent in the people. Government is instituted for their equal benefit, security, and protection.";

**WHEREAS**, the people of Michigan are guaranteed the right to keep and bear arms without any legislative infringement, under Michigan State Constitutional authority in Article I section 6, "Every person has a right to keep and bear arms for the defense of himself and the state.";

**WHEREAS**, the people of the State of Michigan recognize that we have the right to retain rights that are not specifically written in the Constitution of the United States or the Constitution of the State of Michigan according to: Amendment IX of the Constitution of the United States, "The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people." and Amendment I, Section 23 of the Constitution of the State of Michigan, "The enumeration in this constitution of certain rights shall not be construed to deny or disparage others retained by the people.";

and

**WHEREAS**, the people of the State of Michigan recognize that we have the right to instruct our representatives according to the Constitution of the State of Michigan, Article I, Section 3, "The people have the right peaceably to assemble, to consult for the common good, to instruct their representatives and to petition the government for redress of grievances."

**NOW, THEREFORE, BE IT:**

**RESOLVED**, that the Lapeer County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 102<sup>nd</sup> Michigan State Legislature to vote in opposition of all proposed legislation that would unconstitutionally infringe on the right of the people to keep and bear arms;

**BE IT FURTHER RESOLVED**, that the Lapeer County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 102<sup>nd</sup> Michigan State Legislature to vote in opposition of all proposed legislation that infringes on the right of the people to own, bear, purchase, and sell items that are directly relevant to operation, maintenance, and modification of any firearms, including but not limited to: ammunition, magazines, stocks, triggers, braces, barrels, etc.;

**BE IT FURTHER RESOLVED**, that the Lapeer County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 102<sup>nd</sup> Michigan State Legislature to vote in opposition of all proposed gun legislation, such as Red Flag Gun Laws, that would deny a person of their right to not be deprived of life, liberty or property without due process of the law, or their right to equal benefit, security and protection;

**BE IT FURTHER RESOLVED**, that the Lapeer County Board of Commissioners, as people of the State of Michigan, instruct our representatives to recognize that the power which they hold is because of the consent of the people, and that they have no power to make legislation that is contrary to the supreme Law of the Land, nor have they been given consent to draft, introduce, sponsor, or amend legislation that infringes on the right of the people to keep and bear arms in any way; and

(Resolution 2023-R02 continued)

**BE IT FURTHER RESOLVED**, that the Clerk of the Lapeer County Board of Commissioners, shall transmit copies of this resolution to all members of the 102<sup>nd</sup> Michigan State Legislature, and shall urge all counties in Michigan to adopt similar resolutions.

Roll Call vote: Hamilton, aye; Howell, aye; Knisely, aye; Mast, aye; Zender, absent; Haggadone, aye; Kohlman, aye. 6 ayes, 1 absent. Motion carried.

Chairman Kohlman appointed Commissioner Hamilton as the Chairman for a Broadband Ad Hoc Committee. He also appointed Commissioners Knisely and Mast to serve on the Committee. It was noted that John Daly, Managing Director of the Road Commission wishes to serve on this Committee as well.

78-2023

Motion by Hamilton, supported by Howell, to approve the County's Audit Motion for disbursements dated February 24, 2023, based upon the signature of the County Controller/Administrator; and further, to approve the Road Commission Audit Motion for disbursements dated February 23, 2023 based upon the signatures of the Road Commission Chairman and Finance Director. Roll Call Vote: Hamilton, aye; Knisely, aye; Mast, aye; Zender, absent; Haggadone, aye; Howell, aye; Kohlman, aye. 6 ayes, 1 absent. Motion carried.

**Public Time** - Eight people spoke during public time.

The Commissioners gave brief reports on meetings and conferences that they have recently attended, as well as upcoming meetings and events.

79-2023

Motion by Haggadone, supported by Hamilton, to recess the meeting. Motion carried. 10:23 a.m.

The meeting reconvened. 10:56 a.m.

80-2023

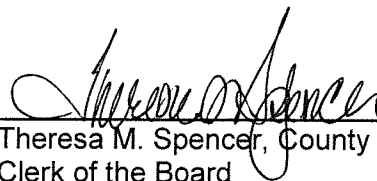
Motion by Haggadone, supported by Howell, to authorize the Prosecuting Attorney to negotiate the rate of pay for the previously approved Secretary II position up to Step 2, based on the candidate's qualifications, pending an agreement between the union and our labor counsel. Motion carried.

81-2023

Motion by Howell, supported by Haggadone, to adjourn the meeting. 11:00 a.m.



Tom Kohlman, Chairman  
Board of Commissioners



Theresa M. Spencer, County Clerk  
Clerk of the Board