

LAPEER COUNTY BOARD OF COMMISSIONERS
March 28, 2024
9:00 A.M.

Chairman Kohlman called the meeting to order at 9:02 a.m. in the Commission Chambers on the lower level of the County Complex Building. Ruth 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
	Bryan Zender	District #7

AGENDA

The agenda and draft minutes from the February 22, 2024 Regular Board Meeting were reviewed.

91-2024

Motion by Haggadone, supported by Howell, to accept the agenda with an addition to give the next Committee of the Whole Meeting Authority to act on the topics of the Pavilion and Recycling, and the deletion of a closed session. Motion carried.

92-2024

Motion by Knisely, supported by Mast, to approve the February 22, 2024 Regular Board Meeting, as presented. Motion carried.

ELECTED OFFICIAL/DEPARTMENT HEAD UPDATES

No comments were received.

PUBLIC TIME – Three people spoke during public time.

93-2024

Motion by Hamilton, supported by Zender, to approve the 2024 Police Service Contract with Imlay Township; and further, to authorize the Board Chairman to sign said contract. Motion carried.

94-2024

Motion by Hamilton, supported by Zender, to authorize the Lapeer County Sheriff's office to purchase 13 bullet proof vests with outer carriers and 5 spike stab vests, cost of \$15,665.00 from lines 207-301-743.010, 207-351-743.010 and the remainder from line 207-301-743.000. Motion carried.

95-2024

Motion by Hamilton, supported by Zender, to authorize the issuance of a credit card to the county 911 Director for use as described in the Lapeer County's adopted credit card policy. Motion carried.

96-2024

Motion by Hamilton, supported by Zender, to authorize Prosecuting Attorney, John Miller, to consummate the proposed interface contract with Karpel at the cost of \$18,000.00 and approve expenditure of \$4,400.00 to CLEMIS at a combined total cost not to exceed \$22,400.00 from budget line item 205-100-700-100 (contingencies) and further, to authorize the Chairman to sign said contract. Motion carried.

97-2024

Motion by Hamilton, supported by Zender, to authorize the Courts to approve the contract with Thompson Reuters West Proflex legal research for a 24-month period under the terms outlined in the agreement. Monthly cost of \$408.00 per month for 12 months and \$428.40 per month for following 12 months; and further, to authorize the Chairman or Vice-Chairman to sign said agreement. Motion carried.

98-2024

Motion by Hamilton, supported by Zender, to approve the renewal of the maintenance Agreement for the Live Scan Fingerprint machine located in the Lapeer County Court Complex, Room #83, for the period of March 1st, 2024 through February 28th, 2025 at a cost of \$3,530.00; and further, to authorize the Chair/Vice-Chair to sign said contract. Motion carried.

99-2024

Motion by Knisely, supported by Haggadone, to authorize the Chair/Vice-Chair to sign the Software License and Maintenance Agreement with DEKETO, LLC, which was approved on December 1, 2022 in motion #404-22. Motion carried.

100-2024

Motion by Knisely, supported by Haggadone, to authorize the purchase of encryption software for county owned laptops through MiDEAL vendor CDWG in an amount not to exceed \$3,045.00, to be reimbursed by the Homeland Security Grant Program (HSGP) (CFDA #97.067), at no additional cost to the county and to authorize the Chairman to sign any associated documents with the purchase. Motion carried.

101-2024

Motion by Knisely, supported by Haggadone, to authorize payment to Shifman Fournier, in the amount of \$705.00, for labor related legal services rendered through February 29, 2024, to be paid from line item 101-239-801.020. Motion carried.

102-2024

Motion by Knisely, supported by Haggadone, to authorize payment to The Kelly Firm, in the amount of \$8,890.00 for corporation counsel legal services rendered through January 31, 2024, to be paid from line item #101-239-801.020. Motion carried.

103-2024

Motion by Zender, supported by Hamilton, pursuant to the recommendation of the Properties Committee, to authorize the discontinuance of the NIXLE subscription and authorize the transition to Onsolve CodeRed, pending the cost approval between Sheriff's Department, Central Dispatch, and Administration to cover 1/3 each of the annual costs; and further to authorize the County Administrator/Controller to sign said agreements. Motion carried.

