

AGENDA  
Barry County Board of Commissioners - Committee of the Whole  
December 19, 2017; 9:00 a.m.; Commission Chambers  
MINUTES

Members Present: Commissioners Vivian Conner, Ben Geiger, Howard Gibson, David Jackson, Dan Parker, Jon Smelker, and Heather Wing. Clerk Pam Palmer was also present.

Others present: Michael Brown, Luella Dennison, Jean Gallup, Doug VanderLaan, Dep. Tim Allen, Jack Miner, John Resseguie, Rick Moore, Dave Shinavier, Sharon Zebrowski, Larry Bass, Jim Dull, Patricia Johns, Joyce Snow, Doug Kelly, Dar Leaf, Ken Kirsch, Tammy Pennington, Sally Shuster-Shoff, Bob Vanderboegh, Candace Stowe, Chuck Reid, Jim & Teri Enrietti, Larry Neil, Don & Alice Hunt, Sarah Nelson, Tom Kobe, Rod Romeyn, Michael Lyons, Ron Barch, Dave Fillion, Garry Munson, Brian Dorscha, Dave Tossava, Cliff & Kathy Ward, Chad Kraai, Paul Wing, Sager Miller, Carole Wiggs, Doug Kelly, Dan Patton, Dave Stoker, and Eric Schaeffer.

Chair Geiger called the meeting to order at 9:00 am.

Those present stood and said the Pledge of Allegiance.

**PUBLIC COMMENT:**

- Carol Price commented on rescinding the TOST regulation, as well as read a letter on behalf of her husband, Bob Price.
- Ron Barsch commented on TOST and its benefits in protecting our wildlife in Barry County.
- David Fillion commented that repealing TOST is not in the best interest of Barry County.
- Chad Kraai commented that initially he attributed the slowness in receiving well permits to the TOST regulations, but no longer finds that to be the case. Instead, he attributes it to loss of staff at the Health Department.
- Rod Romeyn commented against TOST and the government regulations.
- Tammy Pennington thanked the board for their support in the recent Commission on Aging millage proposal.
- Jim Dull complimented the commissioners for their time spent on TOST and suggested that TOST be an option, but not forced upon the public.
- Larry Bass commented on repealing TOST even though the committee has made significant progress in the past 45 days while meeting with the Barry-Eaton District Health Department Board.
- Jim Enrietti commented against TOST. He cited several cities that have had recent sewage released into our area lakes.
- Michael Lyons stated that TOST is unconstitutional and the commissioners should be held responsible.
- Joyce Snow commented on TOST being a revenue maker for the Health Department, and she was unable to receive a title to her property until an inspection was completed which cost her an additional \$450.00.

Moved by Conner, seconded by Gibson to recommend to the Board of Commissioners Approval of the attached Resolution to repeal the TOST regulation in Barry County before the end of the calendar year in response to the requests of the citizens of Barry County to repeal same, and provide relief to the citizens from this Regulation. Discussion.

Motion by Smelker, seconded by Wing to postpone approval of the Resolution to repeal the TOST regulation to the Committee of the Whole meeting on February 6, 2018. Discussion. Roll call vote. Ayes: Conner, Geiger, Gibson, Jackson, Parker, Smelker, and Wing. Nays: None. Motion carried.

Interviews for Animal Shelter Advisory Board (3 positions; 2 applicants):

Candice Stowe interviewed from 9:43 am to 9:46 am

Patricia Robinson (unable to attend, see letter) – paraphrased by Commissioner Jackson

Moved by Jackson, seconded by Parker to recommend to the Board of Commissioners approval to re-appoint Patricia Robinson and Candace Stowe to serve on the Barry County Animal Shelter Advisory Board in Citizen at Large positions for one-year terms that begin on 1/1/18 and expire on 12/31/18. Discussion. All ayes. Motion carried.

Interviews for Commission on Aging Board (4 positions, 3 applicants):

Sager Miller interviewed from 9:47 am to 9:50 am

Marlin Walters (unable to attend, see letter) read by Commissioner Geiger & Commissioner Parker

Carole Wiggs interviewed from 9:52 am to 9:54 am

David J. Tossava interviewed from 9:54 am to 9:57 am

Sally C. Shuster Shoff interviewed from 9:57 am to 10:06 am

Moved by Jackson, seconded by Gibson for approval to (re) appoint Sager Miller, Marlin Walters, Carole Wiggs, and David Tossava to serve on the Barry County Commission on Aging for three (3) year terms that begin on 1/1/18 and expire on 12/31/20. Discussion. All ayes. Motion carried.

Moved by Jackson, seconded by Gibson for approval to appoint Sally Shuster-Shoff to serve on the Barry County Commission on Aging Board for the remainder of a three-year term that began on 1/1/16 and expires on 12/31/18. Discussion. All ayes. Motion carried.

JIM DULL & DOUG KELLY – Resolution for Approval of Special Assessment Roll for Replacement of Gun Lake Dam

Moved by Gibson, seconded by Conner to recommend to the Board of Commissioners to approve Resolution Approving Costs and Special Assessment Roll.

Recess at 10:10 am. Resume meeting at 10:19 am with all commissioners present.

Motion by Wing, seconded by Smelker to postpone the recommendation of the Resolution for Approval of Special Assessment Roll for Replacement of Gun Lake Dam. All ayes. Motion carried.

Moved by Wing, seconded by Conner to take from the table the previously postponed question. All ayes. Motion carried.

The motion before the committee is to recommend to the Board of Commissioners approval to adopt Resolution #17-24, for the Approval of Special Assessment Roll for Replacement of the Gun Lake Dam Discussion. All ayes. Motion carried.

