

The regular meeting of the Sanilac County Board of Commissioners was called to order by Chairman Daniel Dean at 1:00 p.m., on Tuesday, December 4, 2018 in the Board of Commissioners' Chambers at 60 W. Sanilac Avenue, Sandusky, Michigan. Chairman Dean requested a moment of silence in remembrance of President Bush. The prayer was given by Commissioner Sarkella and the pledge was led by Commissioner Heberling. Roll call was taken. Members present: Bob Conely, Paul Muxlow, Bill Sarkella, Gary Heberling and Daniel Dean. Quorum present. Administrator / Controller Tara Griffith also present.

Additions, Corrections and Deletions to the Agenda:

Add: NFA-047-18 Repayment Agreement between Sanilac County Medical Care Facility and County Treasurer; and NFA-048-18 Amend Pension Bond Resolution.

Adoption of Agenda:

MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER CONELY THAT WE ADOPT THE AGENDA AS AMENDED. Motion carried.

Approval of Minutes:

MOVED BY COMMISSIONER SARKELLA AND SECONDED BY COMMISSIONER MUXLOW THAT WE APPROVE THE MINUTES OF NOVEMBER 20, 2018 AS PRINTED. Motion carried.

Communications and Introductions:

1. Minutes from the Sanilac County Council on Aging meeting held on November 19, 2018.
2. Minutes from the Sanilac County Department of Veterans Affairs Committee meeting held on November 27, 2018.
3. Thank you card to the Board of Commissioners from Russell Bush, MD MPH for the resolution.
4. Minutes from the Sanilac County Community Mental Health Authority meeting held on August 28, 2018.
5. Minutes from the Sanilac County Community Mental Health Authority meeting held on September 25, 2018.
6. Resolution from Livingston County in Support of House Bill 4986 – Equalization Department.
7. Minutes from the Sanilac County Parks Commission meeting held on November 13, 2018.

8. Cheboygan County Board of Commissioners Resolution #18-19 Opposing SB 1031.
9. Montmorency County Board of Commissioners Resolution Opposing Senate Bill 396.

Commissioner Reports:

Commissioners provided reports of meetings attended and local entities within their jurisdictions.

Administrator's Report:

- **Pension Bond Application Process:** Worked with Attorneys, Financial Advisor and Underwriting Team to prepare the preliminary official statement and other exhibits for the Bond Sale. The Bonds will be sold on Tuesday, December 11th. The County does have flexibility to hold off the exact sell date if the market is experiencing major fluctuations. Bond Closing is scheduled for Friday, December 28th.
- **Citizen Planner Series:** We have partnered with MSU Extension to host Citizens Planner Classroom Sessions during the month of January, beginning on the 5th. Sessions will provide overview of planning and zoning, and the course is free for participants residing in Sanilac County.
- **Child Care Fund:** Met with Margaret Kelly, Juvenile Director and the Tuscola County Juvenile Director and discussed potential cost savings initiatives for the Child Care Fund. Margaret is leading the initiative and will present to the Board for approval.
- **Employee Christmas Party:** Scheduled for Thursday, December 13th at 3:30 at Liberty Lanes.

Public Comments:

Chairman Dean advised that the Board has participated in an evaluation of job performance process of Tara Griffith, Administrator / Controller, being employed close to a year. The Board had a scoring method of one to five, five being the highest, and broken down within ten categories. Each category resulted in a range of 4.4 and higher. Each Board member thanked Tara for her job performance and appreciates the amount of time she spends in doing her job.

Appointments to Standing Committee:

None.

County Commission Appointments to Boards:

None.

General Resolutions:

None.

Committee Reports:

None.

Unfinished Business:

None.

New Business:

FA-164-18 MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER MUXLOW THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE PAYMENT OF CURRENT CLAIMS FOR 2018 IDENTIFIED ON THE ACCOUNTS PAYABLE REPORT DATED NOVEMBER 27, 2018, FOR THE GENERAL BANK ACCOUNT IN THE AMOUNT OF \$263,925.46. Motion carried.

