

September 12, 2006

The Regular meeting of the Otsego County Board of Commissioners was held in the Multi-Purpose Room of the J. Richard Yuill Alpine Center. The meeting was called to order at 9:30 a.m. by Chairman Beachnau. Invocation by Commissioner Glasser, followed by the Pledge of Allegiance led by Commissioner Backenstose.

Roll call:

Present: Backenstose, Bates, Beachnau, Liss, Olsen, Glasser, Johnson, Hyde, Bentz.

The agenda was amended to move OCR-06-40 Honoring Dennis Priess from new business to item 6) on the consent agenda.

The regular meeting of August 22, 2006 minutes with attachments were approved as corrected via unanimous consent. The minutes were corrected to read the chairman received a memo regarding press release from Don Koeppen regarding 2006 sewer project.

Consent Agenda:

The sexual harassment policy, the professionalism policy and the internal complaint procedures were approved via unanimous consent. (see attached)

The Contingency/Building Authority, Funds (941/569) Budget Amendment was approved via unanimous consent. (see attached)

The Land Use Services, Fund 249, Budget Amendment was approved via unanimous consent. (see attached)

OCR-06-40 Honoring Dennis Priess.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Resolution adopted. (see attached)

Administrator's report:

John Burt reported on the Alpine Center repairs; Government Payment System regarding credit card payments; County picnic is Wednesday September 13th at 4:30 p.m.; Mike Tarbutton applied for a DNR grant for the boat launch and paving parking lots; Building and Grounds committee meeting set for next week is cancelled; Attending a conference on Thursday; A closed session to be held regarding the clerical union.

Motion by Commissioner Bates, to enter into closed session, at the appropriate time, under provisions of Act 267 of 1976 Section 8 (c), discussion of a collective bargaining agreement.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried.

Mary Sanders announced the Michigan Township Association meeting is Tuesday September 19, 2006 at 7:00 p.m. at the Corwith Township hall.

Jean Nowicki reported on the Chester Township annual cleanup that was held.

Elizabeth Haus reported that the Village appointed Karen Matelski to fill the vacancy on the Council Board.

Correspondence:

The chairman received a request dated September 11, 2006 from Camp Sancta Maria requesting the special use permit fee of \$700.00 be waived.

Motion by Commissioner Olsen, to waive ½ of the fee for the special use permit application to the Otsego County Planning Commission by Camp Sancta Maria. Ayes: Unanimous. Motion carried.

Commissioner Olsen received a call from the U.S. Department of Agriculture regarding Emerald Ash border found in Livingston Township on Colleen Jozwiak's property.

Special Presentations:

John Milbocker from the Otsego Conservation District invited the Board and the public to the fall tour that is going to be held on September 25, 2006 beginning at 8:30 a.m. on the 4th floor.

Susan I. DeFeyter, County Clerk/Register of Deeds, gave the Board her quarterly report.

Carl Robinson, County Surveyor, gave the Board an update.

The agenda was amended to add under new business item E) approval of the August 24, 2006 Special meeting minutes.

New Business:

Motion by Commissioner Backenstose, to approve Warrant B2006-35 in the amount of \$177,820.75 with prepaids in the amount of \$7,052.59 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Bates, to approve Warrant B2006-36 in the amount of \$156,064.61 with prepaids in the amount of \$719.16 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Hyde, to approve Warrant B2006-37 in the amount of \$131,702.43 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Liss, to approve Resolution OCR-06-37 honoring Dorothy Sides as the 2006 Pigeon River Festival Parade Marshall.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion by Commissioner Glasser, to approve Resolution OCR-06-38 Increasing surcharge for Courthouse Restoration Fund from \$10.00 to \$15.00 for penal law or civil infractions.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion by Commissioner Bentz, to approve Resolution OCR-06-39 approving a lease with the Department of Human Services.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Commissioner Johnson excused at 10:00 a.m.

Motion by Commissioner Glasser, to adopt minutes of August 24, 2006 Special meeting as presented. Ayes: Unanimous. Motion carried.

Public Comment:

Jim McBride announced to the Board that the inmate phone system is up and running.

Mary Jergenson from Representative Tony Stamas office, announced that he will have office hours on October 26, 2006.

Mary Sanders commented on the 60th Anniversary celebration of Cooper-Standard that was held.

Board Remarks:

Commissioner Bates: The Otsego County Fair was a success.

