

**BRANCH COUNTY BOARD OF COMMISSIONERS**  
**JANUARY SESSION (FIRST DAY)**  
**January 12, 2021**

1/ The Board of Commissioners of the County of Branch met, pursuant to adjournment, via video conference call, on Tuesday, January 12, 2021.

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

Present: Commissioners Randall Hazelbaker, Jon Houtz, Tim Stoll, Tom Matthew and Leonard Kolcz via video conference call.

Chief Deputy Clerk Christine Ransbottom and Administrator Bud Norman were present in the Boardroom at the Courthouse.

Commissioner Stoll led the Board in the Pledge of Allegiance.

Commissioner Matthew added the Resolution to finance a project for the 911 Emergency radio system to the agenda.

2/ Motion by Commissioner Houtz, seconded by Commissioner Stoll to approve the agenda, as amended.

Upon roll call vote the results were as follows:

Yes –Stoll, Matthew, Houtz, Hazelbaker – 4

No – Kolcz -1

**MOTION CARRIED**

3/ Motion by Commissioner Houtz, seconded by Commissioner Kolcz, to approve the minutes of the December 22, 2020 Board meeting, the December 30, 2020 Special meeting and the January 4, 2021 Organizational meeting.

Upon roll call vote the results were as follows:

Yes –Stoll, Kolcz, Matthew, Houtz, Hazelbaker, – 5

No – 0

**MOTION CARRIED**

**Public Comment:**

Undersheriff Keith Eichler was recognized with 20 years of service and Jody Connell, who was not present, was recognized for 25 years of service. Undersheriff Eichler spoke briefly, stating that this was his second 20 years with the County. He was hired in 1979. He roughly has a little over 40 years of service with County.

Keith Baker, Coldwater City Manager, spoke briefly regarding the meeting with all the stake holders regarding the 911 Service Plan. He thought the meeting went well and he hopes that he can participate in the draft revision of the service plan.

4/ Motion by Commissioner Houtz seconded by Commissioner Kolcz to approve for Administration to contract a part-time payroll employee to help with year-end close out, at a rate of \$29.98 per hour, effective immediately through March 1, 2021.

Upon roll call vote the results were as follows:  
Yes –Stoll, Kolcz, Matthew, Houtz, Hazelbaker, – 5  
No – 0  
MOTION CARRIED

5/ Motion by Commissioner Stoll seconded by Commissioner Kolcz to approve the replacement of the liner in the AHU1 at a cost of \$5,100, to be taken from Capital Outlay.

Upon roll call vote the results were as follows:  
Yes –Stoll, Kolcz, Matthew, Houtz, Hazelbaker, – 5  
No – 0  
MOTION CARRIED

6/ Motion by Commissioner Matthew seconded by Commissioner Stoll to approve the Bills and Accounts in the amount of \$13, 291.29.

Upon roll call vote the results were as follows:  
Yes –Stoll, Kolcz, Matthew, Houtz, Hazelbaker, – 5  
No – 0  
MOTION CARRIED

Commissioner Houtz spoke about the meeting that was held regarding the 911 Service Plan. He, along with the Administrator and selected members of the 911 Board went through the proposed plan, page by page adding, changing and updating information. The plan was then sent to the County's legal counsel for review. Attorney Bonnie Toskey attended at the Board meeting and spoke about the 22 issues that were presented to her, addressing each item.

Commissioner Kolcz objected to moving forward with this service plan as the board members did not have a final draft of the plan. He also asked if the Standing Board Rules stated that this would need to be discussed in a work meeting, prior to bringing it in front of the board for a vote? Administrator Norman said they will need to look at the board rules. A recess was taken at 4:57 pm, so the Administrator can look at the board rules. The meeting resumed at 5:05 pm. Administrator Norman said that there is nothing in the Standing Board Rules that states that a topic needs to be discussed in a work meeting before a vote can be taken. It does state that if immediate action needs to be taken, it can be added to the Board agenda. In this case action needs to be taken on the 911 funding.

7/ Motion by Commissioner Houtz seconded by Commissioner Matthew to adopt the 911 Service Plan, as amended.

Upon roll call vote the results were as follows:  
Yes –Stoll, Matthew, Houtz, Hazelbaker – 4  
No – Kolcz -1  
MOTION CARRIED

The bonding attorney John Axe spoke regarding the 911 funding that is needed for the tower building for the radio system. A Notice of Intent will be published in the newspaper that outlines: the bond issue, describing the purpose of the bonds, how long the bonds will be outstanding, maximum amount of interest rate for the bonds and maximum amount borrowed. This gives the voters a 45-day referendum period that they could circulate petitions, if they wish to have an election on the bonds. This project has already been passed by the voters with the additional surcharge that will begin being collected in July. This money will be used to pay off the bonds. This process has to be completed first before any bonds can be issued.

8/ Motion by Commissioner Matthew seconded by Commissioner Kolcz to adopt a Resolution authorizing Branch County to finance a project for a new Branch County 911 Emergency 800/700 MHz radio system.