FA-165-18 MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER SARKELLA THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE FOLLOWING AMENDMENTS, TRANSFERS AND ESTABLISHES THE FOLLOWING ACCOUNTS, AND FURTHER, ADOPTS THE FOLLOWING 2019 BUDGETS:

2018 BUDGET AMENDMENTS**REVENUE:**

Increase:	631-265-699.225	Transfer In-Environmental Trust	\$	(20,000.00)
Decrease:	631-265-699.000	Transfer In	\$	20,000.00

EXPENSE:

Decrease:	256-714-941.000	Contingency	\$	(2,000.00)
Increase:	256-714-995.101	Transfer Out-General Fund	\$	2,000.00
Decrease:	225-428-995.000	Transfer Out	\$	(20,000.00)
Increase:	225-428-995.631	Transfer Out-Building & Grounds	\$	20,000.00
Decrease:	259-681-833.001	Veterans Burial-Headstone/Markers	\$	(7,000.00)
Increase:	259-681-833.000	Veterans Burial Expense	\$	7,000.00

FURTHER, ESTABLISH THE FOLLOWING ACCOUNTS:

263-215-995.101 Transfer Out -Concealed Pistol Fund
255-258-995.101 Transfer Out -PRE Tax Fund
617-254-851.004 Postage-Elect. Tracking-Certified Mail
273-299-837.000 Victim Direct Services
274-322-676.201 Reimbursements-Rd. Commission
225-428-995.631 Transfer Out-Building & Grounds
631-265-699.225 Transfer In -Environmental Trust

616-253-913.001 Travel-Motel & Meals**FURTHER, AUTHORIZE THE FOLLOWING 2018 TRANSFERS:****2019 BUDGET AMENDMENTS:****REVENUE:**

Increase:	273-299-570.000	State Grant	\$	(4,739.00)
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EXPENSE:

Increase:	273-299-837.000	Victim Direct Services	\$	4,739.00
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FURTHER, ADOPTS THE FOLLOWING 2019 BUDGETS:**FUND #236 STONE GARDEN**

REVENUE	\$	33,045.00
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EXPENSE	\$	33,045.00
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FUND #243 BROWNFIELD REDEVELOP. AUTHORITY

REVENUE	\$	212,020.00
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EXPENSE	\$	212,020.00
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FUND #255 P.R.E. PROPERTY TAX FUND

REVENUE	\$	10,550.00
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EXPENSE	\$	10,550.00
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FUND #271 COUNTY LIBRARY FUND

REVENUE	\$	314,670.00
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EXPENSE	\$	314,670.00
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Motion carried.

**FA-166-18 MOVED BY COMMISSIONER HEBERLING AND
 SECONDED BY COMMISSIONER CONELY THAT THE SANILAC COUNTY
 BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE PURCHASE OF
 50 PORTABLE RADIOS FROM MIDCOM RADIO COMMUNICATIONS, INC.,**

(UNOFFICIAL MINUTES)

AT A COST NOT TO EXCEED \$21,497.50, WITH A REBATE OF \$3,000, AND FUNDING FROM THE 911 PUBLIC SAFETY LINE. Motion carried.

FA-167-18 MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER MUXLOW THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY AUTHORIZES NANCY RICH, IT DIRECTOR, TO PURCHASE TWENTY (20) DELL PRECISION T3630 COMPUTER WORKSTATIONS FROM DELL, AT A COST OF \$852.69 EACH FOR A TOTAL COST NOT TO EXCEED \$17,053.80, WITH FUNDING FROM THE 2018 INFORMATION SYSTEMS TECHNOLOGY BUDGET, NUNC PRO TUNC TO 11/20. Motion carried.

NFA-045-18 MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER SARKELLA THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE ATTACHED SUB RECIPIENT AGREEMENT BETWEEN SANILAC COUNTY AND I-69 REGIONAL DEVELOPMENT CORPORATION FOR MICHIGAN CDBG PROGRAM, AND FURTHER, AUTHORIZES THE BOARD CHAIRMAN SIGN THE AGREEMENT. Discussion followed. Motion carried.

