

**OSCEOLA COUNTY
BOARD OF COMMISSIONERS
BOARD MINUTES
FEBRUARY 6, 2018**

The Osceola County Board of Commissioners meeting was called to order at 11:51 a.m. by Chairman Larry Emig in the Courthouse.

Roll call: Commissioners Larry Emig, Jack Nehmer, Pam Wayne, Mark Gregory, Roger Elkins, Alan Tiedt and Jill Halladay.

Commissioner Elkins offered a prayer.

Chairman Emig led everyone in the Pledge of Allegiance to the United States of America.

Communications: None.

Brief Public Comment: None.

Employee Comment: None.

MOTION #1: Approve Board Agenda

Motion by Commissioner Nehmer, seconded by Commissioner Tiedt, to approve the agenda as presented. Motion carried with a voice vote.

MOTION #2: Approve Board Minutes of January 16, 2018

Motion by Commissioner Gregory, seconded by Commissioner Nehmer, to approve the regular Board of January 16, 2018 as presented. Motion carried with a voice vote.

MOTION #3: Amend Board Minutes of October 17, 2017

Motion by Commissioner Nehmer, seconded by Commissioner Tiedt, to approve amending the minutes of October 17, 2017 with the following addition:

2017 County Apportionment Report

Rosie McKinstry, Equalization Director, presented the annual County Apportionment Report. Along with the report, she provided copies of the 2017 millage rates. She also asked for the Chairman to sign the 2017 Tax Rate Request Form-L-4029. Brief discussion followed.

MOTION #2A: Approval of 2017 Apportionment Report

Moved by Commissioner Tiedt, seconded by Commissioner Elkins, to approve the 2017 Apportionment Report as presented by the Equalization Director and authorize the Chairman to sign the L-4029. Motion carried with seven (7) yes votes.

Motion to amend carried with unanimous voice vote.

Retirement Presentation/David Turner

Chairman Emig presented David Turner, former E.M.S. employee, with a certificate of appreciation for his 36 years of service to Osceola County.

Osceola-Lake Conservation District Annual Report

Charmaine Lucas, District Administrator, spoke about the fall 2017 Household Hazardous Waste (HHW) Disposal and the collections made. She informed the Board the fall 2018 HHW will take place on October 13, 2018 at the south County Road Commission site. She also shared several

brochures about various programs within the conservation district. She introduced Vicki Sawicki, Invasive Species Coordinator, who spoke about some of the invasive species, particularly the wild parsnips. Discussion was held.

MOTION #4: Approval of Consent Agenda

Motion by Commissioner Nehmer, seconded by Commissioner Tiedt, to accept the following Committee recommendations of February 6, 2018.

MOTION #4A: Accounts Payable

Approve the accounts payable invoices for claims for the County in the amount of \$41,732.11 and recommend the several amounts scheduled therein be allowed, also that the Clerk of this Board be allowed to draw orders on the County Treasurer for the same.

MOTION #4B: Budget Amendments

Approve the budget amendments as presented.

<u>Description</u>	<u>Line Item</u>	<u>Decrease</u>	<u>Increase</u>
Approp. Fund Balance	245.120.699.001		\$ 100
Equip. Admin.	245.903.970.006	\$ 100	

MOTION #4C: Heat Tape Proposal/C.O.A. Marion Facility

Approve quote from Steve Jones Construction for heat tape and installation in the amount of \$1,980.00 with the contractor and Landmark Design Group to cover the expense.

MOTION #4D: Michigan Indigent Defense Commission Grant

Approve the resubmission of the Michigan Indigent Defense Commission grant.

MOTION #4E: Sale of Vehicle Bids/C.O.A.

Approve the purchase of the 1999 Ford Windstar for \$200, 2003 Dodge Caravan for \$327, and 2004 Ford Econoline Van for \$407 to Brian Olender in "as is" condition and authorize the County Clerk to sign off on the titles.

