

**CHEBOYGAN COUNTY BOARD OF COMMISSIONERS
RECONVENED MEETING
August 20, 2008**

The reconvened meeting of the Cheboygan County Board of Commissioners was called to order in the Commissioners Room by Chairperson Linda Socha at 8:00 a.m.

Roll called and a quorum present.

PRESENT: Commissioners Socha, Makima, Redmond, Mushlock, Page, Wallace and Bolinger

ABSENT: None

Commissioner Bolinger gave the invocation and Commissioner Wallace led the Pledge of Allegiance.

Motion by Commissioner Makima, seconded by Commissioner Redmond, to approve the agenda as presented. Motion carried with 7 yes, 0 no and 0 absent.

Chairperson Socha stated the County Administrator and Civil Counsel would be given time to explain the current situation in regards to the Veterans Affairs Committee followed by public comment limited to 3 minutes per person, 30 minutes total.

Administrator Overton said that when he arrived in Cheboygan 2 1/2 years ago, there was a problem then with Veterans' Department, and he has been told problems existed long before that. He said the Veterans Affairs Committee should handle policy decisions, not the personnel issues in the department, which would allow more time to be spent on veterans' matters. He stated the recent vacancy in the director position was not posted or advertised. Mr. Overton said it is evident the Board of Commissioners care about the veterans department in that many other counties do not have such a department. He said the Board desires to be sure the best and most qualified candidate is hired as the next Veterans Director.

Chairperson Socha reported receiving many calls from area veterans saying they too want the most qualified person, and were misinformed in many areas regarding this matter. She agreed this board does care and wants to do what's best for the county veterans. She sees the Board's responsibility is to assure the taxpayers are not liable for the department. Under the propose change in organization, it will still will be a veterans' committee making veterans decision.

Civil Counsel Bryan Graham stated the law allows for several ways veteran services can be organized. The Soldier's Relief Commission would be a 3-member body appointed by the Probate Judge. The Veterans Trust Committee would still be in place and eligible benefits would continue to be delivered to area vets. Personnel of the Veterans Department would be under direct control of the county administrator. The Soldiers' Relief Board would make policy, such as terms for burial expenses.

CITIZENS COMMENTS

Bill Wodek, former Chair of the Veterans Affairs Committee, and recently hired by that committee as the Veterans Director, addressed the Board. He stated that in his opinion, the proposed 3-person commission would only have authority over the distribution of the veterans' relief fund, which currently is not funded by Cheboygan County. He stated disagreed with statements in the newspaper made by the county administrator, and would ask the board not to take action today, but start communications with the committee, area vets and taxpayers.

Phil Oppenheiser, Commander of the Cheboygan VFW Post, read a written statement of opposition to the abolishment of the Cheboygan County Veteran's Affairs Committee (copy on file in County Clerk's Office).

Ressie Stranally, a Cheboygan County resident, stated the importance of recognizing Cheboygan County as having one of the VA offices in the State. She urged the Board to meet with the VA

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Committee to reach a consensus on this matter as veterans in the county deserve nothing less than such a meeting.

Bill Beethem, a member of the Veterans Affairs Committee, said veterans bring money into this county and have given to this county, and this matter should be reconsidered.

Don Horrocks also spoke against abolishing the current VA committee as it would ill-serve the veterans in this county.

Tracy Heath, Chair of the Veterans Affairs Committee, said the committee would welcome a chance to meet on this issue.

Liz Pilon, a veteran and Cheboygan County resident, said that while she does not agree with how the appointment process went about, she believes this change is not the right answer.

Ed Pyrzynski, former Cheboygan County Veterans' Director, stated the soldiers relief committee was disbanded by the county in 1978 for the betterment of the veterans and taxpayers. He said disagreements should be handled by the Board of Commissioners and the pros and cons on both issues need to be discussed. Mr. Pyrzynski thanked Phil Oppenheiser, who also received a round applause.

Jack Darga, a retired veteran who was involved with veterans' affairs for over 50 years, said the veterans fought and earned the right to have a say in matter concerning their lives. He too received a round of applause.