NFA-046-18 MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER SARKELLA THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES AMENDMENTS TO THE COUNTY AND PERSONNEL POLICIES, AS FOLLOWS:

TOBACCO USE POLICY

Approved 6/10/92

Amended: 2002

Amended: 11/26/03 (HS-011-03)

Amended: 5/8/06 (PED-011-06)

Effective: 1/1/19 (NFA-046-18)

Tobacco use includes any product containing, made or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to cigarettes, cigars, chewing tobacco, snuff, pipes, electronic delivery devices (e cigarettes) and all other forms of smoked or smokeless tobacco products.

Tobacco use is prohibited:

- Inside all county owned, leased and rented buildings;
- In county owned, leased or rented vehicles or equipment;
- Outdoors on county owned or leased property.

The littering of tobacco-related products on the grounds or parking lots of Sanilac County or neighboring properties is also prohibited.

Sanilac County is responsible for providing its employees with a safe and healthy environment and encourages clients/families to refrain from using tobacco during visits by county employees.

Employees are responsible for knowing and understanding the tobacco use policy and should contact their supervisor or manager should they have questions.

This policy applies to all employees who work for Sanilac County. In addition, the policy applies to contractors, vendors, clients, visitors, and volunteers on developed county owned, leased or rented property.

Donated Leave Time Policy

FA-174-07

Approved: 10/09/07

Effective: 1/1/19 (NFA-046-18)

Employees may donate a portion of their accumulated vacation time and sick leave to assist another regular part-time or regular full-time employee who has exhausted all accumulated leave as the results of their non-work related injury or illness or that of their spouse, dependent children or parents. Such donation is voluntary, may be anonymous and is regulated by the following guidelines:

1. Request for Donations:
 - a. An employee who has exhausted all accrued leave time, as detailed above, may initiate a donated leave time request in writing to the Human Resources Manager. Such request must be supported by the appropriate physician certification of condition.

(UNOFFICIAL MINUTES)

- b. The Human Resources Manager will initiate an email distribution to all departments and employees to inform of needed assistance. The Employee requesting donations will remain anonymous.
- c. Employees choosing to donate leave time may donate up to 5 days annually.
- d. A maximum donation of sick days to an employee shall be limited to thirty (30) recipient days in a one (1) year time period. The use of donated days may be used concurrently with Family Medical Leave or utilized as paid sick leave outside the terms of Family Medical Leave.
- e. Donated sick days are paid at the rate of pay of the person receiving the donated days. No monetary adjustment shall be calculated.

PURCHASING POLICY

Amended: 2/3/99

(FA-014-99)

Amended: July 2002

Amended: March 13, 2008 (FA-062-08)

Amended: August 13, 2013 (FA-160-13)

Amended: January 6, 2015 (NFA-002-15)

Amended: July 24, 2018 (FA-102-18)

Effective: January 1, 2019 (NFA-046-18)

1. PURPOSE

This Policy establishes procedures for the purchase of all supplies, merchandise, and articles and services for the operation and maintenance of all Sanilac County offices and departments in a manner that provides maximum open and free competition. The intent is to accomplish this objective while minimizing administrative costs of implementing the policy.

2. AUTHORITY

The authority to establish this Policy is with the Sanilac County Board of Commissioners. The Policy may be changed at the discretion of the Sanilac County Board of Commissioners.

3. APPLICATION

This policy applies to all departments of the County of Sanilac with the following exclusions: Sanilac County Road Commission, Sanilac County Community Mental Health, Sanilac County Medical Care Facility, Sanilac County Health Department, Sanilac County Department of Health and Human Services and Drain Funds. For the purposes of this policy these operations are autonomous and have established separate purchasing policies. (Some of these operations may utilize central purchasing services of the County for paper.)

4. SCOPE

The Policy shall apply to the purchase of equipment, capital improvements, construction, supplies, repair work, lawn maintenance, etc.

Professional assistance such as legal services, computer consultants, auditing, engineers, architects etc. is not required to be bid but may be bid at the discretion of the Sanilac County Board of Commissioners. Similarly, because of the costs of preparing specifications and necessary information, bidding of County insurances and fringe benefits such as health/dental, and life insurance are not required to be bid upon renewal but may be bid at the discretion of the Board of Commissioners.