Commissioner Hyde: Questioned the status of the appointment of the Medical Examiner.
Reported on the Airport terminal.

Commissioner Backenstose: Commented on the airport progress.
Attended the Otsego Lake meeting (Otsego Lake and Bagley
planning)

Commissioner Johnson returns at 10:20 a.m.

Entered into closed session at 10:25 a.m.

Returned to open session at 10:55 a.m.

Meeting adjourned at 10:57 a.m. at the call of the Chair.

Paul M. Beachnau, Chairman

Susan I. DeFeyter, County Clerk



Otsego
COUNTY
M I C H I G A N

Sexual Harassment Policy

The purpose of this policy is to promote a quality of work environment while simultaneously informing individual employees of their rights to and responsibilities for working conditions devoid of sexual harassment or discrimination. The Board of Commissioners emphatically affirms that employees have an inherent right to be free from intimidation, humiliation, insult or being subjected to offensive physical or verbal abuse or actions, direct or insinuated, based on a person's sex.

Otsego County endorses and complies with Title VII of the Federal Civil Rights Act of 1964 as amended and the Michigan Elliott-Larsen Civil Rights Act of 1964 as amended and the Michigan Elliott-Larsen Civil Rights Act, PA 453 as amended and all other acts enacted to protect and safeguard individual rights to seek, obtain and enjoy employment without being subjected or exposed to harassment or discrimination.

Otsego County will:

Not discriminate on the basis of sex with respect to compensation, terms, conditions, or privileges of employment.

Not tolerate any type of sexual harassment or discrimination.

Encourage employees to make issue regarding sexual harassment or discrimination by making timely complaints.

Act immediately to investigate complaints.

Consider the complaints seriously.

Keep accurate records of investigations from receipt of complaint through final determination regarding the merit of the complaint to include if appropriate any remedial action.

Will act promptly concerning any action, or failure to act, which results in retaliation against a County employee, who in good faith files a sexual harassment or discrimination complaint. Retaliation violates this policy and subjects the violating employee to discipline up to and including discharge. Any employee who has a good faith belief he/she has been subjected to

retaliation for exercising a right conferred by this policy may file a complaint following complaint procedures of this policy.

Sexual Harassment is defined as an unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

Submission to such conduct is made either explicitly or implicitly as a term or condition of employment.

Submission to or rejection of such conduct by an individual is used as a basis for employment decisions, such as discharge, promotion, transfer, work assignments, etc.

Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

EXAMPLES OF HARASSMENT

Any harassment that violates State or Federal law will be unacceptable.

Examples of harassment include:

Making derogatory comments, insults, suggestive remarks or jokes based on a person's sex.

Display of photographs, cartoons, or drawings that would be offensive to a reasonable person.

Conduct which when viewed by a reasonable person would have the purpose or effect of degrading or creating an intimidating, hostile or offensive work environment.

Propositions or requests for sexual favors.

Physical contact which is sexual in nature.

COMPLAINT PROCEDURES

An employee who believes he/she has been sexually harassed should make an oral report of the incident to the department manager, or designee, within 2 business days. A detailed written report of the incident shall be submitted to the department manager within 3 working days of the oral report.

Any supervisory employee who receives a written or oral sexual harassment complaint shall notify his/her department manager of the complaint. A department manager shall notify the Director of Human Resources of the complaint. The Director of Human Resources will investigate all sexual harassment complaints received and shall submit a detailed written report to the Personnel Committee Chairperson within 3 business days, unless good cause for additional time exists and a written statement of good cause is submitted. If the complaint involves the Director of Human Resources, notice shall be given to the County Administrator, who will then conduct the investigation.

The Personnel Committee shall receive all sexual harassment complaint investigation reports and determine whether a violation of the policy has occurred. This review may include witnesses and exhibits, or any other trustworthy source of information, and shall be made within 14 days unless good cause is shown. Copies of the complaint investigation report shall be made available, upon request, to the complaining and accused employees prior to the review hearing. Where a violation is shown to have occurred by a preponderance of the evidence, immediate action, in proportion to the violation, shall be taken to remedy the re-occurrences. The complaint investigation report and the review hearing information are deemed to be confidential.

CONCLUSION

It is expected that all employees will fully cooperate and give their support to these policies and practices. Violations of this policy will not be permitted. Any employee or department manager who violates this policy will be subject to discipline up to and including discharge.