2018-0006

WEST MICHIGAN FORENSIC PATHOLOGY SERVICES AUTHORITY RESOLUTION

WHEREAS, Newaygo, Mecosta, and Montcalm Counties have formed the West Michigan Regional Pathology Services Authority (the Authority), under the authority of the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512 ("Act"), and

WHEREAS, the Authority has been formed for the purpose of:

- (a). Providing autopsy services.
- (b). Providing body storage services.
- (c). Providing medical examiner services.
- (d). Providing crime scene investigatory services.
- (e). Providing body transport services.

- (f). Providing for the operations of a morgue.
- (g). Developing or enhancing intergovernmental cooperation with 1 or more Public Agencies.
- (h). Entering into joint endeavors or undertakings with 1 or more Public Agencies.
- (i). Entering into cooperative agreements or other forms of intergovernmental cooperation with 1 or more Public Agencies, and,

WHEREAS, under the Act, a public agency may jointly exercise with any other public agency any power, privilege, or authority that the agencies share in common and that each might exercise separately, and

WHEREAS, the County of Osceola, a Michigan municipal corporation located within the State of Michigan and a Public Agency as defined in the Act, wishes to petition for membership in the Authority, and

WHEREAS, the Authority Board has to review the petition and find the addition of the County of Osceola to the Authority to be appropriate and beneficial to all parties.

NOW THEREFORE BE IT RESOLVED THAT, Osceola County formally petitions the Authority Board to amend the Authority Agreement to allow participation in the Authority by the County of Osceola as a Party to the Agreement.

Motion to approve the consent agenda recommendations from the Committee of the Whole meeting of February 7, 2018 carried with seven (7) yes votes.

MOTION #5: Retainer Agreement/Opioids

Approve the Retainer Agreement to prosecute and adjust for the County of Osceola a claim for damages related to opioids. Motion carried with five (5) yes votes, two (2) no votes. Voting yes: Commissioners Halladay, Nehmer, Tiedt, Elkins and Emig. Voting no: Commissioners Gregory and Wayne.

2018-0007

RESOLUTION TO APPROVE OUTSIDE COUNSEL FOR OPIOID LITIGATION

Whereas the Osceola County Board of Commissioners (“the Board”) desires legal representation in national litigation that is being waged against manufacturers and distributors of opioids and other culpable parties; and

Whereas the participation in such national litigation requires specialized expertise; and

Whereas the Board has reviewed the qualifications of Weitz & Luxenberg PC, the Sam Bernstein Law Firm PLLC and Smith & Johnson Attorneys, PC, and believes that those firms collectively possess outstanding experience and qualifications to represent the County’s interests as it relates to the opioid epidemic.

Now Therefore Be It Resolved that the Board approve the firms of Weitz & Luxenberg PC, the Sam Bernstein Law Firm PLLC and Smith & Johnson Attorneys, PC, as special counsel to represent the interests of Osceola County in litigation concerning the opioid epidemic.

Page 4
Board Minutes
February 6, 2018

Moved by Commissioner Nehmer, seconded by Commissioner Tiedt to adopt. Resolution carried with five (5) yes votes and two (2) no votes. Voting yes: Commissioners Halladay, Nehmer, Tiedt, Elkins and Emig. Voting no: Commissioners Gregory and Wayne.

MOTION #6: Approve Prepaid Invoices January 2018

Motion by Commissioner Tiedt, supported by Commissioner Wayne, to approve the prepaid cash disbursements for the County in the amount of \$1,061,451.38 and recommend the several amounts scheduled therein be allowed, also that the Clerk of this Board be allowed to draw orders on the County Treasurer for the same. Motion carried with six (6) yes votes. Commissioner Nehmer absent

Board liaison reports given.

Board Comments: None.

Extended Public Comment: None.

Moved by Commissioner Nehmer, seconded by Commissioner Gregory, to adjourn at 1:03 p.m. Motion carried.

Karen J. Bluhm, County Clerk

Larry Emig, Chairman