5. IMPLEMENTATION

Copy paper purchases are centralized and are to be conducted through the Administrator's Office. Certain other items may be decentralized and delegated to be purchased directly by departments but only in accordance with the provisions of this Policy. Inquiry shall be made with the Administrator's Office to determine whether an item will be purchased centrally or delegated to be purchased by individual departments. Purchases over \$2,000.00 require the review by the Administrator and the Board of Commissioners for approval before the item is purchased.

It is the intent of the Policy to purchase like equipment items as a package rather than purchasing individually when and if savings can be realized. Inquiry shall be made with the Administrator's Office to determine whether budgeted items will be bid as a package.

Related items shall not be separated into individual purchases to circumvent certain bidding requirements.

6. RELATIONSHIP OF BUDGET AND PURCHASING

Departmental equipment/capital improvement requests shall be made as part of the annual budgeting process. In some situations, these items may be budgeted in certain special revenue funds or in departments other than the one making the request.

The amount requested by the department to be budgeted should be based on estimates received from vendors or other resource materials. It is the Board's intent to budget as close as possible to actual costs.

Equipment/capital improvement items that will cost \$2,000.00 or more shall not be purchased from departmental operating budgets unless authorization has been given by the Board of Commissioners or Administrator through the budgeting process or other Board actions. (Supplies, printing, and postage line items are not intended by the Board as major equipment/capital improvement items.) The exception to this is any computer hardware/software which must be approved through the BOC. Departments must present such requests to the ITPC Committee first. They shall then be reviewed by the Administrator.

7. BIDDING SPECIFICATIONS FOR DOLLAR AMOUNTS OF \$2,000 OR MORE

Written specifications must be submitted with requests for bids for items anticipated to cost \$2,000.00 or more. Specifications shall be the same for all bidders. For lower cost items, written specifications are not required. Because of expertise required in certain situations, assistance in developing specifications may be obtained from vendors and other sources as necessary.

In order to more efficiently administer the county purchasing policy it will be necessary to utilize the following procedure for all items which exceed \$2,000 in cost.

1. All specifications for items over \$2,000.00 must be reviewed by the Administrator.
2. All bids of \$10,000 or more must be sealed and submitted to the department which is requesting the bid.
3. The Administrator will review the bids following departmental processing alluding to policy and then submitted to the Board of Commissioners for review.

The Administrator shall advise the Board of specifications and general policy compliance matters to ensure that all procedures have been applied to all bidders in a fair and equitable manner. Should the Administrator find there is non-compliance with the procedure he will confer with the appropriate department and advise on corrective action. All specifications that are placed in the posting shall be reviewed by the Administrator prior to publishing or posting. Bids which are State endorsed through Central Purchasing may be submitted according to the defined listing and are not required to be sealed. The Administrator or his designee shall be present at all bid openings.

8. BRAND SPECIFICATIONS

Certain brands or types of items may be specified in bid specifications in order to meet certain desired quality standards.

9. POLICY WAIVER

The Administrator/Controller or Designee should be contacted as soon as a department determines that an emergency purchasing situation exists. Emergency Purchases must follow a special procedure in order to obtain goods or services that exceed the requirement for written bids or competitive solicitation to meet an emergency. An emergency is defined as a situation involving public health, public safety, or cases where immediate expenditure is necessary for repairs to County property to protect against further loss or damage, to prevent or minimize serious disruption in County services, or to insure the integrity of County records. Emergency conditions may result from fires, explosions, adverse weather conditions, or epidemic conditions. They may also result from untimely breakdown, damage, or loss of equipment vital to the health and safety of county employees and county residents, and vital to the continuation of county operations.

In true emergency situations, the County's purchasing policy provides that purchasing procedures, including bidding requirements, may be waived if it becomes important for an emergency transaction to be completed within a certain time. Effort is made to accelerate or modify normal procedures to accommodate an emergency rather than to eliminate a procedure. Examples of such efforts include requesting quotations verbally or by email.

The Board Chair or Finance Chair, after consulting with the Administrator/Controller or Designee, may approve emergency transactions in excess of \$2,001 but less than \$10,000 on behalf of the Board of Commissioners. If the amount of the emergency transaction exceeds \$10,000, the Administrator/Controller must consult with all Board members who can reasonably be contacted before approving the emergency action.