KENNETH KIRSCH JR. – Two Seven Oh, Inc. TNR Grant Agreement

Moved by Gibson, seconded by Jackson to recommend to the Board of Commissioners approval of the attached Reimbursement Grant Agreement in the amount of \$10,000 with Two Seven Oh, Inc. to continue the TNR program and authorize the Board Chairperson to sign it. Discussion. All ayes. Motion carried.

#### SARAH NELSON – Re-appointments to Agricultural Promotion Board (Conservation District)

Moved by Wing, seconded by Smelker, to recommend to the Board of Commissioners approval to appoint Joan L. Bosserd-Schroeder to a position representing Agricultural Education, and to appoint Bob Baker to a position representing Agribusiness, to serve on the Barry County Agricultural Promotion Board for terms that begin on 1/1/18 and expire on 12/31/20. Discussion. All ayes. Motion carried.

#### PAUL WING – Agricultural Promotion Board Bylaws Revision

Moved by Gibson, seconded by Wing to recommend to the Board of Commissioners approval of a wording change to the bylaws for the Barry County Agricultural Promotion Board, Article 6; Section 2 to read “A quorum of a regular or special meeting of the Barry County Agriculture Promotion Board shall be at least fifty percent (50%) of the non-vacant seats of the members physically present at the meeting.” Discussion.

Motion by Gibson, seconded by Wing to amend the recommendation to the Board of Commissioners approval of wording change to the bylaws for the Barry County Agricultural Promotion Board, Article 6, Section 2 to read “A quorum of a regular or special meeting of the Barry County Agriculture promotion Board shall be at least fifty percent (50%) of the non-vacant seats of the members physically present at the meeting, subject to review of council.” All ayes. Motion carried.

#### MICHAEL BROWN - 1) Solid Waste HOST Agreement Renewal

Moved by Gibson, seconded by Jackson to recommend to the Barry County Board of Commissioners approval of the attached Amended and Restated Host Community Agreement and authorize the Board Chair to sign it. Discussion. All ayes. Motion carried.

#### 2) Re-appointment of Township Representative to SWOC

Moved by Conner, seconded by Parker to recommend to the Board of Commissioners approval to re-appoint Tom Rook to serve on the Barry County Solid Waste Oversight Committee in the position representing Townships for a three-year term that began on 11/1/17 and expires on 10/31/2020, as approved by the Barry County Township Supervisor’s Association. Discussion. All ayes. Motion carried.

#### 3) Resolution to Transfer GF Surplus

Moved by Gibson, seconded by Jackson to recommend to the Board of Commissioners approval of Resolution #17-22 to Authorize the Auditor to Transfer 2017 General Fund Surplus Funds to Various Internal Service Funds. Discussion. All ayes. Motion carried.

#### 4) Resolution to Authorize the Auditors to Make Year-End Transfers

Moved by Wing, seconded by Gibson to recommend to the Board of Commissioners approval of Resolution #17-21 to Authorize the Auditor to Make Final Year—End Transfers. Discussion. All ayes. Motion carried.

#### 5) Budget Amendment D-17

Moved by Jackson, seconded by Gibson to recommend to the Board of Commissioners approval of Budget Amendment D-17. Discussion. All ayes. Motion carried.

COMMISSIONER WING - Resolution to Honor Don Lehman

Moved by Conner, seconded by Wing to recommend to the Board of Commissioners approval of Resolution #17-23, Resolution to Honor Don Lehman, Michigan State University Extension District 8 Coordinator. Discussion. All ayes. Motion carried.

COMMISSIONER PARKER – Appointment of Joyce Snow to the Parks and Recreation Board

Moved by Jackson, seconded by Conner to recommend to the Board of Commissioners Approval to appoint Joyce Snow to serve in a Citizen at Large position on the Parks and Recreation Board for the remainder of a three-year term that began on 1/1/17 and expires on 12/31/19. Discussion. All ayes. Motion carried.

CHAIRPERSON GEIGER - 1) Research into Parks Collaboration

Moved by Wing, seconded by Parker to direct the County Administrator to research and report on state-approved practices for utilization of Charlton Park personnel for county parks and recreation initiatives. Discussion.

2) Employee Recognition Program

Moved by Jackson, seconded by Wing to recommend to the Board of Commissioners approval of the attached employee recognition program. Discussion. Roll call vote. Ayes: Parker, Geiger, Jackson and Wing. Nays: Conner, Smelker and Gibson. Motion carried.

PUBLIC COMMENT:

- Patricia Johns expressed her appreciation for collaboration between Charlton Park and the Parks and Recreation Board for recreational services for Barry County. She also likes the ability of the boards to work together for grants.
- Jim Enrietti clarified his previous comment earlier in the meeting regarding discharge of raw sewage into our lakes and streams to be approximately 75 gallons per person. He thanked Commissioner Conner for representing the people to rescind TOST.
- Brian Dorscha - Eaton County Commissioner commented on the Barry/Eaton District Health Department TOST issue and agreed that he believes it to be unconstitutional in its application.

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Moved by Commissioner Gibson, seconded by Wing to go into closed session in accordance with the Open Meetings Act, Public Act 267 of 1976, 15.268, Section 8c, for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement. Roll call vote. Ayes: Conner, Geiger, Gibson, Jackson, Parker, Smelker, and Wing. Nays: None. Motion carried.

Adjourned to go into closed session at 11:35 am.

Resume meeting @ 12:55 am with Commissioners Conner, Geiger, Gibson, Jackson, Smelker and Wing present. Absent: Commissioner Parker.

ADJOURNMENT: Motion by Wing, seconded by Jackson to adjourn at 12:55 pm

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Pamela A. Palmer, County Clerk

Approved: 12/19/17 PPalmer  
Date & Initial