

**LAPEER COUNTY BOARD OF COMMISSIONERS
FOURTH MEETING OF THE OCTOBER SESSION
November 17, 2022
9:00 A.M.**

Chairman Roy called the meeting to order at 9:02 a.m. in the Commission Chambers on the lower level of the County Complex Building. Commissioner Schneider opened the meeting with prayer. The Pledge of Allegiance was recited.

Present:	Brenden Miller	District #1
	Gary Roy	District #2
	Dyle Henning	District #3
	Lenny Schneider	District #4
	Rick Warren	District #5
	Linda M. Jarvis	District #6
	Bryan Zender	District #7

Quentin Bishop, County Controller/Administrator
Jackie Arnold, Chief Financial Officer
Lynette Stanford, Secretary/Deputy County Clerk

AGENDA

The agenda and draft minutes from the November 3, 2022 Regular Board Meeting were reviewed.

373-22

Motion by Schneider, supported by Zender, to accept the agenda with the deletion of a closed session. Motion carried.

374-22

Motion by Warren, supported by Henning, to approve the November 3, 2022 Regular Board Meeting minutes as presented. Motion carried.

ELECTED OFFICIAL/DEPARTMENT HEAD UPDATES

No comments were received.

PUBLIC TIME – one person spoke during public time.

**PUBLIC HEARING
REGARDING THE
2023-2024 BIENNIAL OPERATING BUDGETS**

Chairman Roy announced that the purpose of the public hearing is to listen to comments from the public regarding the 2023-2024 Biennial Operating Budgets.

Chairman Roy declared the public hearing in session and opened the floor to the public for comments. No comments were received. Chairman Roy declared the public hearing closed.

375-22

Motion by Warren, supported by Schneider, to adopt the following:

**LAPEER COUNTY MICHIGAN
GENERAL APPROPRIATION ACT**

**RESOLUTION TO AMEND & ADOPT THE BIENNIAL BUDGET
FOR**

JANUARY 1, 2023 TO DECEMBER 31, 2023 (AMEND)

AND

JANUARY 1, 2024 TO DECEMBER 31, 2024 (ADOPT)

- WHEREAS,** In 2003, the County Board of Commissioners directed that a biennial budget process be established in an effort to improve the efficiency of the complex budget process, reduce time in the respective departments necessary for budget preparation, and to enhance fiscal planning and stability; and,
- WHEREAS,** Section 16 of the "Uniform Budgeting and Accounting Act" requires that an appropriation act be adopted by this County Board of Commissioners in order to implement the operating budgets of the County of Lapeer for FY 2023 and FY 2024; and,
- WHEREAS,** The Lapeer County Board of Commissioners is the statutorily designated "legislative body" for the County Budget function under the Uniform Budgeting and Accounting Act (MCL 141.421); and,
- WHEREAS,** All County Elected Officials, Judges and appointed Department Heads were afforded the opportunity to appear before the County Board of Commissioners to discuss their budget request; and,
- WHEREAS,** The Board of Commissioners has taken into consideration the fact that certain mandatory functions of County government or operations must be budgeted at serviceable levels in order to provide statutory and constitutionally required services and programs, and that other essential and non-mandatory services are budgeted to meet operational and community needs; and,
- WHEREAS,** Fifty percent (50%) of the proceeds of the Convention Facilities/Liquor Tax revenue received from the State are used for the specific purpose of substance abuse prevention programs in the County; and,
- WHEREAS,** A public notice was published in a newspaper of general circulation on June 8, 2022, and a public hearing was held on June 16, 2022, consistent with the "Truth in Taxation Act," to consider increasing the operating tax millage rate by .3123 mills for FY 2022; and,
- WHEREAS,** The Board of Commissioners at a meeting on June 16, 2022, adopted the following tax rates to be levied for the 2022 tax year/2022/2023 budget year for a County levy of 3.6258 and extra voted millage as summarized below based on the 2022 Taxable Value \$3,503,834,862.00 for a total millage rate of :

(General Appropriation Act continued)

