

BRANCH COUNTY BOARD OF COMMISSIONERS
SEPTEMBER SESSION (SECOND DAY)
September 24, 2019

1/ The Board of Commissioners of the County of Branch met, pursuant to adjournment, in the Commissioners meeting room at the Courthouse, on Tuesday, September 24, 2019.

Chairman Gordon called the meeting to order at 4:00 pm.

Present: Commissioners Ted Gordon, Leonard Kolcz, Don Vrablic, Randall Hazelbaker, and Terri Norris, County Clerk Teresa Kubasiak, Administrator Bud Norman.

Commissioner Vrablic led the Board in the Pledge of Allegiance.

2/ Motion by Commissioner Norris, seconded by Commissioner Vrablic, to approve the agenda. MOTION CARRIED.

3/ Motion by Commissioner Hazelbaker, seconded by Commissioner Norris, to approve the minutes of the September 10, 2019 Board meeting. MOTION CARRIED

Public Comment:

Commissioner Hazelbaker presented a certificate to Corrections Sargent Rhonda Nagle for 20 years of service to the county.

4/ Motion by Commissioner Norris, seconded by Commissioner Vrablic, that approval is given to Commission on Aging to hire a Regular Part-Time Aide with a starting wage of \$10.79 per hour; 20-29 hours per week, effective 9/25/2019. MOTION CARRIED

5/ Motion by Commissioner Norris, seconded by Commissioner Hazelbaker, that approval is given to Commission on Aging to permanently keep the Bookkeeper position at 40 hours per week, effective 1/1/2020. MOTION CARRIED

6/ Motion by Commissioner Norris, seconded by Commissioner Kolcz, to approve the request from Commission of Aging to increase the hours for the In-Home Services Director position from 35 hours per week to 40 hours per week, effective October 1, 2019. MOTION CARRIED

7/ Motion by Commissioner Norris, seconded by Commissioner Vrablic, that approval is given to move the October 17th work meeting to October 18th at 9:00 am. MOTION CARRIED

8/ Sheriff Pollack spoke to the Board explaining the budget requests he had made in his 2020 budget. Items requested included increased staffing, replacement vehicles and new equipment.

9/ Motion by Commissioner Hazelbaker, seconded by Commissioner Kolcz, that approval is given for the selected Jail Committee members to travel to Indiana on September 26-27th, to tour the Tipton Jail. MOTION CARRIED

10/ Motion by Commissioner Hazelbaker, seconded by Commissioner Kolcz, that approval is given for the Undersheriff to travel to Atlanta, GA October 2nd & 3rd to meet with vendors regarding the new jail. MOTION CARRIED

11/ Motion by Commissioner Hazelbaker, seconded by Commissioner Vrablic, to approve the Resolution authorizing furtherance of the pursuit of obtaining ultra-high-speed fiber internet connectivity availability for all county residents.

2019-14

RESOLUTION AUTHORIZING ACTION IN FURTHERANCE OF THE FIBER TO THE PREMISE PROJECT PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 48 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN

At a regular meeting of the Board of Commissioners of Branch County, Michigan, held in the Board of Commissioners Chambers, Courthouse located at 31 Division Street, Coldwater, Michigan.

PRESENT: 1st District Commissioner Terri A. Norris
 2nd District Commissioner Leonard W. Kolcz
 3rd District Commissioner Donald Vrablic
 4th District Commissioner Ted Gordon
 5th District Commissioner Randall Hazelbaker

ABSENT: None

WHEREAS, the purpose of the Fiber project is to provide reliable ultra-high-speed fiber Internet connection availability to all county residents and businesses at a reasonable cost; and

WHEREAS, the Branch County Board of Commissioners has identified ultra-high-speed fiber Internet connection availability to all county residents and businesses as an objective which promotes economic development, quality of life, housing development, village/city infrastructure, and otherwise furthers the major goals of the county's strategic plan; and

WHEREAS, Branch County Board of Commissioners recognizes that ultra-high-speed fiber Internet connection service is included within the definition of telecommunication service under Act 48 of the State of Michigan of 2002, as amended (Metro Act);

NOW, THEREFORE, BE IT RESOLVED that the Branch County Board of Commissioners supports the pursuit of ultra-high-speed fiber Internet connection availability for all county residents and businesses; and

BE IT FUTHER RESOLVED that the Branch County Board of Commissioners approves the following actions to be undertaken by county staff in furtherance of the goal of obtaining ultra-high speed Internet connection availability for all residents and businesses, pursuant to, and in accordance with, the provisions of Act 48 of the State of Michigan of 2002, as amended (Metro Resolution 3349 Fiber to the Premise Act).