10. USED EQUIPMENT

If used equipment is being purchased bids are not required. Because used equipment can vary in age, conditions, etc. bid comparisons would not be possible.

11. FIXED ASSETS

When equipment is purchased, it is the responsibility of the department for which the equipment was purchased to comply with the County fixed asset policy.

12. INFORMATION TECHNOLOGY

All information/technology equipment/capital improvement items should be requested by Elected/Appointed Officials as part of the annual budgeting process. Equipment requests will be reviewed by the Sanilac County Information/Technology Planning Committee and budget recommendations forwarded to the Sanilac County Board of Commissioners. Departments purchasing computer equipment need to contact the Information Systems Coordinator to ensure proper bidding procedures are met and to schedule setup and installation.

The Information Systems Coordinator will annually submit to the Sanilac County Information/Technology Planning Committee a brand list for computers and printers for bidding purposes. The County reserves the right to determine brand names, select types of equipment and installation vendors.

13. PUBLIC ACTS 167 & 168 OF 1993

The County shall comply with Public Acts 167 and 168 of 1993 regarding use of closed sealed bids for purchases of \$20,000.00 or more. (See County Board action FA-004-94)

14. RECORDKEEPING

Records should be maintained of bids received for documentation purposes. Whenever possible, a file will be maintained of bid specifications for various items in order to assist in future purchases of like items.

15. BID SUBMITTAL DEADLINE

Bids received after stated deadlines will not be considered.

16. REQUIREMENTS FOR BID DOLLAR RANGES

The following purchasing procedures are required to be conducted depending on the estimated cost of the item:

A) \$0 - \$2,000

Departments are encouraged to conduct pricing comparison by telephone, fax, and other methods. Written specifications for this dollar range are not required.

Newspaper advertisements are not required for items in this dollar range.

No County Board of Commissioner action is required for items in this category other than auditing of monthly claims.

B) \$2,001 - \$5,000

Whenever possible, departments are required to obtain at least three (3) written bids. Each bid should be kept on file.

Newspaper advertisements are not required for items in this dollar range. Departments are required to provide written specifications according to Section 8 of this Policy.

All bids are to be submitted to the Board Finance Committee and County Board of Commissioners for bid award.

C) \$5,001 - \$19,999

Whenever possible, departments are required to obtain at least three (3) written bids. Each bid should be kept on file.

Departments are required to provide written specifications according to Section 8 of this Policy.

Bids shall be solicited through direct contact, public advertisement (newspaper and county website) or any combination of the same. (If certain brands of computers or other equipment are specified and if it is known that said brands are not available in Sanilac County, then newspaper advertising is required).

All bids are to be submitted to the appropriate County Board Committee and County Board of Commissioners for bid award.

D) \$20,000 or more

Whenever possible, departments are required to obtain at least three (3) closed, sealed bids. Each bid should be kept on file.

Departments are required to provide written specifications according to section 8 of this Policy.

Bids shall be solicited through direct contact public advertisement (newspaper and county website) or any combination of the same. (If certain brands of computers or other equipment are specified and if it is known that said brands are not available in Sanilac County, then newspaper advertising is required).

All bids are to be submitted to the appropriate County Board Committee and County Board of Commissioners for bid award.

Because bids in this category have to be closed sealed, faxed bids will not be accepted.

18. DISCLAIMER

Sanilac County reserves the right to reject any and all bids and choose the bid that is in the best interests of the County. Any vendor or parties who bid under this Policy are doing so of their own free will and without liability to the County.

A bid may be awarded to a higher bidder for reasons such as, but not limited to, quality, service, reliability, convenience, dependability, etc.

BULK PURCHASING PROCEDURES

Effective 5/13/92

(Reviewed July 2002)

Amended: 1/6/15 (NFA-002-15)

Effective: 1/1/19 (NFA-046-18)

Purpose: Establishing a Central Purchasing Department for the benefit of bidding large quantities of copy paper on a yearly or as needed basis for County offices. Other ancillary office supplies will be purchased individually by Departments as needed, due to decreased participation in Bulk Purchasing. The following procedure establishes the procedures and policies for incoming inventory, dispensing inventory, billing process, voiding invoices, returned products, and procedure for conducting physical inventory checks.