**2021-01**

**RESOLUTION AUTHORIZING BRANCH COUNTY  
TO FINANCE A PROJECT FOR A NEW BRANCH COUNTY  
911 EMERGENCY 800/700 MHz RADIO SYSTEM**

WHEREAS, there have been prepared and presented to the Board of Commissioners (the "Board") of the County of Branch, Michigan (the "County"), preliminary documents describing the project to finance the construction of a new Branch County 911 Emergency 800/700 MHz Radio System for Branch County for the purpose of funding 911 Central Dispatch Facilities, Equipment, Operations and Maintenance and for the Purchase, Installations, and Maintenance of an 800/700 MHz Radio System, which includes the Base Radio, Consoles, Mobile Radios, Portable Radios and Pagers for all Branch County Law Enforcement Agencies and all Branch County Fire Departments as well as Branch County Central Dispatch.

WHEREAS, The Branch County Voters have approved a new Local Surcharge of \$2.94 per month per device which will generate \$2,415,000 annually for six years to pay for this System (the "Project"), all as more fully described in EXHIBIT A attached hereto (as hereinafter defined), (the "911 Emergency 800/700 MHz Radio Project"), pursuant to which the County will construct, furnish and equip the Project as contemplated by the terms of Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34"); and

WHEREAS, it has been estimated that the period of usefulness of the Project to be not less than 7 years and that the total cost of constructing, furnishing, and equipping the Project (as defined in EXHIBIT A) in an amount not to exceed \$9,400,000 will be provided by the proceeds from the sale of bonds by the County pursuant to Act 34; and

WHEREAS, there has been prepared and attached hereto as APPENDIX I a form of notice entitled "NOTICE OF INTENTION OF THE COUNTY OF BRANCH TO CONSTRUCT, FINANCE AND EQUIP A NEW BRANCH COUNTY 911 EMERGENCY 800/700 MHz RADIO SYSTEM AND NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON" (the "Notice of Intention").

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF BRANCH, MICHIGAN, as follows.

1. The preliminary documents and estimates relating to the Project and identified in EXHIBIT A hereto are hereby approved and ordered filed with the County Clerk.

2. It is hereby determined that the Notice of Intention provides information sufficient to adequately inform the electors and taxpayers of the County of the nature of the obligations to be undertaken by the County in connection with the Project and of their rights of the referendum under Act 34 to file a petition requesting a referendum election on the Project.

3. The form and content of the Notice of Intention, as set forth as APPENDIX I attached hereto, is hereby approved, and the County Clerk is hereby authorized and directed to cause the Notice of Intention to be published once in the *Coldwater Daily Reporter*, Coldwater, Michigan, a newspaper of general circulation within the County which is hereby determined to be the newspaper reaching the largest number of electors and taxpayers of the County. The Notice shall be at least one third of a page in size.

4. The Treasurer of the County is hereby authorized to declare official intent of the County with respect to reimbursement.

5. Each declaration of official intent shall be substantially in the form set forth in APPENDIX II attached hereto and by this reference incorporated herein, and said form may be modified from time to time on the advice of bond counsel to the County and as necessary to conform to requirements of our reimbursement regulations as the same may be adopted by the Internal Revenue Service or amended from time to time, or with the requirements of applicable rulings or regulations relating to tax-exempt borrowings.

6. The Treasurer is hereby directed to file each declaration of official intent in the office of the Branch County Clerk, which location constitutes the customary location of the records of the County which are available to the general public.

7. The Branch County Clerk is further directed to assure that each declaration of intent is continuously available during normal business hours of the County on every business day of the period beginning the earlier of 10 days after the date of execution of said declaration of intent and ending on the date of issuance of the Reimbursement Bonds.

8. After the referendum period expires, the Project will become final. This Resolution will be supplemented by a bond resolution to be approved by the Board of Commissioners.

9. The Chief Administrative Officer of the County, if necessary, is authorized to apply to the State of Michigan, Department of Treasury ("Treasury") for approval to issue the bonds, to pay the related fee, and to execute and deliver such other documents as may be requested by the Treasury.

10. All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

11. This Resolution shall become effective immediately upon its adoption and shall be recorded in the minutes of the County as soon as practicable after adoption.

Upon roll call vote the results were as follows:

Yes –Stoll, Kolcz, Matthew, Houtz, Hazelbaker – 5

No – 0

**MOTION CARRIED**

9/ Motion by Commissioner Stoll seconded by Commissioner Houtz that Julie A. Hurley, Karen S. McGraw and Sandy Tuckey are put into nomination to fill the vacant position on the Commission on Aging Board and that a roll call vote is taken to appoint one person to the position. The term will expire on 12/31/2023.

Upon roll call vote the results were as follows:

Yes –Stoll, Kolcz, Houtz, Hazelbaker – 4

No – 0

Commissioner Matthew abstained from the vote.

**MOTION CARRIED**

Upon roll call vote the results were as follows:

Hurley –Stoll, Houtz, Hazelbaker – 3

McGraw – Kolcz -1

Tuckey- 0

Commissioner Matthew abstained from the vote.

Based on the votes Julie A. Hurley is appointed to the Commission on Aging Board.

Public Comment:

Sheriff Pollack commented that the 911 Board has not been negligent on getting the service plan approved. A committee was formed in 2019 and a revised 911 Service Plan was provided to the board in early 2020. It wasn't until later in 2020 that that plan was not approved and sent back to the 911 board. At that time, the process began to come up with the plan we have approved today.

Dorothy Cherry asked how the 911 Service Plan will be made available to the public?  
Commissioner Hazelbaker said they would email it to her.

The meeting was adjourned at 5:24 pm.

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Chairman

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Clerk