104-2024

Motion by Zender, supported by Knisely, pursuant to the recommendation of the Properties Committee, to proceed with landscaping by Kirtland Landscape, Inc., \$14,164.00 and Better Buy Flag \$2,169.77, to be paid from 911 millage account 482-325-977.000, for a cost not to exceed \$25,000. Motion carried.

105-2024

Motion by Howell, supported by Haggadone, pursuant to the recommendation of the Personnel Committee, to authorize the Sheriff's Department to hire and fill the vacant full-time Corrections Officer position (#766, PG S4) at the Step 2 pay rate due to the candidate's 4.5 years of Corrections experience and pursuant to the Letter of Understanding with the union regarding external lateral transfers, to be paid from the Sheriff's Department's budget, at no additional cost to the County's General Fund. Motion carried.

106-2024

Motion by Howell, supported by Haggadone, pursuant to the recommendation of the Personnel Committee, to authorize 911 Central Dispatch to bypass the entry rate and authorize hiring of Communication Specialists (Dispatchers) vacancies at the 6-month step of Pay Grade 16 due to ongoing hiring difficulties, to be paid from within the 911 Budget and at no additional cost to the County's General Fund. Motion carried.

107-2024

Motion by Zender, supported by Mast, pursuant to the recommendation of the Properties Committee, to recommend that the Committee of the Whole and Board of Commissioners consider resolutions regarding updates to the lake level orders and the Part 307 Process, as further investigation by the Drain Commission finds necessary. Motion carried.

108-2024

Motion by Zender, supported by Hamilton, pursuant to the recommendation of the Properties Committee, to authorize the preparation of the RFP process for the new CMH building. Motion carried.

109-2024

Motion by Zender, supported by Hamilton, pursuant to the recommendation of the Properties Committee, to approve the sale of either the 2008 Dodge Charger for \$1,500.00 or the sale of the 2017 Dodge Charger for \$5,000.00, to the Lapeer County Intermediate School District to be used at the Education Technology Center for the Public Safety Careers Program. Motion carried.

110-2024

Motion by Zender, supported by Haggadone, to accept the installation of a pavilion at the Saginaw Street Kayak Launch, to be paid for and installed by the Lapeer Rotary Club, at no additional cost to the County's General Fund. Motion carried.

111-2024

Motion by Mast, supported by Haggadone, pursuant to the recommendation of the Personnel Committee, to authorize the Prosecuting Attorney to hire a temporary summer Legal Intern from the Prosecuting Attorney Association of Michigan from May 1st through December 31st at a cost not to exceed \$9,600, to be paid from the Prosecutor's budget, at no additional cost to the County's General Fund. Motion carried.

112-2024

Motion by Haggadone, supported by Hamilton, pursuant to the recommendation of the Personnel Committee, to authorize the Health Department to amend their Table of Organization to reduce the full-time Public Health Coordinator/Nurse II position (#327, PG 21) to a regular part-time Public Health Coordinator/Nurse II position, at no additional cost to the County General Fund; and further, to authorize said position to be filled upon the anticipated retirement of the current employee on April 5, 2024. Motion carried.

113-2024

Motion by Haggadone, supported by Hamilton, pursuant to the recommendation of the Personnel Committee, to authorize the Health Department to amend their Table of Organization to eliminate the senior program's full-time Account Clerk position (#361, Pay Grade 15), and add/create and fill one full-time Senior Program Coordinator position (#TBD, Pay Grade 17) to better meet program needs, at no additional cost to the County's General Fund; and further, to approve the new job description for said position. Motion carried.

114-2024

Motion by Howell, supported by Hamilton, pursuant to the recommendation of our Corporation Counsel and the Policies and Procedures Committee, to approve and adopt the Lapeer County Document Retention Policy, as attached, and further, that all County Departments are to begin following the retention disposal schedules as outlined in said document. Motion carried.

115-2024

Motion by Howell, supported by Knisely, pursuant to the recommendation of the Policies and Procedures Committee, to adopt the following Resolution Opposing Public Act 233 of 2023 and to authorize the Chairman or Vice-Chair to sign said resolution:

LAPEER COUNTY BOARD OF COMMISSIONERS
Resolution Opposing Public Act 233 of 2023
Resolution NO. 2024-R06

WHEREAS, citizens, through their local governments are best able to assess the needs of their communities and should be allowed to determine what plans and projects are appropriate; and,

(RESOLUTION NO. 2024-R06 CONTINUED)

WHEREAS, the Michigan legislature has passed, and the governor has signed Public Act 233 of 2023, which strips away local control of utility scale wind and solar projects and places control with the Michigan Public Service Commission; and,

WHEREAS, The Lapeer County Board of Commissioners, will do everything it legally can to prevent special interests from taking away local control from our citizens.