<u>Purpose</u>	<u>Millage</u>	<u>Revenue</u>
<u>General Government</u>	3.6258	\$ 12,704,204.00
Total Allocated Millage	3.6258	\$ 12,704,204.00
Law Enforcement (<i>voted through 2027</i>)	1.4500	\$ 5,080,561.00
Veterans (<i>voted through 2023</i>)	.1813	\$ 635,245.00
Medical Care Facility Operating (<i>voted through 2027</i>)	.3196	\$ 1,119,826.00
<u>Senior Citizen (<i>voted through 2022</i>)</u>	.2430	\$ 851,432.00
Total extra voted Millage	2.1939	\$ 7,687,064.00
<u>Total Millage</u>	5.8197	\$ 20,391,268.00

WHEREAS, The revenue projections in the 2023/2024 Budget are reduced to reflect the estimated amount of captured revenue by Tax Increment Finance Authorities and Downtown Development Authorities in local jurisdictions as summarized below:

FY 2023	<u>Est. Millage Revenue</u>	<u>Est. Captured Revenue</u>	<u>Est. Net Revenue</u>
General Government	\$ 12,704,204.00	\$ 648,918.00	\$ 12,055,286.00
Law Enforcement	\$ 5,080,561.00	\$ -0-	\$ 5,080,561.00
EMS	\$ -0-	\$ -0-	\$ -0-
Veterans	\$ 635,245.00	\$ -0-	\$ 635,245.00
Medical Care Facility	\$ 1,119,826.00	\$ -0-	\$ 1,119,826.00
Senior Services	\$ 851,432.00	\$ -0-	\$ 851,432.00
Total	\$ 20,391,268.00	\$ 648,918.00	\$ 19,742,350.00

(General Appropriation Act continued)

FY 2024	Est. Millage Revenue	Est. Captured Revenue	Est. Net Revenue
General Government	\$ 13,339,414.00	\$ 681,364.00	\$ 12,658,050.00
Law Enforcement	\$ 5,334,589.00	\$ -0-	\$5,334,589.00
EMS	\$ -0-	\$ -0-	\$ -0-
Veterans	\$ 667,007.00	\$ -0-	\$ 667,007.00
Medical Care Facility	\$ 1,175,817.00	\$ -0-	\$ 1,175,817.00
Senior Services	\$ 1,372,102.00	\$ -0-	\$ 1,372,102.00
Total	\$ 21,888,929.00	\$ 681,364.00	\$ 21,207,565.00

WHEREAS, The voters have supported "special millages" (e.g. for Senior Services, Veterans, Law Enforcement/ Public Safety, Medical Care Facility) that various Public Acts allow local units of government to supersede by partially "capturing" revenue that may consequently not be available for the extra voted program as noted above; and,

WHEREAS, A Committed Fund Balance is established for self-funding of \$5,000,000.00, and a transfer from the Delinquent Tax Revolving Fund of \$2,000,000.00 for FY 2023 and \$2,000,000.00 for FY 2024 to the General Fund is hereby authorized; and,

WHEREAS, State Revenue Sharing in the amount of \$1,759,762.52 is anticipated for FY 2023, and the amount for FY 2024 is estimated at \$1,759,762.52; and,

WHEREAS, Pursuant to MCL 141.412, section 2, a notice regarding the proposed budget was published in a newspaper of general circulation on November 6, 2022, and was placed on display in the County Clerk's office and the county's website from November 7 through November 17, 2022, and a public hearing was conducted on November 17, 2022; and,

THEREFORE, BE IT RESOLVED, that the FY 2023 and FY 2024 Lapeer County Budgets as summarized below are hereby adopted on a fund and activity basis for the General Fund and for all other funds, subject to all statutory and County policies regarding the expenditure of funds and the conditions set forth in this Resolution:

	<u>2023 Amended Budget</u>	<u>2024 Budget</u>
General Fund	\$ 23,186,813.00	\$ 24,061,272.00
Special Revenue Funds	\$ 74,716,597.00	\$ 75,859,315.00
Debt Service Funds	<u>\$ 1,123,719.00</u>	<u>\$ 1,101,246.00</u>
TOTALS	<u>\$ 99,027,129.00</u>	<u>\$101,021,833.00</u>