PROCESS INCOMING INVENTORY

- Verify quantity received to quantity billed
- Identify each item on the invoice to the assigned Item No. If the item is a new product, find the last number used and add the product to the INVENTORY data base, breaking down the product cost consistent in the manner of dispensing
- Verify prices of item on the invoice to bid price
- Post invoice
- Separate each product down to the quantity to be distributed
- Stock inventory on shelves, rotating stock (FIFO – first in-first out)
- Process invoice for payment: Office Supplies – 633-234-757.000

RECEIVING AND FILLING ORDERS

- Orders are to be received by the end of the day on Mondays
- Deliveries will be made by the end of the day on Wednesdays
- Before any inventory is removed from stock, a completed Order Form must be received from the Department or one completed if an order is called in
- Upon completion of packing and delivering the order, a signature is required on the bottom of each form along with the date delivered

BILLING PROCESS

- Bills are to be processed monthly
- Invoices generated are processed through journal entries directly to departmental budgets (with the exception of the Health Department) within 7 days from the date the invoice is processed. A copy of the invoice is to be forwarded to the Department and the original to the Treasurer's Office

(UNOFFICIAL MINUTES)

- Upon completion of processing an invoice, the invoice number and date completed is to be written on the Order Form

VOIDING INVOICES – RETURNED PRODUCTS

- If an invoice is to be voided after being processed, never “delete” the invoice. A modification can be made to the Dept Code field to “VOID” and the item numbers can be deleted when the inventory is returned to the shelf. (By deleting the item numbers from the invoice, the product will not be deducted when a physical inventory is done.)
- If a product is returned and the journal entry has been posted, a credit will be applied. First, void the invoice as stated above, prepare a request to the Treasurer’s Office indicating the credit amount and department budget and attach a copy of the invoice to it
- In no instances should products be exchanged for equal dollar value or a combination of products. The original invoice must be handled in the manner stated above and a new invoice must be processed for the new items

PHYSICAL INVENTORY CHECKS

- A physical inventory must be done on a quarterly basis and spot checks should be done monthly
- If a discrepancy is found, verify the following:
 - 1) Quantity of item on invoice to quantity field inventory
 - 2) Quantity of item dispensed through invoices
 - 3) Verify Order Form quantities to quantities invoiced
 - 4) Review any voided invoices for existing quantities

Sick Leave Benefits

Sanilac County provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- * **Regular full-time employees**
- * **Regular part-time employees**

Eligible employees will accrue one (1) sick leave day per month.

Regular part-time employees will accrue sick leave time on a seventy-five percent (**75%**) pro-rata basis.

Unused paid sick leave shall be accumulated to a maximum equivalent of eighty (80) work days.

Upon meeting the maximum accumulation of eighty (80) days, fifty percent (50%) of any unused days earned during the year shall be paid at the employee's current wages on their anniversary date.

Employees can request use of paid sick leave after completing the introductory period of ninety (90) working days. Eligible employees may only use sick leave benefits for an absence due to their own illness or injury.

Employees who are unable to report to work due to illness or injury must notify their direct supervisor before the scheduled start of their workday if possible, but no later than one-half (1/2) hour after the beginning of the employee's normal workday. Sanilac County may require an employee to provide evidence of physical ability to continue employment in cases of repeated or excessive absence due to illness.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence.

In the event of the death or retirement of an employee, one-half (1/2) of the balance of the employee's accumulated sick leave days will be paid to the employee or the beneficiary of the employee. Paid sick leave payments will be calculated at the rate of the job the employee last held prior to the date of death or retirement. Retirement is defined as eligibility for benefits within the Sanilac County Employees Retirement Plan and Trust.

Amended: 12/4/18 (NFA-046-18)

Effective: 1/1/19

Tara Griffith, Administrator / Controller, reviewed the proposed changes made in each policy. Board discussed withdrawing the Tobacco Use Policy until further information can be added, since Proposal 1 passed. Prosecutor James Young requested the Elected Officials and Department Heads receive copies of the proposed policy changes that affect their employees before adoption. Chairman Dean made the recommendation this motion be tabled until the next board meeting.

MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER CONLEY TO TABLE UNTIL NEXT MEETING. Motion carried.

NFA-047-18 MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER MUXLOW THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE SANILAC COUNTY MEDICAL CARE FACILITY TO ENTER INTO THE FOLLOWING FINANCING AGREEMENT WITH THE COUNTY TREASURER, THROUGH THE DELINQUENT TAX REVOLVING FUND, FOR THE PURPOSE OF PROVIDING AN ADVANCE ON THE MEDICAL CARE FACILITY

ACCOUNTS RECEIVABLE, OVER THREE (3) YEARS AT 1.25% INTEREST, AND REPAY THE LOAN THROUGH A MONTHLY APPROPRIATION OF \$10,000.00, AND FURTHER, AUTHORIZES THE BOARD CHAIRMAN TO SIGN THE NECESSARY AGREEMENT:

REPAYMENT AGREEMENT
County of Sanilac

Borrower: Sanilac County Medical Care Facility

Lender: Sanilac County Treasurer, Delinquent Tax Revolving Fund 615

Principal Amount: Maximum \$360,000

Interest Rate: 1.25%

Term: Not to exceed three (3) years

This agreement is dated and executed on December 4, 2018, between the Sanilac County Treasurer, (Treasurer) at 60 W. Sanilac, Room 204, Sandusky, Michigan 48471, and the Sanilac County Medical Care Facility (Medical Care Facility) 137 North Elk Street, Sandusky, Michigan, 48471.

This agreement provides for the repayment of sums advanced by the Treasurer to the Medical Care Facility for an advance on the Medical Care Facility Accounts Receivable.

ADVANCE: The parties agree that the Sanilac County Treasurer shall advance to the Medical Care Facility a maximum of \$360,000 from the Delinquent Tax Revolving Fund which shall be used as an advance on Medical Care Facility Accounts Receivable balance.

AGREEMENT TO REPAY: Medical Care Facility agrees to repay the Treasurer the sum advanced (\$360,000 maximum), plus interest, in monthly installments from the MCF general fund for three (3) consecutive years beginning in the year 2019.

INTEREST CHARGES: Medical Care Facility agrees to pay one and one quarter percent (1.25%) per annum until the advanced amount is paid in full. Interest shall be computed on each payment date by multiplying the unpaid balance by 1.25% and then dividing by 365 days and then multiplying the daily interest by the number of days that have occurred since the last payment. If payment is a lump sum, interest shall be calculated and deducted from the payment and the balance of the payment, if any, shall be applied to the principal.

DRAWS: Medical Care Facility may receive the total amount upon receipt of this signed agreement by the Treasurer, not to exceed \$360,000.

REPAYMENT: The advance shall be payable in monthly installments due on the fifteenth day of every month beginning on April 15, 2019; **as approved by the Sanilac County Board of Commissioners at their regular meeting on December 4, 2018.**

(UNOFFICIAL MINUTES)

PREPAYMENT: The Medical Care Facility shall be entitled to prepay any portion of the unpaid balance at any time without penalty. However, no prepayment relieves the obligation to make subsequent scheduled monthly installments when due if any unpaid balance remains payable.

Prior to signing the agreement, the Medical Care Facility has read, understands, and agrees to the terms and conditions of this Agreement.

Chairman Dean advised the Board this arrangement has been worked out with the County Administrator, County Treasurer and Jill Harding, Medical Care Facility Director to assist them in a deficit cash flow situation, until their accounts receivables can be collected. Jill thanked the Board for their assistance and new policies are being implemented as well as employees are all contributing in wage reductions. Their current accounts receivable is over two million dollars, which is largely owed by agencies.

Motion carried.