NOW THEREFORE BE IT RESOLVED, that the Lapeer County Board of Commissioners expresses its strong disapproval of Public Act 233 which takes away local zoning control from our communities; and,

BE IT FURTHER RESOLVED, that the Lapeer County Board of Commissioners supports the statewide ballot initiative, Citizens for Local Choice, a grassroots coalition of local officials and community organizers across Michigan working to amend the Clean and Renewable Energy and Energy Waste Reduction Act to, among other things, repeal Part 8 as added by Public Act 233 of 2023 which would restore local control of land use to ensure reasonable regulation in our widely diverse communities.

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to all Michigan counties, the Michigan Association of Counties, the Governor, and all of our State Representatives and State Senators that represent Lapeer County.

Roll Call Vote: Howell, aye; Haggadone, aye; Hamilton, aye; Knisely, aye; Mast, aye; Zender, aye; Kohlman, aye. 7 ayes. Motion carried unanimously.

116-2024

Motion by Knisely, supported by Hamilton, pursuant to the recommendation of the Policies and Procedures Committee, to adopt the following Resolution Opposing Public Act 233 of 2023 and to authorize the Chairman or Vice-Chair to sign said resolution:

**RESOLUTION
DESIGNATING LAPEER COUNTY AS A
“FREEDOM TO HOMESCHOOL” COUNTY
RESOLUTION NO. 2024-R03**

WHEREAS, it is the parent(s) fundamental right to direct the upbringing and education of *their children*, this right is protected by the U.S. Constitution and Michigan Constitution; and,

WHEREAS, Article VIII, Section 1 of the Michigan Constitution states: “Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged”; and,

(Resolution No. 2024-R03 continued)

- WHEREAS,** Section 380.10 of the Michigan Revised School Code states: “It is the natural, fundamental right of parents and legal guardians to determine and direct the care, teaching, and education of their children”; and,
- WHEREAS,** parental rights include, however are not limited to, making decisions regarding children’s education and health care in a manner consistent with their family values, and parents must do so to promote *their* children’s general health and well-being as well as their right to direct the education of *their* child, be it public, homeschooling, private or parochial education; and,
- WHEREAS,** according to the U.S. Supreme Court, the Due Process Clause of the 14th Amendment protects parental rights. The U.S. Supreme Court has repeatedly affirmed that they are fundamental rights; and,
- WHEREAS,** parents have every right to seek accountability, choice, and transparency in *their children’s* education, and that Government officials must be held accountable for what’s promoted to children; and,
- WHEREAS,** no single form of education can meet the needs of all students or families; and,
- WHEREAS,** the lower a student-to-teacher ratio is, the greater the ability to individualize education for an individual student becomes, as well as a better outcome; and,
- WHEREAS,** Homeschooling offers profound flexibility in how education is delivered to students, as well as open ended opportunities to customize and individualize education around learning styles, interests, moral and religious beliefs and life goals of the student; and,
- WHEREAS** no teacher or institution can know or love a child more than a child’s parent(s); and,
- WHEREAS** Statistics show that Homeschooled students have consistently shown above-average results on all standardized tests and are likely to be at least one grade ahead of public-school students; and,
- WHEREAS,** State Superintendent Michael Rice has asked the Michigan Legislature for a Homeschool Registry. This is a violation of Parental rights and privacy that would result in placing barriers that would have an intimidating adverse effect while placing obstacles and unnecessary restrictions on those wishing to Homeschool their children in Lapeer County; and,
- WHEREAS,** Michigan Attorney General Dana Nessel has stated she supports “monitoring” the private homes of Homeschoolers to inspect their private properties, a blatant violation of our 4th amendment rights.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Lapeer County Board of Commissioners, that the County of Lapeer, Michigan, be, and hereby is, declared to be a "Freedom to Homeschool County," and,

(Resolution No. 2024-R03 continued)

IT IS FURTHER RESOLVED that this board affirms its full support for the right of parent(s) to educate *their children*, and that freedom of educational choice will lead to the best possible outcome for each individual student.