BE IT FURTHER RESOLVED, that an Assigned fund balance (GF) is established in the amount of \$500,000.00 for FY 2023 and \$500,000.00 for FY 2024; and,

(General Appropriation Act continued)

BE IT FURTHER RESOLVED, that the Board of Commissioners direct the Controller/Administrator to present necessary changes to the 2024 budget to the Board prior to the beginning of fiscal year 2024 for final adoption; and,

BE IT FURTHER RESOLVED, that Elected Officials, Judges and appointed Department Heads are advised that certain line item transfers with the respective budgets will not be authorized; and,

BE IT FURTHER RESOLVED, that all persons responsible for the Administration of this budget be duly advised of the contents of Public Act 621 of 1978, as amended, and their respective appropriations and responsibilities to not authorize or participate in the expenditures of funds except as authorized by this General Appropriations Act; and,

BE IT FURTHER RESOLVED, that to ensure compliance with the Uniform Budgeting Act, all Officials and employees of Lapeer County shall follow Claim Processing and Purchasing Procedures and the Personnel Policies as adopted and amended by the Board of Commissioners and that the budgeted funds are appropriated contingent upon compliance with said Purchasing Procedures and Personnel Manual; and,

BE IT FURTHER RESOLVED, that the approved employee positions on the Position Control Maintenance File shall limit the number of employees who shall be employed, and no funds are appropriated for any position or employee not on the "Approved Position Control Maintenance File." Further, there may be a need to increase or decrease various positions within the Budget and/or impose a hiring freeze and/or reduction in staff due to unforeseen financial changes; therefore, the "Approved Position Control List" may be changed from time to time by the Board and/or the Board may impose a hiring freeze. The County Elected Officials, Judges and the County Department Heads shall comply with changes affected by the Board, if any, relative to the approved positions and the number of employees stated in the Position Control List; and,

BE IT FURTHER RESOLVED, that the Board of Commissioners hereby accepts and adopts MGT's Wage and Reclassification Plan and authorizes the implementation of the new rates, effective December 24, 2022, which have been incorporated in the 2023 and 2024 budgets; however, this budget does not authorize any other compensation adjustment(s) without expressed authority of the Board of Commissioners; and,

BE IT FURTHER RESOLVED, that certain positions authorized in this budget, which are supported in part by grants or other sources of outside funding, are only approved contingent upon the County receiving the budgeted revenues. The Elected Official, Judge, and/or Department Head responsible for program administration shall immediately notify the Controller/Administrator in the event outside funding is not received or the County is notified that such funding has been discontinued or reduced; and,

BE IT FURTHER RESOLVED, that since the County revenues and expenditures may vary from those contemplated, the Board of Commissioners may adjust the budget during the fiscal year as deemed necessary; and

(General Appropriation Act continued)

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to automatically reduce a department budget each time a reduction is made in federal, state, or local funds. The affected Elected Official, Judge or Department Head shall promptly take the necessary corrective action to reduce expenditures as a result; and,

BE IT FURTHER RESOLVED, that the County Controller/Administrator is hereby authorized to make budgetary transfers within the various funds and to authorize expenditures in accordance with the budgetary procedures established by the Board of Commissioners; and,

BE IT FURTHER RESOLVED, that the Board of Commissioners authorize, that as long as the balance in the Budget Stabilization Fund is under the amount allowed by Michigan Public Act 30 of 1978, that the fund be allowed to accrue interest earning without a separate Board motion; and,

BE IT FURTHER RESOLVED, that all County Departments include indirect cost as determined by the most recent Cost Allocation Plan in all applications for federal and state grants and further; where indirect costs are not included in the approved grant budget, a memorandum explaining the reason for not including them in the grant must be submitted with the Request for Action to approve the grant; and,