Chairperson Socha said there appears to be misconceptions; the Judge would appoint veterans to the new commission according to the law. She said this issue is not new, but has been ongoing for some time. She said she heard from many veterans who are not here today, and they too feel the process used to hire a new VA director was not good. She said the fiscal responsibility is the county's; but the county does not have the power of oversight of the department, recommendations from two years ago have not been followed. She said today's meeting is a result of the closed session on an attorney/client privileged memo on these issues. Commissioner Page asked for clarification that the administrator had informed the VAC to advertise, post the position and interview candidates. Administrator Overton said yes, the department does work with HR on many issues. Mr. Heath said that when Jeff Katke resigned, the Committee reviewed the application of another candidate for the opening besides Mr. Wodek's, but the VA Committee has the right to appoint the director and give considerable weight to the veterans service organizations' recommendations. He said Mr. Wodek is familiar with the goings on in the office and have not received any complaints or phone calls complaining about the appointment. Chairperson Socha asked if Mr. Heath and the committee would consider posting the position. Mr. Heath said he would like the opportunity to meet and discuss the matter.

Anna Marie Barnes said she was the one that brought the issues to the forefront, as a private citizen, after having watched how the committee was being run. She said the other application received by the VAC appeared to be more qualified. She said the power the VAC has to control the department, but not being fiscally responsible, is wrong.

OLD BUSINESS – None

BOARD MEMBER COMMENTS

Commissioner Bolinger said he believes the VAC should be able to handle their own problems and would advise his fellow commissioners not to get involved. Applause.

Commissioner Redmond said the Board Appointments & Procedures Committee receives applications to fill vacancies on the VAC. Recently a committee member resigned, that individual mentioned he could not stand being part of an organization the way the committee was be run. Mr. Heath said the person who resigned did vote yes on some of these issues.

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Commissioner Socha said many of the calls she received last night, told her vets were being recruited to attend today, but wanted her to know they were not happy and were vets, but are not part of the active group here today because it was being rallied. Mr. Heath said he felt shut down last time, so he did not call.

Commissioner Page said it seems everyone agrees they want to provide best service we can to county veterans, with almost \$115,000 spent last year. He said the purpose of posting a job is to make sure to get the best person for the job. The bottom line is does the board let the VAC handle all problems, or refer to the county administrator like all other departments do.

Commissioner Bolinger said for many years, neighboring counties have come to this county for veteran services because of better service. He said the VA Committee has acted very well over the years and has done a good job.

Commissioner Wallace agreed overall the VAC is doing a good job for the area veterans, however, the Board of Commissioners has to effectively run the department, and it is critical the VAC follows all county policies and should be underneath the County Administrator; personnel problems in the VA office need to be handled.

Commissioner Makima said the committee was doing a good job, but when a director is hired, the proper procedure should have been followed with the assistance of the county administrator or the HR director. He said he feels the board should discuss this further with the VAC, and advertise for the position.

Commissioner Mushlock said in 2001 the VA budget was \$40,000, by 2007 it increased to roughly \$115,000, no other department in the county has increased that much without this board having a voice on expending the budget. She said based on the county's investment, it appears this board does appreciate the veterans.

NEW BUSINESS

Motion by Commissioner Page, seconded by Commissioner Wallace, to adopt the following Resolution 08-019 to Reorganize the Legal Structure for Providing Veterans' Services in Cheboygan County and authorize the Chair to sign:

**Resolution No. 08-019
RESOLUTION TO REORGANIZE THE LEGAL
STRUCTURE FOR PROVIDING VETERANS'
SERVICES IN CHEBOYGAN COUNTY**

Recitals

- A. The Cheboygan County Board of Commissioners strives to provide compassionate and efficient services to veterans within Cheboygan County.
- B. The Cheboygan County Department of Veterans' Affairs is currently organized under Act 192 of the Public Acts of 1953, as amended, being MCL 35.621, *et seq.*
- C. Pursuant to Section 2 of Act 192, being MCL 35.622, the powers and duties of the soldiers' relief commission authorized under the Soldiers' Relief Fund Act, Act 214 of the Public Acts of 1899, as amended, being MCL 35.21, *et seq.*, were transferred to the Cheboygan County Department of Veterans' Affairs.
- D. The Cheboygan County Board of Commissioners recognizes that under Section 1 of Act 192, being MCL 35.621, it has discretion concerning whether to organize veterans' services under Act 192.
- E. The Cheboygan County Board of Commissioners has determined that services to county veterans can be improved by reorganizing the legal structure for delivering these services to county veterans.
- F. The Cheboygan County Board of Commissioners, therefore, desires to specify the reorganized legal structure for delivering services to county veterans in this resolution.