BE IT FURTHER RESOLVED that the Lapeer County Board of Commissioners call upon our Lapeer County Sheriff and Lapeer County Prosecutor to defend our 4th amendment constitutional rights on this matter and specifically any efforts by the those outside our county that may result in any attempt to force warrantless searches of the homes and properties of Homeschool families.

BE IT FURTHER RESOLVED that the Lapeer County Board of Commissioners shall not authorize or appropriate new funding, resources, employees, agencies, contractors, buildings, detention centers or offices for the sole purpose of enforcing any statute, law, rule, order, or regulation that restricts the rights of parents to Homeschool *their children*.

BE IT FURTHER ESOLVED, that a copy of this Resolution be sent to Governor Gretchen Whitmer, Michigan State Senators; Ruth Johnson and Kevin Daley, Michigan State Representatives; Greg Alexander, Phil Green, Jamie Greene and the other 82 County Board of Commissions in the State of Michigan, U.S. Congress Representative, Lisa McClain, U.S. Senators; Gary Peters and Debbie Stabenow, Lapeer County Sheriff Scott McKenna, Lapeer County Prosecuting Attorney John Miller, and all County Department Directors.

Roll Call vote: Knisely, aye; Hamilton, aye; Howell, aye; Mast, aye; Zender, aye; Haggadone, aye; Kohlman, aye. 7 ayes. Motion carried.

117-2024

Motion by Knisely, supported by Hamilton, based upon the recommendation of the ARPA Committee, to authorize the Buildings & Grounds/Parks Department to proceed with the purchase of a used Genie Boom Lift from Alta Equipment Company, at a cost not to exceed \$35,900.00, to be paid from ARPA Funds (category 2.11). Motion carried.

Karly Creguer, District Coordinator, MSU Extension presented the 2023 Annual Report.

118-2024

Motion by Hamilton, supported by Howell, to refer Resolutions No 2024-R04 and 2024-R05 to the Policies Committee, and give the Committee of the Whole Meeting Authority to act regarding said Resolutions. Motion carried.

119-2024

Motion by Hamilton, supported by Mast, to enter into the record the County's Audit Motions for March 8th and 22nd, 2024 and also the Road Commissions Audit Motion for disbursements dated March 7th and 21st, 2024. Roll Call vote: Hamilton, aye; Mast, aye; Zender, aye; Haggadone, aye; Howell, aye; Knisely, aye; Kohlman, aye. 7 ayes. Motion carried unanimously.

JURY BOARD – 1 unexpired term120-2024

Motion by Haggadone, supported by Hamilton, to appoint Emily Chouinard to serve on the Jury Board, for an unexpired term ending April 30, 2025. Motion carried.

121-2024

Motion by Haggadone, supported by Hamilton, to give the Committee of the Whole Meeting authority to act on the Courthouse pavilion lease with the City of Lapeer and the 3 motions to partner with Tuscola, Sanilac and Huron counties on recycling program. Motion carried.

AD HOC COMMITTEE UPDATES

No updates given.

PUBLIC TIME – Two people spoke during public time.

COMMISSIONER REPORTS

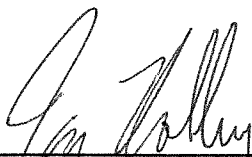
At this time, the Commissioners had an opportunity to give brief reports on meetings and conferences that they have recently attended, as well as upcoming meetings and events, along with statements regarding public time comments.

ADMINISTRATOR/CHIEF FINANCIAL OFFICER UPDATES

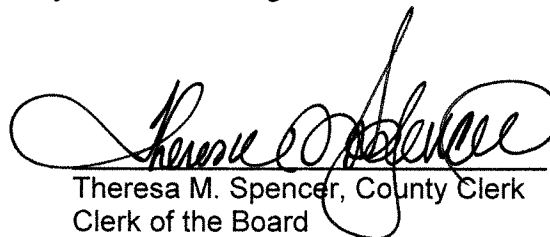
No update given.

122-2024

Motion by Zender, supported by Haggadone, to adjourn the meeting. 10:37 a.m.



Tom Kohlman, Chairman
Board of Commissioners



Theresa M. Spencer, County Clerk
Clerk of the Board