BE IT FURTHER RESOLVED, that all grant submissions to the Board of Commissioners shall clearly indicate the minimum required match and if any requirements exist in the grant that require the County to continue the program when the grant concludes; and,

BE IT FURTHER RESOLVED, that in order to ensure compliance with all board policies and procedures, and pursuant to Motion #55-21, the Board has authorized the County Controller/Administrator to approve initial submissions of grant application requests, without prior Board approval, however, all grant acceptance requests must be processed and approved by the Board of Commissioners prior to accepting any and all grants; and,

BE IT FURTHER RESOLVED, that to ensure compliance with all Board policy and procedures, that all contracts will be brought before the Board of Commissioners at a regularly scheduled meeting for authorization, and only the Board of Commissioners as the governing body can enter into a contract for the County, or any of its Departments; and,

BE IT FURTHER RESOLVED, that pursuant to the Uniform Budgeting Act, the Board of Commissioners designates the County Controller/Administrator as the Chief Administrative Officer and Budget Officer pursuant to MCLA 141.421 et. Seq., with the authority to administer such duties in connection with said budget, and as may be from time to time, delegated to the Office of Controller by this Board; and,

BE IT FURTHER RESOLVED, that the County Treasurer and/or County Controller/Administrator are authorized to borrow between funds within the common (general) bank account of the County within the guidelines as established by the Board of Commissioners.

Roll Call vote: Warren, aye; Zender, aye; Henning, aye; Jarvis, aye; Miller, aye; Schneider, aye; Roy, aye. 7 ayes. Motion carried unanimously.

Jerry Johnson, District Coordinator, MSU Extension, presented the Lapeer County 2022 Annual Report.

376-22

Motion by Warren, supported by Miller, to approve the annual Memorandum of Agreement with MSU Extension in the amount of \$70,377.00 for calendar year 2023. Motion carried.

377-22

Motion by Schneider, supported by Warren, to adopt the revised 2022 Lapeer County Apportionment Report (L-4402) as prepared by the Equalization Director; and further; to authorize the report be sent to the State of Michigan. Motion carried.

378-22

Motion by Warren, supported by Zender, to approve the renewal of the Lamb Steele Building Lease between the County of Lapeer and the City of Imlay City for use by the Senior Programs for a period of four years, expiring November 10, 2026, for a grand total of \$39,000.00 (to be paid at the annual rate of \$9,000.00 for 1st year, \$9,500.00 for 2nd year, \$10,000.00 for 3rd year, and \$10,500.00 for 4th year); and further, to authorize the Chair/Vice-Chair to sign said agreement. Motion carried.

No action was taken regarding the appointments needed.

379-22

Motion by Henning, supported by Zender, to authorize payment to Shifman Fournier, in the amount of \$1,920.00, for labor related legal services rendered through October 31, 2022, to be paid from line item 101-239-801.020. Motion carried.

380-22

Motion by Henning, supported by Zender, to authorize Buildings and Grounds/Parks Department to immediately proceed with issuing a Request for Bids on behalf of the Lapeer County Sheriff's Department for Wrecker/Towing Services beginning in 2023, with a submission deadline of December 9, 2022 and report back to the Board with a recommendation. Motion carried.

381-22

Motion by Henning, supported by Zender, to have the discussion regarding the County Controller/Administrator position as an on-going agenda item for all meetings. Motion carried.

382-22

Motion by Zender, supported by Jarvis, pursuant to the recommendation of the ARPA Committee and in response to the impacts of the Covid-19 public health emergency, to authorize the Lapeer County Sheriff's Department to accept the attached quote from Motorola Solutions for the purchase of Body Cams and related equipment (hardware, accessories, implementation, and 5-year subscription fee), in an amount not to exceed \$180,166.25, to be paid from Fund 281 (expense category 6.1), with the understanding that all future subscription fees will be paid by the Sheriff Department's budget. Motion carried.