Although the investigation process is not confidential, every effort shall be made to limit both the number of people who need to know and the extent of any discussion with others during an investigation.

Any employee who knowingly or recklessly files a false complaint of harassment shall be disciplined accordingly, up to and including discharge from employment.



Professionalism Policy

Employees and visitors deserve to be treated with respect and dignity. Otsego County supports an open door policy and is an equal opportunity employer. The County does not support discrimination in any form

Employees should conduct themselves in a professional manner at all times as it relates to their employment.

Employees are expected to:

1. Competently fulfill their role and function with integrity and in an impartial manner
2. Adhere to the policies and procedures established within their Department
3. Adhere to supervisory directives
4. Refrain from discussing department/County personnel issues with persons other than those who have a right to know
5. Respect and maintain client/customer confidentiality by not discussing cases in public areas or divulging identifying or pertinent case information to persons other than those who have a right to know
6. Refrain from misusing one's position or knowledge gained from that position for personnel profit or gain or for the gain of one's family or friends
7. Treat other persons with dignity and respect
8. Refrain from yelling or using derogatory or inappropriate language
9. Maintain behavior that is within the confines of the law
10. Maintain proper behavior, proper appearance and attire commensurate with one's duties as they relate to public contact and responsibilities to the Employer.

If an employee witnesses and/or is the subject of an unprofessional act they are to report it to their department manager immediately.

Failure to follow the above policy may result in disciplinary action up to and including dismissal.



Internal Complaint Procedures

Procedures for gaining redress for work related issues are outlined in the agreements between the County and Union Employee Unions.

It is the intent of the County to also allow non-union employees an opportunity to address work related issues. In most instances, the supervisor will be able to give a prompt answer to your questions and will assist in solving the problems.

Should an employee feel that a problem is not being handled properly, the employee may use the following complaint procedure:

1. Discuss the matter with the employee's department manager. The department manager has the responsibility to solve problems as they arise. For disciplinary action, managers will consult with the Human Resources Director to ensure that the action is in accordance with County policy.
2. Should you believe that there are issues that continue to need clarification or resolution, the employee may request a meeting with the County Administrator. The County Administrator's decision is final, unless another county policy dictates further steps be taken.

Throughout the redress process, the departmental liaison will be consulted and updated as needed.

Should the County Administrator seek action to terminate a Department Head, the County Administrator will first consult with the Personnel Committee and the Board Chairman.

This policy replaces the previously adopted Grievance Procedures Policy.

Adopted: September 12, 2006



OTSEGO COUNTY BUDGET AMENDMENT

FUND/DEPARTMENT: CONTINGENCY/BUILDING AUTHORITY

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type: General Special Revenue Debt Service Capital Project Business-Type (Enterprise or Internal Svc)

REVENUE

Account Number	Decrease	Increase
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
101E941 - 999000 - (Transfer Out)	\$	\$ 100.00
569E272 - 703040 - (Per Diem)	\$ 70.00	\$
569E272 - 930500 - (Travel)	\$ 30.00	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$ 100.00	\$ 100.00

Department Head Signature _____

Date _____

Finance Department
Entered: _____
By: _____

JL Boert

Administrator's Signature _____

9/6/06

Date _____

Board Approval Date (if necessary) _____

Budget Adjustment # _____

Posting Number _____



**OTSEGO COUNTY
BUDGET AMENDMENT**

FUND/DEPARTMENT: Land Use Services

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

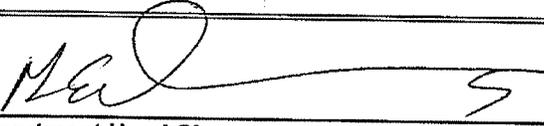
Fund Type: General Special Revenue Debt Service Capital Project Business-Type (Enterprise or Internal Svc)

REVENUE

Account Number	Decrease	Increase
2490050 - 400001 -Budgeted Use of Fund Balance	\$	\$15,000.00
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
249E371 -801020 - Professional Services	\$15,000.00	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
- -	\$	\$
Total	\$15,000.00	\$15,000.00


 Department Head Signature

9/7/06
 Date


 Administrator's Signature

9/7/06
 Date

Finance Department
Entered:
By:

Board Approval Date (if necessary)

Budget Adjustment #

Posting Number

**RESOLUTION NO. OCR 06-40
HONORING DENNIS PRIESS**

WHEREAS, Dennis Priess has been an employee of Northern Michigan Substance Abuse Services (NMSAS) since 1981; and

