

**BRANCH COUNTY BOARD OF COMMISSIONERS
SEPTEMBER SESSION (SECOND DAY)
September 28, 2017**

1/ The Board of Commissioners of the County of Branch met, pursuant to adjournment, in the Commissioners meeting room at the Courthouse, on Thursday, September 28, 2017.

Vice-Chairman Norris called the meeting to order at 2:00 pm.

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

Absent: Commissioner Ted Gordon

Jim Measel led the Board in the Pledge of Allegiance.

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

3/ Motion by Commissioner Vrablic, seconded by Commissioner Hazelbaker, to approve the minutes of the September 12, 2017 Board meeting. MOTION CARRIED

4/ Motion by Commissioner Vrablic, seconded by Commissioner Kolcz, to approve the renewal of the Intergovernmental contract presented by Southwest Michigan Behavioral Health. MOTION CARRIED

5/ Motion by Commissioner Vrablic, seconded by Commissioner Hazelbaker, to approve the amended by-laws for the Michigan Works! Southwest Workforce Development Board, as presented. MOTION CARRIED

6/ Motion by Commissioner Vrablic, seconded by Commissioner Kolcz, to approve the request to fill a 911 dispatcher, POAM union position, with a starting wage of \$13.26 per hour, with new hire benefits, effective immediately. MOTION CARRIED

7/ Motion by Commissioner Hazelbaker, seconded by Commissioner Vrablic, to approve the amendments to Soil Erosion Ordinance; Chapter 2: Definitions –“Landowners” and “Rules”, as presented.

Upon roll call vote the results were as follows:

Yes – Kolcz, Vrablic, Hazelbaker, Norris – 4

No – 0

Absent – Gordon

MOTION CARRIED

2017-08
RESOLUTION AMENDING THE BRANCH COUNTY
SOIL EROSION ORDINANCE

WHEREAS, the Soil Erosion Ordinance set forth in Act 91 of the Public Acts of 1919, being MCL 287.261 – 287.293, have been amended by Act 451 of the Public Acts of 1994; and

WHEREAS, the changes made by Act 91 of the Public Acts of 1994 to the Soil Erosion and Sedimentation Control Ordinance make it necessary to amend the earth change permit requirements contained in the Branch County Soil Erosion Ordinance adopted on October 1, 2013, to make such ordinance requirements consistent with state law; and

WHEREAS, the Ordinance Amending the Branch County Soil Erosion Ordinance is attached and incorporated by reference.

THEREFORE, BE IT RESOLVED that “Landowner” language has been amended to include and read as follows:

The person is engaged in a project that meets all of the following conditions:

- A. The project is related to 1 or more roads, highways, sidewalks, trails, driveways, parking areas, forms of public transit, forms of non-motorized transportation, or boating, including all structures, improvement, features, and lands related to the project.
- B. One or more state agency or local unit of government owns, exercises jurisdiction over, or holds a recorded easement on the property in the area where the earth change will occur.
- C. All state agencies or local units of government that own, exercises jurisdiction over, or have a recorded easement on the property in the area where the earth change will occur grant a permit or written authorization to the person that specifies where the earth change is allowed to occur.
- D. No state agency or local unit of government that owns, exercises jurisdiction over, or holds a recorded easement in the area where the earth change will occur has control over the project during construction. The control prohibited by this subparagraph includes, but is not limited to, paying for or having a financial interest in the project during construction or directing contractors and other individuals engaged in construction work. The control prohibited by this subparagraph does not consist solely of establishing construction requirements or conducting inspections.

And

“Rules” language has been amended to read as follows: “Rules” means the rules promulgated pursuant to Part 91, part 17 the Rules for Soil Erosion and Sedimentation Control R323. 1701-1714.

BE IT FURTHER RESOLVED, that the remainder of the Branch County Soil Erosion Ordinance, as amended, shall remain unchanged.

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to take all required action to have this Ordinance Amendment published in a newspaper of general circulation in the County.

BE IT FURTHER RESOLVED, that this Ordinance Amendment shall become effective when notice of its adoption is published in a newspaper of general circulation in the County.

Adopted this 28th day of September 2017

TO BE EFFECTIVE: October 4, 2017

Upon roll call vote the results were as follows:

Yes – Kolcz, Vrablic, Hazelbaker, Norris – 4

No – 0

Absent – Gordon

MOTION CARRIED

8/ Motion by Commissioner Vrablic, seconded by Commissioner Kolcz to approve the Bills and Accounts in the amount of \$204,434.00. MOTION CARRIED.

9/ Motion by Commissioner Vrablic, seconded by Commissioner Kolcz, to approve the resolution to contract with Michigan Department of Transportation to rehabilitate a runway at the Branch County airport.

2017-09
RESOLUTION
Branch County Airport

Resolution adopting and approving the execution of the sponsor contract by the Branch County Board of Commissioners, of Coldwater, Michigan and the Michigan Department of Transportation, for the purpose of fixing the rights and obligation of the parties in agreeing to the following undertaking at the Branch County Memorial Airport, whose associated city is Coldwater, Michigan, such undertaking hereinafter referred to as the “PROJECT”.

PROJECT DESCRIPTION: Rehabilitate Runway 4/22 (3500’ x 75’) – Design. - Reimbursement as defined in Federal Project No B-26-0021-2114 – MDOT Contract Number 2017-0657.

BE IT RESOLVED by the members of the Board of Commissioners of Branch County, Michigan:

Section I. That the Board of Commissioners of Branch County, Michigan shall enter into a Contract for the improvement of the Branch County Memorial Airport, and that such Sponsor Contract shall be as set forth herein below.

Section II. That the Chair of the Board of Commissioners of Branch County, Michigan, is hereby authorized and directed to execute said Sponsor Contract, two (2) copies, on behalf of the County of Branch, Michigan and the County Clerk is hereby authorized and directed to impress the official seal and to attest said execution;

Section III. That the Sponsor Contract referred to herein shall be as attached.

Upon roll call vote the results were as follows:

Yes – Kolcz, Vrablic, Hazelbaker, Norris – 4

No – 0

Absent – Gordon

MOTION CARRIED

Committee/Liaison Reports:

Kolcz – attended the Pines meeting which was held at their new building.

Vrablic – Quincy is working on a trail project and is asking for support from the Board of Commissioners. Attended the annual MAC conference and stated it was well attended.

Norris – attended the Public Health meeting and there was a presentation on Chronic Wasting Disease.

10/ Motion by Commissioner Hazelbaker, seconded by Commissioner Vrablic, to adjourn at 2:14 pm. MOTION CARRIED

Chairman

Clerk