383-22

Motion by Zender, supported by Miller, pursuant to the recommendation of the ARPA Committee and in response to the impacts of the Covid-19 public health emergency and to aid in tourism, to authorize the Buildings & Grounds/Parks Department to proceed with Rowe Engineers to provide preliminary phase, RFP Process, and Design and Review services for the redevelopment waterpark area at Torzewski County Park, at a cost up to \$75,000, to be paid from Fund 281 (expense category 2.11). Motion carried.

384-22

Motion by Schneider, supported by Warren, to authorize the Sheriff's Department to fill one full-time Corrections position (#181), due to a recent resignation on 10/20/22, as well as any subsequent vacancy should an internal transfer occur, at no additional cost to the County's General Fund. Motion carried.

385-22

Motion by Schneider, supported by Warren, to authorize the Sheriff's Department to fill one full-time Road Patrol Deputy position (#155), due to a recent resignation on 10/31/22, as well as any subsequent vacancy should an internal transfer or promotion occur, at no additional cost to the County's General Fund. Motion carried.

386-22

Motion by Schneider, supported by Warren, to authorize the Health Department to fill the one full-time Clerk/Typist position (#284) due to a recent resignation, as well as any subsequent vacancy should an internal promotion or transfer occur, at no additional cost to the County's General Fund. Motion carried.

387-22

Motion by Schneider, supported by Warren, to authorize 911 Central Dispatch to fill one full-time Communications Shift Supervisor position (#225) due to an anticipated retirement effective 12/31/22, as well as any subsequent vacancy should an internal promotion occur, at no additional cost to the County's General Fund. Motion carried.

388-22

Motion by Schneider, supported by Warren, to authorize Community Mental Health to fill one regular part-time Peer Support position (#719) in the Children's Program due to a resignation effective 12/13/22, and any subsequent vacancy should an internal transfer or promotion occur, at no cost to the County's General Fund. Motion carried.

389-22

Motion by Schneider, supported by Warren, to authorize Community Mental Health to fill one regular part-time ABA Technician position (#710) in the Autism Benefits Program, which has been vacant more than 6 months, and any subsequent vacancy should an internal transfer occur, at no cost to the County's General Fund. Motion carried.

390-22

Motion by Schneider, supported by Warren, to authorize Community Mental Health to fill one full-time ABA Technician position (#383) in the Autism Benefit Program due to a recent resignation effective 11/21/22, as well as any subsequent vacancy should an internal transfer or promotion occur, at no cost to the County's General Fund. Motion carried.

391-22

Motion by Schneider, supported by Warren, to authorize Community Mental Health to fill one full-time Master Level Therapist position (#526) in the Triage/MICCS Program that has been vacant for longer than 6-months, as well as any subsequent vacancy should an internal transfer or promotion occur, at cost to the County's General Fund. Motion carried.

392-22

Motion by Schneider, supported by Warren, to authorize the Finance Department to post the Assistant Finance Officer position, in order to explore various options for filling the position such as part-time, contractual, temporary, or full-time and report back to the Committee, at no additional cost to the County's General Fund. Motion carried.

393-22

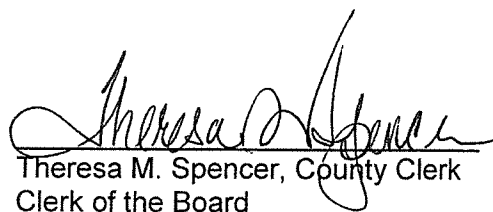
Motion by Henning, supported by Schneider, to approve the County's Audit Motion for disbursements dated November 10, 2022 and November 18, 2022, based upon the signature of the County Controller/Administrator; and further, to approve the Road Commission Audit Motion for disbursements dated November 17, 2022 based upon the signatures of the Road Commission Chairman and Finance Director. Roll Call vote: Henning, aye; Jarvis, aye; Miller, aye; Schneider, aye; Warren, aye; Zender, aye; Roy, aye. 7 ayes. Motion carried unanimously.

Public Time – 2 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.

Chairman Roy declared the meeting adjourned. 10:06 a.m.

Gary Roy, Chairman
Board of Commissioners



Theresa M. Spencer, County Clerk
Clerk of the Board