The Board of Commissioners recognize that under the Metro Act, these actions are required prior to the passage of any ordinance or resolution authorizing the county to either construct telecommunication facilities or provide telecommunication or cable modem service provided through a broadband Internet access transport service.

REQUEST FOR PROPOSAL (RFP). Develop and issue a Request for Proposal (RFP) for competitive sealed bids which meets the requirements of the Metro Act and allows for the determination of whether a bidder is qualified to complete the work described in the RFP.

COST-BENEFIT ANALYSIS. If less than 3 qualified bids have been received from private providers, and more than 60 days has elapsed from the date the RFP was issued, the county may, with specific Board of Commission action, undertake a Cost- Benefit Analysis (CBA) for the construction of telecommunication facilities and the providing of telecommunication or cable modem service provided through a broadband Internet access transport device. The CBA shall meet the requirements of the Metro Act and shall include reasonable projections for at least a 3-year period and total projected direct costs of and the revenues to be derived from constructing the telecommunication facilities and providing the telecommunication service.

PUBLIC HEARING. Branch County shall conduct at least one public hearing before the passage of any ordinance or resolution authorizing the county to construct telecommunications facilities or provide telecommunication service. Notice of the hearing shall be provided as required by law and the hearing shall occur no sooner than 30 days from the release of the CBA.

BE IT FURTHER RESOLVED that should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

Upon roll call vote the results were as follows:

Yes – Norris, Kolcz, Vrablic, Hazelbaker, Gordon – 5

No – 0

MOTION CARRIED

Consent Agenda:

approve the Bills and Accounts in the amount of \$275,753.09

approve the line item transfers:

increase 211-346-545-0101 911 Phone Surcharge by \$55,000 and to increase line item# 211-46-18.0000 Employer’s Retirement Contribution by \$55,000.

increase 801-445-600.000 Department Revenue in the amount of \$350,000 and to increase line item #801-445-700.0000 Expenditures in the amount of \$350,0000.

approve the bid from Rusty 4 Farms in the amount of \$72,600, for tree clearing and grubbing.

12/ Motion by Commissioner Vrablic, seconded by Commissioner Norris, that authorization is given to approve the following items by Consent Agenda: Bills & Accounts, Budget Amendment Requests-Special Funds 911 (#211-346 & Drains (#804-445) and RFP Clearing and Grubbing. MOTION CARRIED

13/ Motion by Commissioner Vrablic, seconded by Commissioner Kolcz, that approval is given for 911 Line Item Transfer in the amount of \$10,000; transfer from Installment Purchase #211.346.9641.03 to Computer Software #211.346.744.01. MOTION CARRIED

Committee/Liaison Reports:

Kolcz – The airport runway 422 project is on track and should be complete by the end of the month.

Hazelbaker – Applefest went very well. There were over 200 vendors.

Vrablic – Attended the MAC Health & Human Services meeting. There was a presentation on vaping.

Chairman’s Remarks:

Gordon stated that the groundbreaking ceremony for the new jail will take place on October 25th at 3:00pm.

14/ Motion by Commissioner Norris, seconded by Commissioner Hazelbaker to go in to closed session to discuss the attorney/client privileged letter dated 09/10/2019.

Upon roll call vote, the results were as follows:

Yes – Norris, Kolcz, Vrablic, Hazelbaker, Gordon – 5

No – 0

MOTION CARRIED

The Board went into closed session at 4:21pm. They returned to open session at 4:57pm

15/ Motion by Commissioner Norris, seconded by Commissioner Vrablic to go into closed session to discuss union negotiations.

Upon roll call vote, the results were as follows:

Yes – Norris, Kolcz, Vrablic, Hazelbaker, Gordon – 5

No – 0

MOTION CARRIED

The Board went into closed session at 4:57pm. They returned to open session at 5:20pm

16/ Motion by Commissioner Hazelbaker, seconded by Commissioner Norris to adjourn at 5:20pm. **MOTION CARRIED**

Chairman

Clerk