WHEREAS, Dennis has led NMSAS with integrity and vision since becoming the Executive Director in 1984; and

WHEREAS, Dennis successfully implemented a Client Service Management Pilot project, which resulted in more clients receiving treatment, and was later adopted by the State of Michigan as the new gate keeping system; and

WHEREAS, he developed a Student Assistance Program in the schools in 1989; and

WHEREAS, in 1998 Dennis took the lead role in the creation of the Michigan Behavior Care Network; and

WHEREAS, the County of Otsego recognizes that the work done by NMSAS is critical to the health and well-being of the county and its citizens; therefore, be it

RESOLVED, that the Otsego County Board of Commissioner, hereby thanks and honors Dennis Priess for his hard work and leadership in improving the lives of numerous individuals and families throughout the region.

**RESOLUTION NO. OCR 06-37
HONORING DOROTHY SIDES**

WHEREAS, Dorothy Sides has been a resident of Vanderbilt for over 69 years; and

WHEREAS, Dorothy has been an involved member of the Vanderbilt Community Church for 38 years; and

WHEREAS, Dorothy has been an active supporter of the Vanderbilt School's athletic program; and

WHEREAS, Dorothy is well known for her love of music, walking and of people; and

WHEREAS, Dorothy was picked as the Parade Marshall for the 2006 Pigeon River Festival; and

WHEREAS, the County of Otsego recognizes that one of its greatest assets is the strength, diversity and commitment of its community members; therefore, be it

RESOLVED, that the Otsego County Board of Commissioner, hereby congratulates Dorothy Sides for her selection as the 2006 Pigeon River Festival Parade Marshall; and be it, further

RESOLVED, that the Otsego County Board of Commissioners, hereby honors the many contributions that Dorothy Sides has made to the Village of Vanderbilt as well as to the entire County of Otsego.

**RESOLUTION NO. OCR 06-38
COURTHOUSE PRESERVATION FUND**

WHEREAS, On June 12, 2001, the Otsego County Board of Commissioners passed Resolution OCR-01-024 creating the Courthouse Preservation Fund; and

WHEREAS, the Courthouse Preservation Fund was created for the continued repair, preservation, maintenance, and improvement of these Courthouse Buildings located at 225 West Main Street and 800 Livingston Boulevard, Gaylord, Michigan; and

WHEREAS, said fund may receive, in addition to monies received from any other sources the County may from time to time designate, revenues derived from fines and costs imposed by the 87th District Court – Otsego County District Division; therefore, be it

RESOLVED, that the fines and costs imposed by the 87th District Court are amended as follows:

- a. There may be imposed on all costs derived from violations of state penal laws or civil infractions a surcharge of \$15.00, in addition to any other scheduled costs imposed for a violation of said penal law or civil infraction; which shall be conveyed by the District Court Clerk to the Otsego County Treasurer and shall be transferred into said fund for use consistent with this Resolution.
- b. There may be imposed on all fines and costs derived from violations other than violations of state penal laws or state civil infractions, a surcharge of \$15.00, in addition to any other fine, or scheduled fine and cost, imposed for a violation of said other penal law or civil infraction, which shall be conveyed by the District Court Clerk, upon receipt thereof, to the Otsego County Treasurer and shall be transferred into said fund for use consistent with this Resolution; and be it, further

RESOLVED, that the Fund created by this resolution, which shall hereinafter be designated Courthouse Preservation Fund, shall remain in effect only so long as the actions the 87th District Court – Otsego County District Division as described above, remain in full force and effect.

RESOLUTION NO. OCR 06-39
DEPARTMENT OF HUMAN SERVICES LEASE

WHEREAS, the Michigan Department of Human Services (DHS) currently occupies a portion of the fourth floor of the Alpine Center, located at 800 Livingston Boulevard, Gaylord, MI; and

WHEREAS, the lease between Otsego County and DHS, for the above referenced office space, expired on July 31, 2006; and

WHEREAS, the DHS has expressed an interest in extending their lease with Otsego County; and

WHEREAS, it is in the best interest of Otsego County to allow the DHS to remain as tenants of the Alpine Center; therefore, be it

RESOLVED, that the attached lease agreement is hereby approved; and therefore, be it, further

RESOLVED, that the County Administrator is hereby authorized and directed to execute said lease on behalf of the County of Otsego.