NFA-048-18 MOVED BY COMMISSIONER MUXLOW AND SECONDED BY COMMISSIONER SARKELLA THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY ADOPTS THE FOLLOWING:

**AMENDMENT TO BOND RESOLUTION AUTHORIZING
THE COUNTY OF SANILAC TO ISSUE THE
COUNTY OF SANILAC PENSION OBLIGATION
BONDS, SERIES 2018
(FEDERALLY TAXABLE - GENERAL OBLIGATION LIMITED TAX)**

WHEREAS the County of Sanilac, Michigan (the "County") currently provides pension benefits to qualified retirees and/or their spouses and dependents of the Sanilac County, as provided by the County and its policies; and

WHEREAS, the Board of Commissioners (the "Board") of the County of Sanilac, Michigan (the "County"), wishes to issue bonds for the purpose of providing funds for the County's unfunded pension benefits for certain public employee retirees of the Sanilac County as described in APPENDIX A attached hereto (the "Project"), pursuant to the terms of Section 518 of Act No. 34, Public Acts of Michigan, 2001 as amended ("Act 34"); and

WHEREAS, it has been estimated that the Project will extend for approximately 16 years and that the cost of the Project and issuing the Bonds will not exceed \$11,000,000 to be provided by the proceeds from the sale of Bonds by the County pursuant to Act 34; and

WHEREAS, upon the advice of Municipal Financial Consultants, the County's financial advisor the County is negotiating with Hilltop Securities (the "Underwriters") to purchase the bonds; and

WHEREAS, it is necessary to adopt an amendment to the Bond resolution adopted on October 24, 2018 (the "October Bond Resolution") to permit the Underwriters

to meet all requirements of the federal securities laws and otherwise act as lead underwriter in connection with the purchase of the Bonds; and

WHEREAS, the County proposes to approve the Project and to incur new taxable debt to finance a portion of the costs of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF SANILAC, MICHIGAN, AS FOLLOWS:

1. Paragraphs 2 and 3 of the October Bond Resolution are amended to read as follows:

2. **Preliminary Official Statement:** The County Administrator/Controller is authorized to approve circulation of a Preliminary Official Statement describing the Bonds and to deem such Preliminary Official Statement "final" for purposes of compliance with Securities and Exchange Commission Rule 15c2-12 ("Rule 15c2-12").

3. **Bond Sale:**

(a) The County Administrator/Controller is hereby authorized, on behalf of the County, subject to the provisions and limitations of this resolution and the Michigan Department of Treasury Order of Approval to issue the Bonds, to negotiate sale of the Bonds to the Underwriters, and to accept an offer by the Underwriters to purchase the Bonds without further resolution of this Board. This authorization includes, but is not limited to, determination of original principal amount of the Bonds; the prices at which the Bonds are sold; Underwriter's discount for the Bonds, the date of the Bonds; the schedule of principal maturities and whether the Bonds shall mature serially or as term bonds; the provisions for early redemption including mandatory redemption of term bonds, if any; and the interest rates and payment dates of the Bonds.

(b) The maximum interest rate on the Bonds shall not exceed 6.00%. The first maturity of principal on the Bonds shall occur no earlier than June 1, 2019, and the date of the final maturity shall not be later than June 1, 2033. The underwriter's discount for the Bonds shall not exceed .90% of the total par amount of the Bonds. No bond shall be sold at a price less than 98.5% of par.

(c) In making such determinations the County Administrator/Controller is authorized to rely upon data and computer runs provided by the Municipal Advisor or underwriter. Approval of the matters delegated to the County Administrator/Controller under this resolution may be evidenced by execution by the County Administrator/Controller of the Bond Purchase Agreement, or a sale order, or the Official Statement. The County Administrator/Controller is authorized to sign the Bond Purchase Agreement on behalf of the County.

(d) After sale of the Bonds, the County Administrator/Controller is authorized to prepare, execute and deliver a final Official Statement describing the Bonds.

4. Paragraphs 18 and 19 of this October Bond Resolution are amended and replaced by the following Paragraphs:

(UNOFFICIAL MINUTES)

Public Comments:

Sheriff Gary Biniecki mentioned that tonight is “Shop with a Hero” at the Sandusky Walmart at 5:00 p.m. and they will be shopping for 20 – 25 families this year.

Adjournment:

MOVED BY COMMISSIONER HEBERLING AND SECONDED BY COMMISSIONER SARKELLA THAT WE ADJOURN AT 1:32 P.M. Motion carried.

Daniel Dean, Chairman

Denise McGuire, County Clerk