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Resolution

NOW THEREFORE, BE IT RESOLVED by the Cheboygan County Board of Commissioners that the legal structure for delivering services to county veterans shall be reorganized under the following terms and conditions:

1. Effective upon the adoption of this Resolution, services to county veterans shall no longer be provided under the authority of Act 192 of the Public Acts of 1953, as amended, being MCL 35.621, *et seq.* As a result, the current county veterans' affairs committee is hereby dissolved.
2. The Cheboygan County Probate Judge is hereby requested to appoint three (3) members to the county soldiers' relief commission under the terms and conditions of the Soldiers' Relief Fund Act, Act 214 of the Public Acts of 1899, as amended, being MCL 35.21, *et seq.*
3. The newly constituted county soldiers' relief commission shall discharge the duties and responsibilities previously transferred to the county department of veterans' affairs pursuant to Section 2 of Act 192, being MCL 35.622, and shall discharge the duties and responsibilities specified in the Soldiers' Relief Fund Act, Act 214 of the Public Acts of 1899, as amended, being MCL 35.21, *et seq.*
4. Pursuant to the authority granted the board of commissioners under MCL 46.13a to employ such other employees for the county as may be deemed necessary, the positions of veterans' services coordinator and veterans' administrative assistant are hereby created, with the position of veterans' administrative assistant being hereby classified under the AFSCME union contract as a clerk II position (unless reclassified through the collective bargaining process). These newly created positions shall be under the supervisory control of the county administrator.
5. The position of veterans' services coordinator is hereby charged with the responsibility of providing administrative services to the soldiers' relief commission and the county veterans' trust fund committee, which is appointed by the state veterans' trust fund board of trustees pursuant to the Michigan Veterans' Trust Fund Act, Act 9 of the Public Acts of 1946 (1st Ex. Sess), as amended, being MCL 35.601, *et seq.*, and performing such other services to ensure that county veterans receive all benefits to which they may be entitled under state and federal law.
6. The county administrator is hereby directed to develop job descriptions for the newly created positions of veterans' services coordinator and veterans' administrative assistant and to hire appropriate individuals to those newly created positions as soon as possible, following county hiring procedures.

A roll call vote was taken. Motion carried with 5 yes, 2 no (Commissioners Makima and Bolinger), and 0 absent.

CITIZENS COMMENTS

Raymond Olson commented that the problem was solved, but did some over kill, meaning 1/10th of a mill could be levied by the county for veteran services. He said the Board should have found an alternate way to solve the hiring problem, rather than change the entire structure, which may create a mess of new problems.

Tracey Heath said regarding the other issue alluded to; the ruling was just received and haven't had a chance to act on it.

Liz Pilon asked how the public will know when the appointments by the judge are made and director hired. Administrator Overton said the matters would be posted. He said he spoke with Judge Butts and recommended he contact veteran services organizations regarding the appointments. The law doesn't speak as to how the Probate Judge goes about appointing these persons. Chairperson Socha pointed out the makeup is specifically veterans.

Bill Beethem asked if this is automatically a 1/10 of a mill tax increase, can't believe made veterans a political foothold. Civil Counsel Graham said the law does allow up to 1/10 of a mill. Administrator Overton as long as money's available, a millage would not be levied.

Anna Marie Barnes asked if the department would be closed until a director is hired. Administrator Overton said plans are to keep the department open, possibly filling in with temporary persons.

Don Horrocks asked what the present cost of the director and secretary versus the new process would be. Administrator Overton said the clerk II position would remain the same, and the director salary would be similar as current salary; only difference may be full family health insurance.

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Tracey Heath said Bill Wodek currently is out of a job, and asked about Mellissa. Administrator Overton said Mellissa would stay on for now, that is a union position.

Bill Wodek asked regarding the millage issue, if there has been recent changes regarding the millage in last 5 years. Mr. Graham said he would provide the case he referred to. Mr. Wodek said in the past the Veterans Affairs Committee inquired about that millage several times and did not receive a response from the county. He said the memo from September 2003 provided by Civil Counsel was never passed on to the committee, that memo states there should be a veterans relief fund funded by the county. The committee authorized the creation of a new fund which is funded by donations, however, the whole time it should have been fund by the county through this millage. By passing this resolution all control and authority have been taken away from the veterans, and only duties new committee has is distribute funds from a non-existent fund.

Commissioner Bolinger stated perhaps the Board has created an monster.

Motion by Commissioner Makima, seconded by Commissioner Wallace, to adjourn to the call of the chair. Meeting adjourned at 9:30 a.m.

Mary Ellen Tryban
Cheboygan County Clerk/Register

Linda Socha
Chairperson